











Unpaid/nonreimbursed business expenses

Reporting time pay/split shift premiums

Failure to provide a meal and/or rest period in accordance with the applicable Industrial Welfare Commission Order

Liquidated damages for failure to receive minimum wage for each hour worked

Waiting time penalties for failure to receive final wages timely upon separation of employment

Penalties for paycheck(s) that have bounced or are not negotiable within 30 days of receipt. Penalties for employer's failure to allow inspection or copying of payroll records within 21 days of request.

Sick Leave Pay for time accrued and used for which you were not paid (effective July 1, 2015)

For an in-depth review on how to file a wage claim and the procedures and forms involved, visit:

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A copy of the publication, *Recovering Your Unpaid Wages with the California Labor Commissioner's Office* can be found in the Reference Publications section of this publication.



You may be able to file a wage claim if you were not provided a meal and/or rest period in accordance with the applicable Industrial Welfare Commission Order.

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If your employer discriminates or retaliates against you, you can file a discrimination/retaliation complaint.

If your employer discriminates or retaliates against you (for example, he fires you because you asked him why you weren't being paid the minimum wage, or because you file a claim or threaten to file a claim with the Labor Commissioner), you can file a discrimination/retaliation complaint with the Labor Commissioner's Office (also called the Division of Labor Standards Enforcement). In the alternative, you can file a lawsuit in court against your employer. For more details, please see the booklets located in the Reference Publications section of this publication, *Health and Safety Rights: Facts for California Workers* and *All Workers Have Rights in California*.

As an employee in the State of California, you have the right to speak to representatives of the office of the California Labor Commissioner or any other government or law enforcement agency about any issues affecting your working conditions. Your employer cannot fire, demote, suspend, or discipline you for answering questions or providing information to a government agency.

## Filing a Lawsuit

If you decide to file a lawsuit for lost wages, you should consult with legal representation on how to proceed.

## Workers' Compensation

Workers' compensation benefits are designed to provide employees with the medical treatment necessary to recover from work-related injuries or illness, partially replace wages that are lost while recovering, and help the employee return to work. Workers' compensation benefits do not include damages for pain and suffering or punitive damages.

The Division of Workers' Compensation (DWC) monitors the administration of workers' compensation claims and provides administrative and judicial services to assist in resolving disputes that arise in connection with claims for workers' compensation benefits.

California employers are required by law to have workers' compensation insurance, even if they only have one employee. If your employees get hurt or sick because of work, you are required to pay for workers' compensation benefits. Workers' compensation insurance provides six basic benefits: medical care, temporary disability benefits, permanent disability benefits, supplemental job displacement benefits, or vocational rehabilitation and death benefits.

DWC's mission is to minimize the adverse impact of work-related injuries on California employees and employers. There are several offices throughout the State. Benefits Assistance and Enforcement Phone: (800) 736-7401.

- DWC contact information: [www.dir.ca.gov/dwc/ContactDWC.htm](http://www.dir.ca.gov/dwc/ContactDWC.htm).
- For locations: [www.dir.ca.gov/dwc/dir2.htm](http://www.dir.ca.gov/dwc/dir2.htm).

## The Family Medical Leave Act

The Family Medical Leave Act (FMLA) applies to employers who employ 50 or more employees. You may be eligible for this benefit if you work for a large chain salon. Eligible employees are entitled to take unpaid, job-protected leave with continuation of group health insurance coverage for up to 12 work weeks in a 12-month period for:

- The birth of a newborn child
- The placement and care of a child for adoption or foster care ☐
- The serious health condition of the employee or the employee's spouse, child, or parent
- Qualifying needs arising out of a covered military member's active duty status ☐

And 26 work weeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness.

For information regarding FMLA visit: [www.dol.gov/whd/fmla/index.htm](http://www.dol.gov/whd/fmla/index.htm).



You may be eligible for FMLA due to the birth of a newborn child, or the placement and care of a child for adoption or foster care.

## Immigrant Workers

The Department of Labor's Wage and Hour Division continues to enforce the Fair Labor Standards Act without regard to whether an employee is documented or undocumented. Regardless of your citizenship status, employees have the right to work for a minimum wage, keep their tips, and have a safe, healthy workplace.

## Agency Contact Information: □

### **LABOR COMMISSIONER'S OFFICE (also known as the Division of Labor Standards Enforcement [DLSE])**

The Labor Commissioner provides information about employment rights, discrimination, and wrongful firings. The Labor Commissioner's Office also takes worker complaints about discrimination for health and safety activity and will investigate them. There are several locations throughout the State.

Website: [www.dir.ca.gov/dlse/dlse.html](http://www.dir.ca.gov/dlse/dlse.html)

For locations and contact information:  
[www.dir.ca.gov/dlse/DistrictOffices.htm](http://www.dir.ca.gov/dlse/DistrictOffices.htm)

E-mail: [dlse2@dir.ca.gov](mailto:dlse2@dir.ca.gov)

### **U.S. DEPARTMENT OF LABOR (WAGE AND HOUR DIVISION)**

Website: [www.wagehour.dol.gov](http://www.wagehour.dol.gov)

Monday-Friday, 8 a.m. to 5 p.m.

Phone (866) 4USWAGE ([866] 487-9243)

TTY (877) 889-5627

### **INTERNAL REVENUE SERVICE**

Many tax questions can be answered online at the IRS website.

Website: <https://www.irs.gov>

If you require a face-to-face meeting, you can find your local office information at: <https://www.irs.gov/uac/Contact-My-Local-Office-in-California>

### **IRS SMALL BUSINESS AND SELF-EMPLOYED TAX CENTER**

Website: <https://www.irs.gov/Businesses/Small-Businesses-Self-Employed>

### **STATE OF CALIFORNIA FRANCHISE TAX BOARD**

Website: <https://www.ftb.ca.gov/>

Monday-Friday, 7 a.m.-5 p.m. (800) 852-5711

24/7 Automated Support (800) 338-0505

Outside the United States (916) 845-6500

TTY/TDD (800) 822-6268

### **BOARD OF EQUALIZATION**

General Tax Questions (Toll-free) (800) 400-7115  
Outside the United States (916) 445-6362  
California Relay Service (CRS) 711 (for hearing  
and speech  
disabilities)

### **EMPLOYMENT DEVELOPMENT DEPARTMENT (EDD)**

Website: [www.edd.ca.gov/About\\_EDD/Contact\\_EDD.htm](http://www.edd.ca.gov/About_EDD/Contact_EDD.htm)

Ask EDD: <https://askedd.edd.ca.gov>

Department Directory: [www.edd.ca.gov/About\\_EDD/Department\\_Directory.htm](http://www.edd.ca.gov/About_EDD/Department_Directory.htm)







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