

Hi. Thanks for joining today's podcast. This is Chris Micheli. I'm an adjunct professor at McGeorge School of Law and a principal at the Sacramento governmental relations firm of Aprea & Micheli. This podcast is on Assembly Bill 673 by Wendy Carrillo, which was enacted as Chapter 716 on October the 10th.

The bill contains one section which provides several amendments to Labor Code Section 210. The purpose of this provision of law is to provide penalties for the failure to pay wages to workers in the state of California. First, the bill adds a new category of Failure to Pay Wages that are subject to this penalty in Labor Code Section 210. Second, the bill removes the description of a civil penalty.

Third, it provides that the penalties may be recovered under Labor Code Section 210 either by the employee as a statutory penalty or by the Labor Commissioner as a civil penalty through its citation process. The procedures for issuing, contesting and enforcing judgments for these citations issued by the Labor Commissioner are set forth as existing law and the same as. Fourth, this new law specifies that an employee can only recover the statutory penalties provided in Section 210 or to enforce a civil penalty under the Private Attorneys General Act, PAGA statute, but not for both, for the same violation of the Labor Code.