

EMPLOYMENT LAW 101

Hot Topics in Today's Economy

**Maddox Practice Group
Seminar Series 2010
October 1, 2010**

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AGENDA

I. Introduction

- A. Welcome
- B. Know when there may be an issue / when to ask a question
- C. Labor Code Top 50
- D. Know the risk, then it is your decision

II. Wage and Hour Hot Topic - Exempt / Non-Exempt Status

- A. Wage Order No. 4
 - i. Posting Required
 - ii. What does it say / What does it mean
- B. Who is Exempt and who is Non-exempt – Why does it matter
- C. Four Primary Requirements for all Non-exempt Staff Members:
 - i. Overtime – Regular Rate Claims
 - ii. Meal Periods & Rest Breaks – May waive meal period **only** if you: (a) pay an extra hour; (b) pay overtime if applicable, and (c) have a written agreement consenting. May also waive if under 6 hours by written agreement consenting (no extra hour required).
 - iii. Time Records
 - iv. Pay Stub Requirements – Crossing the t's and dotting the i's
- D. Hygienists – “Commission” or Piece Rate Pay Does Not Preclude Overtime
- E. Alternative Workweek Schedule Option to Overtime – Pros, Cons and Requirements

III. Employee Handbooks

- A. What it should and should not include
- B. Why bother – what will it really do for you

IV. Independent Contractor v. Employee Status

V. Recent War Stories / Q & A