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KD Alert: EMPLOYERS BEWARE!
California Increases Penalties in 2014 for Wage and Hour Violations

By Amber S. Healy, Esq.
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The New Year brings to California new employee protections and increased employer penalties for violating the minimum wage protections of the California Labor Code. Starting in 2014, an employee who alleges a violation of the minimum wage law will be able to recover not only civil penalties and restitution but also liquidated damages in an amount equal to the wages unlawfully unpaid, plus interest. Cal. Lab. Code § 1194.2.While many employers believe that they are "safe" from such claims because they pay employees at or above minimum wage, most violations actually result from unpaid time – e.g., working "off the clock"—worked by employees who earn more than the minimum wage. Claims may arise from any alleged unpaid time, including, time spent by employees during donning and doffing of uniforms and unpaid security checks. CAUTION: While these claims may be low value on an individual basis, they are often presented in a class action on behalf of all employees and the costs and stakes of litigation become much higher.

Amber Healy, Esq. and Kimberly Westmoreland, Esq. of Kaufman, Dolowich & Voluck LLP's Los Angeles Office are offering pro-active wage and hour audits to employers. Ms. Healy and Ms. Westmoreland, both former plaintiffs' counsel, are well skilled in quickly identifying wage and hour issues and exposures. Let KD assist you in identifying and solving these lurking wage and hour landmines before you receive notice of a class action lawsuit.

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