

Clear As Mud: California Wage and Hour Laws in the Public Sector

The Authority, California Joint Powers Insurance Authority Newsletter, Issue 50

In the past year, California employers have been dealing with numerous developments in California wage and hour law that have resulted in significant changes to their personnel policies and practices. Although the language of some of the new legislation has expressly addressed whether public agencies are within the scope of "employers" who are subject to the new laws apply, historically, the Legislature has not always been so direct in identifying whether particular wage and hour requirements are intended to apply in the public sector. As a result, many public employers have mistakenly assumed that the only controlling legal authority for wage and hour law in the public sector was the federal Fair Labor Standards Act ("FLSA.")

This article will briefly address some of the most common questions public employers have been asking regarding which California wage and hour laws do (or do not) apply to (some) public agencies and will provide a brief overview of the analytical framework that California courts typically apply in evaluating claims by public employees who are seeking the benefit of provisions that apply to employees in the private sector.

Article

RELATED PRACTICES

Public Law
Employment Law and Litigation

RELATED PEOPLE

Private: Katy A. Suttorp, AWI-CH

© 2025 Burke, Williams & Sorensen, LLP. All rights reserved.