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SB-1015 Domestic work employees: labor standards. (2015-2016)

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Senate Bill No. 1015

CHAPTER 315

An act to repeal Section 1453 of the Labor Code, relating to domestic work employees.

[Approved by Governor September 12, 2016. Filed with Secretary of State September 12, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1015, Leyva. Domestic work employees: labor standards.

Existing law regulates the wages, hours, and working conditions of any man, woman, or minor employed in any occupation, trade, or industry, whether the amount of compensation is measured by time, piece, or otherwise, except as specified. An existing order of the Industrial Welfare Commission regulates wages, hours, and working conditions for household occupations. Existing law makes violations of certain of these provisions and this order a misdemeanor.

Existing law, the Domestic Worker Bill of Rights, regulates the hours of work of domestic work employees who are personal attendants and provides an overtime compensation rate for those employees. The Domestic Worker Bill of Rights defines terms for its purposes and requires the Governor to convene a committee to study and report to the Governor on the effects of its provisions on personal attendants and their employers. Existing law repeals the Domestic Worker Bill of Rights as of January 1, 2017.

This bill would delete the repeal date. By extending the effect of the Domestic Worker Bill of Rights, the violation of which is a misdemeanor, this bill would expand the definition of a crime, which would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1453 of the Labor Code is repealed.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

