

## **NEW Minimum Pay for Reporting to Work**

An employer must make a good faith effort to tell employees before a shift is cancelled or shortened. If an employer does not, and an employee reports to work and is sent home because their shift is canceled or shortened, the employer must pay the employee the lesser of: (1) two hours of pay at the employee's regular hourly rate, or (2) the total amount the employee would have earned for the originally scheduled shift.

If an employee is entitled to receive minimum pay for reporting to work, the pay should be at the rate they would have received if they actually worked the shift.

- It will include the shift differential if applicable;
- It will include the overtime rate if the shift was actually an overtime shift

## **Exceptions**

The law provides exceptions if the employer cancels or shortens a shift because employees can't work due to adverse weather, a natural disaster or civil emergency, or the employee's own illness or workplace injury.

## **Documentation**

Employers can avoid complaints and penalties by documenting when and how they notify an employee not to report for work. The employer needs to notify employees directly or notify the employees of an alternative notice system like the Civil Alert System. If these efforts are unsuccessful and the employee reports to work, the employee must perform any assigned duties that the employer has available, as long as the employee is physically able to do that work. If there are no duties to assign, the employer must compensate the employee as explained above.