



Paydays, Overtime and Wage Statements

PAYDAYS. In California, wages must be paid at least twice during each calendar month on the days designated in advance as regular paydays. The employer must establish a regular payday and is required to post a notice that shows the day, time and location of payment. [Labor Code Section 207](#) Wages earned between the 1st and 15th days must be paid no later than the 26th day of the month during which the labor was performed. Wages earned between the 16th and last day of the month must be paid by the 10th day of the following month. See exceptions* “Temporary service employers” have different pay obligations. [Labor Code Section 201.3](#).

Other payroll periods such as weekly, biweekly or semimonthly when the earning period is something other than between the 1st and 15th, and 16th and last day of the month, must be paid within seven calendar days of the end of the payroll period within which the wages were earned. [Labor Code Section 204](#).

If a payday falls on a holiday, employers can pay employees the business day before or after the holiday. Be sure to include this policy in an Employee Handbook or other written policy so employees have notice.

OVERTIME. Overtime wages must be paid no later than the payday for the next regular payroll period following the payroll period in which the overtime wages were earned. An employer shall be in compliance with Labor Code Section 226(a) relating to total hours worked by a non-exempt employee if the overtime hours are recorded as a correction on the itemized statement for the next regular pay period and include the dates of the pay period for which the correction is being made. [Labor Code Section 204\(b\)\(2\)](#).

WAGE STATEMENTS. Timely paychecks must be accompanied by a “simple” wage statement at least semi-monthly per [Labor Code 226\(a\)](#). The wage statement must include distinct pieces of information for each employee:

1. Gross wages earned;
2. Total hours worked (with the exception of exempt salaried employees);
3. The number of piece-rate units earned and any applicable piece rates if employee is paid on a piece rate basis;
4. All deductions;
5. Net wages earned;
6. The inclusive dates of the pay period;

7. The employee name and either the last four digits of the social security number or an employee ID number;
8. The name and address of the legal entity that is the employer; and
9. All hourly rates in effect during the pay period and the corresponding number of hours worked at each hourly rate.
10. Paid Sick Leave (can be on separate notice).**

** Payday exceptions include executive, administrative and professional employees (can be paid once a month). Workers employed by a farm labor contractor. Employees in agriculture, horticulture and viticulture. Employees of a motor vehicle dealer licensed by the DMV who are paid commission wages. More at: http://www.dir.ca.gov/dlse/FAQ_Paydays.htm*

***Paid Sick Leave: An employer must provide an employee with a written notice setting forth the amount of paid sick leave available to the employee each pay period. An employer can either provide this notice to the employee on the itemized wage statement or in a separate written document provided to the employee with the payment of wages.*