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# California New Hire Toolkit

Congratulations on hiring your new employee! Below, we list the required new hire paperwork under federal, state, and when applicable, local laws relating to paid sick leave, lactation accommodation, and fair and predictive scheduling. Be aware the list does not include any industry-specific forms or notices.

You may notice some of the required documents do not contain a link. When that is the case, there is no specific format required nor does the state or locality offer a template, so we simply provide a description of the notice requirement.

All the forms and notices listed below are required by law, but you may certainly require additional paperwork in your new hire process.

Note that some states and localities may require covered employers to provide employment law posters directly to employees. This is particularly important for employers without a physical worksite. Be sure to review the state-specific posting requirements laws page linked in Additional Resources to ensure compliance with all applicable notice and posting obligations.

## State and Federal Required New Hire Paperwork

### Payroll

[\*\*California Withholding Exemption Forms\*\*](#)—Employers must provide employees with the appropriate withholding form to designate the amount of California income tax to withhold from their paycheck (see “Forms” tab).

[\*\*Federal Form W-4\*\*](#)—Employers must provide employees this form to designate the amount of federal income tax to withhold from their paycheck.

[\*\*Federal Form I-9\*\*](#)—Employers must use this form to verify the identity and employment authorization of each employee hired in the United States. Both employees and employers must complete this form.

[\*\*Wage Theft Protection Act Notice to Employee\*\*](#)—Covered employers must provide employees at the time of hire with a written notice (in the language the employer normally uses to communicate employment-related information to employees) that includes the following information:

- The pay rate and the basis, whether hourly, salary, piece, commission, or otherwise, including any overtime rate.
- Allowances, if any, claimed as part of the minimum wage, including meals or lodging.
- The regular payday.
- The employer’s name, including any “doing business as” names used by the employer.
- The physical address of the employer’s main office or principal place of business and a mailing address, if different.
- The employer’s telephone number.
- The name, address, and telephone number of the employer’s workers’ compensation insurance carrier.
- A statement that an employee:
  - May accrue and use sick leave;
  - Has a right to request and use accrued paid sick leave;
  - May not be terminated or retaliated against for using or requesting the use of accrued paid sick leave; and
  - Has the right to file a complaint against an employer that retaliates.
- The existence of a federal or state disaster emergency (if one was issued impacting the county where the employee is going to work within 30 days before the employee’s start date) that may impact the employee’s health and safety.
- Any other information as determined by the Division of Labor Standards Enforcement (DLSE).

The notice required for temporary services employers (except for licensed security services companies that solely provide security services) must also include the following:

- The name, physical address of the main office, and mailing address (if different from the physical address of the main office).
- The telephone number of the legal entity for which the employee will perform work.
- Any other information the labor commissioner deems material and necessary.

**Commission Agreements**—Employers with employees in California receiving compensation that includes commission must be provided a signed commission agreement stating the method for computing and paying commission. Employers must obtain a signed receipt for the agreement from the employee.

For additional information on any of the above forms or notice requirements, including the definition of “covered employers,” see:

- [California Payroll Taxes and Withholding](#)
- [California Wage Payment](#)
- [Federal Payroll Taxes and Withholding Requirements](#)
- [Federal Employment Eligibility Verification](#)

# Benefits

**[Notice to Employees of Coverage Options](#)**—Covered employers must provide a notice of coverage options to new hires within 14 days of their start date, regardless of plan enrollment status or of part-time or full-time status. The Department of Labor provides a model notice for employers that do not offer a health plan and another model notice for employers that offer a health plan to some or all employees.

For additional information on the above notice requirements, including the definition of “covered employers,” see [ACA: Required Marketplace/Exchange Notice](#).

Also see the [Benefit Notices for New Hires: Employers of All Sizes](#) guide providing templates, tips, and interactive tools to streamline the preparation of benefits notices for new hires, including pre-filled employer information and tailored notices based on employee count.

# State Required Insurance

**[Disability Insurance Provisions Brochure \(DE 2515\)](#)**—Covered employers are required to provide new employees with this brochure outlining partial wage replacement benefits available to covered employees who are unable to work due to a non-work-related illness, injury, pregnancy, or childbirth.

For additional information on the above notice requirement, including the definition of “covered employers,” see [California State Disability Insurance](#).

# Discrimination and Accommodations

**Harassment, Discrimination, and Retaliation Prevention Policy**—Covered employers must develop a written policy in accordance with the law and must distribute it to all employees through any of the following methods:

- Printing and providing a copy of the policy to all employees with an acknowledgment form for the employee to sign and return.
- Discussing policies at hire, during a new hire orientation session, or both.
- Sending the policy via email with an acknowledgment return form.
- Posting current policy versions on a company intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies.
- Any other way that ensures employees receive and understand the policies.

The [Civil Rights Department \(CRD\)](#) provides a *Sample EEO Policy* template and a *Workplace Harassment Prevention Guide*. Any employer with a workforce at any facility or establishment containing 10% or more people who speak a language other than English as their primary spoken language must translate the policy into every language that is spoken by at least 10% of the workforce.

**[California Sexual Harassment Fact Sheet \(CRD-185\)](#)**—Covered employers must distribute the sexual harassment information pamphlet or poster provided by the CRD, unless the employer provides equivalent information that contains at least the following components:

- The illegality of sexual harassment.
- The definition of sexual harassment under applicable state and federal law.
- A description of sexual harassment, including examples.
- The employer’s internal complaint process available to employees.
- The legal remedies and complaint process available through the CRD.
- Directions on how to contact the CRD.
- Employees’ protections against retaliation for:
  - Opposing any practices prohibited by the law’s antidiscrimination and antiharassment provisions;
  - Filing a complaint with the CRD; and
  - Participating in an investigation, proceeding, or hearing conducted by the CRD.

The fact sheet is available in multiple languages under the “Required” tab.

**Lactation Accommodation Policy**—Covered employers are required to make a lactation accommodation policy and include it in the employee handbook or other set of policies to be distributed to new employees upon hire. The policy must include:

- A statement about an employee’s right to request lactation accommodation;
- How an employee should make the request;
- The employer’s obligation to respond to the request, either by providing the time and space or responding in writing that they cannot; and
- A statement about an employee’s right to file a complaint with the labor commissioner for a violation of their rights.

For additional information on any of the above notice requirements, including the definition of “covered employers,” see:

- [California Employment Discrimination and Accommodations](#)
- [California Lactation Accommodations](#)

## Leaves

**[California Family Rights Act Fact Sheet \(CRD-E03P\)](#)**—Covered employers are encouraged to provide new employees with information about California’s provisions for unpaid family care and medical leave to bond with a newborn, adopted, or foster child; to care for a child, spouse, domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, or a designated person with a serious health condition; or to address a qualifying exigency related to the covered active duty or call to covered active duty of an employee’s spouse, domestic partner, child, or parent in the U.S. Armed Forces.

**[Pregnancy Disability Leave Fact Sheet \(CRD-E02P\)](#)**—Covered employers must provide new employees with information about California’s provision guaranteeing leave for employees disabled by pregnancy, childbirth, or a related medical condition. Employers that provide employee handbooks must include information about pregnancy disability leave in it.

**[Paid Family Leave Brochure \(DE 2511D\)](#)**—Covered employers are required to provide new employees with this brochure outlining short-term wage replacement benefits to care for a seriously ill family member, to bond with a new child, or to participate in a qualifying military event.

**[Rights for Victims of Domestic Violence, Sexual Assault, and Stalking Notice](#)** — Covered employers must provide new employees at the time of hire with information about California protections for employees who are victims of domestic violence, sexual assault, or stalking.

Effective January 1, 2025, the state's victim protection leave law will expand, and employers will be subject to additional notification requirements by July 1, 2025.

Employers must provide written notice of these rights not only at the time of hire and upon request but also annually to all employees and whenever an employee notifies the employer that they or a family member is a victim.

The CRD will create a new model notice, which will be available on its website by July 1, 2025. Employers will not be required to provide the updated notice until it becomes available.

**[Family and Medical Leave Act \(FMLA\) \(Spanish\)](#)**—Covered employers must provide this notice to each employee either through inclusion in the employee handbook or other written guidance to employees concerning employee benefits or leave rights, or by providing a copy of the notice upon hire. Electronic distribution of the notice is permitted.

For additional information on any of the above notice requirements, including the definition of “covered employers,” see:

- [California Family and Medical Leave](#)
- [California Victim Leave](#)
- [FMLA: Employer and Employee Rights and Obligations](#)

## Privacy

**California Consumer Privacy Act of 2018 (CCPA), as amended by the California Privacy Rights Act of 2020 (CPRA) Notice**—Covered businesses must provide applicants and employees who reside in California a notice detailing their rights regarding the collection, use, correction, or deletion of their employment-related personal information. The notice must be provided at or before collecting personal information, such as on a job application, and must detail:

- The types of personal information that will be collected;
- Why the personal information will be collected and what it will be used for;
- Whether personal information will be sold or shared;
- The retention period or, if that is not possible, criteria for each type of personal information collected;
- If the business sells or shares personal information, where the Notice of Right to Opt-Out of Sale/Sharing can be found online;
- Where the business’s privacy policy can be found online;
- The right to make corrections; and
- Their rights under the CCPA and CPRA.

For additional information on the above notice requirement, including the definition of “covered employers,” see [California Workplace Privacy and Social Media](#).

## Workers’ Compensation

**Time of Hire Notice**—Covered employers must provide newly hired employees at the time of hire or by the end of the first pay period with this workers’ compensation notice explaining their rights and responsibilities.

For additional information on the above form or notice requirement, including the definition of “covered employers,” see [California Workers’ Compensation](#).

## Workplace Safety and Violence

**Access to Employee Exposure and Medical Records**—Occupational Safety and Health Administration (OSHA) regulations require covered employers to maintain employee exposure and medical records and to inform employees upon hire of their existence, location, and availability.

For additional information on the above notice requirement, including the definition of “covered employers,” see [Federal OSHA and Workplace Safety](#).

# Local Required New Hire Paperwork

## Berkeley

**[Fair Workweek Ordinance](#)**—Covered employers must provide new hires with the following information:

- Written notification of their rights under the ordinance.
- The employer’s name, address, and phone number.
- A written initial work schedule prior to or on the employee’s first day of employment.

**Written** means printed or electronic format, including email, text message, or a calendar program.

**[Paid Sick Leave Notice](#)**—Covered employers are required to display a Berkeley minimum wage poster that includes information about Berkeley’s Paid Sick Leave law. The poster must be posted in Berkeley workplaces and jobsites, in English and all other languages spoken by 5% of employees at that workplace or jobsite. If an employee does not work in the office or at a regular jobsite, the employer must give them the poster individually before they start working in Berkeley.

For additional information on any of the above notice requirements, including the definition of “covered employers,” see:

- [Berkeley, California, Fair and Predictive Scheduling](#)
- [Berkeley, California, Sick Leave](#)

## Emeryville

**[Fair Workweek Ordinance](#)**—Covered employers must provide new hires with the following information:

- Written notification of their rights under the ordinance.
- A notice of employment information and good faith estimate of the employee’s work schedule before the employee begins work.
- An initial work schedule for the time period between when the employee starts work and when the next schedule is to be provided for all employees. Employers must provide the initial schedule before or on the employee’s first day.

**[Paid Sick Leave Notice](#)**—Covered employers must provide employees with written notice of their rights under Emeryville’s Paid Sick Leave Ordinance upon hire. The notice must be provided in English and all languages spoken by 10% or more of the employees.

For additional information on any of the above notice requirements, including the definition of “covered employers,” see:

- [Emeryville, California, Fair and Predictive Scheduling](#)
- [Emeryville, California, Sick Leave](#)

# Los Angeles

**Fair Work Week Ordinance**—Before hiring a new employee, covered employers must provide them with a written good faith estimate of their work schedule and a summary of their rights (or copy of the poster) under the ordinance.

**Notice of Employer Information**—Covered employers must provide employees with the employer’s name, address, and telephone number in writing at the time of hire.

For additional information on any of the above notice requirements, including the definition of “covered employers,” see:

- [Los Angeles, California, Fair and Predictive Scheduling](#)
- [Los Angeles, California, Sick Leave](#)

# Oakland

**[Paid Sick Leave Notice](#)**—Covered employers are required to provide each employee with written notice of their rights under the Paid Sick Leave Ordinance upon hire. This notice must be provided in all languages spoken by more than 10% of employees and must also be posted prominently in areas where it will be seen by all employees. The city provides posters (Oakland’s Minimum Wage Poster set) to meet this requirement.

For additional information on the above notice requirement, including the definition of “covered employers,” see [Oakland, California, Sick Leave](#).

# San Diego

**[Employer to Employee Notice](#)**—Covered employers must provide each employee with written notice of the employer’s name (legal and, if applicable, fictitious), address, and telephone number and the employer’s obligations under the Sick Leave law, including how the employer satisfied its obligations (e.g., the method of accrual). This notice must be in English and the employee’s primary language if it is spoken by more than 5% of the employer’s workforce and the county registrar provides translated ballot materials for that language (see the “Notice and Posting” tab).

For additional information on the above notice requirement, including the definition of “covered employers,” see [San Diego, California, Sick Leave](#).

# San Francisco

**Lactation Accommodation Policy**—Covered employers must develop and implement a lactation accommodation policy that includes:

- A statement that employees have a right to request a lactation accommodation.
- A process for employees to request an accommodation. The process must specify how to submit a request, require the employer to reply within five business days, and require an interactive process between employer and employee to determine the appropriate lactation location and break periods.
- A statement that if the employer does not provide the break periods or location (or the location is noncompliant) as requested by the employee, then the employer will provide the employee with a written response as to why the request was denied.
- A statement that retaliation is prohibited.

The employer’s lactation accommodation policy must be distributed to all employees upon hiring. Employers must also offer a copy of the policy to any employee who inquires about or requests pregnancy or parental leave. If the employer has an employee handbook or set of policies made available to employees, the lactation accommodation policy must be included in it.

**Formula Retail Employee Rights Ordinance**—Before a new employee starts work, covered retail employers must give employees a written good faith estimate of their expected work schedule, including the minimum number of scheduled shifts per month and the days and hours of those shifts. Employees can request the employer modify the schedule and the employer must notify the employee of its decision before the employee starts work.

On a new employee’s first day, the employer must also give the employee a work schedule that runs through the date that the next schedule will be provided to existing employees.

**[Health Care Security Ordinance Poster](#)**—Covered employers are required to display the city’s poster in a conspicuous place at any workplace or jobsite where covered employees work in English, Spanish, Chinese and any other language spoken by at least 5% of employees at that workplace or jobsite. If an employee does not work in the office or at a regular jobsite, the employer must provide them with a copy of the poster.

For additional information on any of the above notice requirements, including the definition of “covered employers,” see:

- [San Francisco, California, Lactation Accommodations](#)
- [San Francisco, California, Fair and Predictive Scheduling](#)
- [San Francisco, California, Health Care Security Ordinance](#)

## West Hollywood

**Notice of Employer Information**—Covered employers must provide each employee with the employer’s name, address, and telephone number at the time of hire.

For additional information on the above notice requirement, including the definition of “covered employers,” see [West Hollywood, California, Paid Sick, Vacation, or Personal Necessity Leave](#).

## Next Steps

Now that you’ve brought on your new team member, it’s important to ensure compliance with both federal and state regulations regarding employment eligibility verification and new hire reporting.

Employers are required to adhere to federal and state guidelines, which may include utilizing E-Verify, a system that compares information from an employee’s Form I-9 with data from the Department of Homeland Security (DHS) and the Social Security Administration (SSA) in determining whether an employee is eligible to work in the United States. While E-Verify is typically voluntary for most employers under federal law, some states require its use.

Furthermore, federal law requires employers to report basic information on new and rehired employees within 20 days of their hire to the state where the new employees work; however, some states require it sooner.

For complete details on the above federal and state requirements, see:

- [California Employment Verification and New Hire Reporting](#)
- [Federal Employment Eligibility Verification](#)
- [Federal New Hire Reporting](#)

## Quick Links

The following links are optional resources that may be helpful to your new hire process and may or may not be applicable to your company. Many of these items can be downloaded and used as-is or as a starting place to help you create forms, policies, and letters for use during onboarding:

- Hiring [Forms](#), [Letters](#), [Policies](#), [Guides](#), and [Checklists](#)
- Wage and Hour [Forms](#), [Letters](#), [Policies](#), [Guides](#), and [Checklists](#)
- [Hiring Q&As](#) and [Wage and Hour Q&As](#)
- [Employee Handbook Builder](#)