

The California Labor Law Checklist For Dispensary Owners



While it can sometimes be a struggle to keep track of all the legal and regulatory requirements that apply to your business, it's well worth the extra time and effort. You're better off making sure all the necessary boxes are checked now, as opposed to dealing with unforeseen legal and ethical issues in the future that could have been avoided. With a little research and planning, you can make sure to avoid these common compliance mistakes and focus on growing your business and brand.

This checklist is designed for Cannabis Store businessowners to identify how compliant their cannabis business is.

		YES	NO	UNSURE
MEAL & REST BREAKS	Are you providing nonexempt employees an unpaid and uninterrupted meal break that is no less than thirty minutes?			
	Are you providing employees with a meal break no less than thirty minutes before the start of the 5th hour of work?			
	If an employee has taken a break past the 5th hour of work and has worked longer than 6th hour, are you paying a meal break pay of one hour at an employee's regular rate of pay?			
	If an employee did not take an unpaid meal break and has worked more than 6 hours, are you paying a meal break pay(meal break penalty) of one hour at an employee's regular rate of pay?			
	Are you providing employees with the opportunity of an uninterrupted rest break of no less than 10 minutes for each four hour shift (or major fraction thereof)?			
	Are you allowing your employees to leave their premises on the break?			
	If employees are coming back early from their breaks, are you paying a meal penalty of one hour at an employee's regular rate of pay?			
REPORTING TIME PAY / WORKING TIME	Do you have a mechanism to pay rest break premiums? (or monitor if people don't get their rest breaks)			
	Are employees verifying and signing off on all clock edits made by management?			
	Are employees who are required to perform duties outside of their clocked work hours compensated? Off-the-clock work could include locking up, checking work e-mails, COVID pre-checks or other similar duties.			
	Do you know if employees are clocking out before setting the alarm and locking up?			
	Are you auditing your remote working employees for all of their time?			
	Are managers who are required to set up the alarm and lock up for the day, after they've clocked out, being compensated for that allotted time?			
	Are you paying your employees for any time that they're working after they've clocked out?			
REIMBURSEMENTS	When an employee is sent home early for any reason other than by personal request; are you paying them for daily minimum work pay? Aka Reporting Time Pay? (The greater of minimum of two hours or half of the scheduled shift)			
	Do employees have on call shifts?			
	For employee who use their phones for any required work related activities, is the company reimbursing a portion of their phone bill to cover the usage?			
	Do you require employee to fill or sign any forms, onboarding documents or new policy statements outside of work hours?			
	Are employees being reimbursed for any time spent filling out or signing forms, onboarding documents or new policy statements outside of work hours?			
FORMS	Are you deducting anything off an employees' pay that they are required to have in order to perform their duties like office supplies, uniform fees, etc?			
	You do not currently have anyone who is doing a working interview or staging (An unpaid internship to acquire knowledge and a position)			
	Employee Handbook			
	Employee Handbook Acknowledgement Form			
	Arbitration Agreement			
	Meal & Rest Policy			
	Meal Waiver Form			
	You do not ask for photos of candidates during the hiring process or on the application form			
	You do not have managers hand out their own forms			
	Are the forms provided to employees being vetted by lawyers or a HR department?			

Results: If you've answered "no" or "unsure" to one or more questions, your business could be at risk. Compliance mistakes in California can cause serious legal issues for business owners. If you're deducting pay off an employee that isn't compliant, you can also be subject to a hefty fine for underpaying an employee. Though technology can't solve all issues, it can definitely help. If you're looking for tools that'll help you combat the legal minefield of business compliance or manage ongoing labor challenges such as scheduling, time and attendance, reporting and payroll, feel free to schedule a demo.

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