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## Courtside *Legal Update*

### All Counties and Charter Cities Need to Comply with Minimum Wage Laws



BY: ROBERT H. TYLER, ATTORNEY AT LAW  
ASHLEY A. RICHARDSON, LAW CLERK  
LINDA CONAWAY, LEGAL ASSISTANT

The minimum wage in California is increasing annually over the next few years. In *Marquez v. City of Long Beach*, 244 Cal. Rptr. 3d 57 (2019), the Court of Appeals recently ruled that these wage laws apply to all public employers, including those in all counties and charter cities.

#### Home Rule Doctrine

“Home rule doctrine” is the term used to reference the authority all counties and charter cities maintain to govern themselves in “municipal affairs.” However, despite home rule doctrine, the Legislature maintains authority on “matters of statewide concern,” even if that authority impinges on the Constitutions of counties and charter cities.

According to *Marquez v. City of Long Beach*, “The Legislature may enact laws of broad general application that impact charter city compensation where the state law’s infringement on local authority is reasonably related to an important statewide concern.” Therefore, the case determined that the Legislature could exercise authority for minimum wage requirements, despite an existing minimum wage in the charter city or county Constitutions.

#### Impacts of This Decision

As a result of the *Marquez v. City of Long Beach* case, by January 1, 2019, all county and charter city employees must be guaranteed the statewide minimum wage. The new wage regulations applicable to all businesses and agencies are as follows:

- **Employers with 25 or Fewer Employees:** Minimum wage is \$11 per hour currently, and will increase \$1 each year until the max of \$15 per hour is reached in 2023.
- **Employers with 26 or More Employees:** Minimum wage is \$12 per hour currently, and will increase \$1 each year until the max of \$15 per hour is reached in 2022.

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