

## N E W S   R E L E A S E

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### **Labor Commissioner Accepting Applications from Port Trucking Companies for Motor Carrier Employer Amnesty Program**

**Oakland**—The Labor Commissioner’s Office is accepting applications for the Motor Carrier Employer Amnesty Program (AB 621) from eligible commercial trucking companies performing drayage services at any California port. For a limited time, the voluntary program allows qualifying companies to reclassify their drivers as employees and avoid liability for misclassifying them as independent contractors. The amnesty program ends December 31, 2016.

Since 2011, port truck drivers have filed 799 wage claims with the Labor Commissioner’s Office for misclassification, seeking reimbursement for unlawful deductions and expenses. The Labor Commissioner has awarded more than \$35 million to misclassified port truck drivers in 302 cases.

“The sheer number of claims filed and wages awarded to misclassified port truck drivers over the last several years demonstrates a significant problem in the industry,” said Labor Commissioner Julie A. Su. “Worker misclassification is a form of wage theft as it denies workers all the rights and benefits of employee status. This amnesty program provides an opportunity for motor carriers to remedy these problems and correct past abuses.”

Under AB 621, port drayage trucking companies can enter into a settlement agreement with the Labor Commissioner and Employment Development Department (EDD). The motor carrier must agree to pay all wages and benefits owed to drivers misclassified as independent contractors, pay all taxes owed to the State as a result of misclassification, and agree to classify commercial drivers as employees. The settlement agreement will relieve motor carriers of liability for statutory and civil penalties based on previous misclassification of drivers.

Eligible motor carriers can apply for this voluntary program by filling out the [Motor Carrier Employer Amnesty Program \(AB 621\) application](#) and mailing it to Labor Commissioner’s Legal Section, 300 OceanGate, #850, Long Beach, CA 90802. The application may also be emailed to [AB621@dir.ca.gov](mailto:AB621@dir.ca.gov).

DIR protects and improves the health, safety and economic well-being of over 18 million wage earners, and helps their employers comply with state labor laws.

DIR's Division of Labor Standards Enforcement (DLSE), also known as the [Labor Commissioner's Office](#), enforces prevailing wage rates and apprenticeship standards in public works projects, inspects workplaces for wage and hour violations, adjudicates wage claims, investigates retaliation complaints, issues licenses and registrations for businesses and educates the public on labor laws.

Employees with work-related questions or complaints may contact DIR's Call Center in English or Spanish at 844-LABOR-DIR (844-522-6734). The California Workers' Information line at 866-924-9757 provides recorded information in English and Spanish on a variety of work-related topics.

Members of the press may contact Paola Laverde or Peter Melton at (510) 286-1161, and are encouraged to [subscribe to get email alerts](#) on DIR's press releases or other departmental updates.

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The [California Department of Industrial Relations](#), established in 1927, protects and improves the health, safety, and economic well-being of over 18 million wage earners, and helps their employers comply with state labor laws. DIR is housed within the [Labor & Workforce Development Agency](#). For general inquiries, contact DIR's Communications Call Center at 844-LABOR-DIR (844-522-6734) for help in locating the appropriate [division or program](#) in our department.