California Department of Justice

Labor Day *Report*

2026

A Message from Rob Bonta:

Labor Day is a celebration of the people whose hard work keeps California moving. It is a day to honor the workers who grow our food, build our communities, care for our families, educate our children, and power our economy. It is also a reminder that the rights so many workers rely on today were not freely given, they were hard-earned through generations of courage, collective action, perseverance, and solidarity.

For me, Labor Day is deeply personal. I grew up surrounded by the labor movement. My earliest memories were shaped by my parents' work with the United Farm Workers, where they stood alongside farmworkers fighting for fair wages, safer working conditions, and the right to unionize. They taught me that lasting change happens when people come together to stand up for one another — lessons that continue to guide me every day as California's Attorney General.

California has long shown that protecting workers and growing a strong economy go hand in hand. Fair wages, safe workplaces, good benefits, the freedom to organize, and strong labor protections are not barriers to prosperity, they are the foundation of it. Yet across the country, we continue to see efforts to weaken unions, roll back workplace protections, and make workers more vulnerable to exploitation. When workers are afraid to report abuse or assert their rights, everyone is made more vulnerable.

At the California Department of Justice, we are committed to protecting workers in every corner of our state. Through our Worker Rights and Fair Labor Section, we are combating wage theft, worker misclassification, labor trafficking, unsafe working conditions, and unlawful business practices that exploit workers and undercut honest employers. We are also defending California workers against unlawful federal actions that threaten jobs, public services, and labor protections. Our office has successfully challenged actions that jeopardize federal funding, weaken protections for agricultural workers, impose unlawful tariffs, and undermine the economic security of California families.

California's labor protections apply to every worker, regardless of immigration status. Everyone deserves the ability to report abuse, recover stolen wages, and exercise their rights without fear of retaliation. That same commitment to fairness is why I launched California DOJ's Affordability Response Team — to protect competition, crack down on unlawful business practices, and put more money back into working families' pockets.

This report highlights the work California DOJ is doing to defend workers' rights, strengthen our economy, and ensure every Californian has the opportunity to earn a fair wage, work in safe conditions, and support their family with dignity. While much progress has been made, our work is far from over.

As Attorney General, I remain committed to using the full force of the law to protect California workers and uphold the values that have long defined our state. This Labor Day, let us honor the generations of workers and labor advocates who expanded opportunity for all — and recommit ourselves to protecting that progress for generations to come.

Because when workers are treated with dignity, California is stronger.

In Solidarity,

Rob Bonta

About Worker Rights and Fair Labor Section:

The mission of the Worker Rights and Fair Labor Section is to utilize the broad legal powers of the Office of the Attorney General to conduct investigations, litigation, and policy advocacy in order to combat systemic business practices that undermine the economic security, health and safety, and dignity of California workers, and to maintain a level playing field for legitimate businesses operating in the State.

Over the past year, the section has focused on addressing employers and practices that threaten to shape the future of labor in California in ways that are detrimental to worker welfare, including:

- Widespread misclassification in the gig economy and other industries.
- The use of networks of franchisees and subcontractors by corporate actors to evade responsibility for labor standards violations.
- Contractual agreements that limit the ability of workers to seek better economic opportunities for themselves and their families.

About Affordability Response Team:

Established in June 2026, the mission of the Affordability Response Team is to find, investigate, and go after individuals and corporations using unlawful practices to perpetuate and worsen a crisis of rising costs for Californians. The Affordability Response team works in cooperation with sections across the California Department of Justice (DOJ) to identify and implement solutions to longstanding and emerging challenges that contribute to this affordability crisis.

The Affordability Response Team has placed significant focus on championing workers' rights, understanding that protecting workers and supporting fair workplaces are crucial for fostering affordability and economic prosperity for consumers. The Affordability Response Team has fought to protect workers from, among other threats:

- Attempts to misclassify employees as independent contractors.
- Wage theft.
- The Trump Administration's unlawful tariffs.
- The Trump Administration's unlawful erosion of farmworker wages and protections.
- The Trump Administration's silencing of federal employees from speaking about government accountability.
- Anticompetitive "no poach" agreements between businesses.

Highlights from the Past Year:

Combatting Employee Misclassification and Wage Theft

Enforcing state labor standards for workers ensures that working Californians continue to enjoy the protections provided by the most protective laws in the nation. Employers who fail to abide by these standards or attempt to evade them altogether by misclassifying employees as independent contractors not only undermine the economic security and dignity of workers, but also drag down working conditions across the economy by competing unfairly with legitimate businesses.

People v. Cabrera, et al.

DOJ secured a $10 million judgment against Care Specialist HCS, Inc. and other individuals for their systematic misclassification of home care workers as independent contractors rather than employees and depriving them of overtime pay and other workplace rights.

People v. Lyft and Uber

DOJ continues its litigation against ride-hail giants Uber and Lyft for their rampant misclassification of their employee driver workforce prior to the passage of Proposition 22.

Protecting Workers from the Negative Impacts of Massive Corporate Mergers

Unlawful corporate mergers lead to more expensive, lower-quality products for consumers. They also threaten to reduce the number of available jobs, due to reductions in output from the now-merged corporations. These output reductions, and the mergers that cause them, threaten the livelihoods of tens of thousands of workers.

DOJ has worked tirelessly to prevent improper corporate mergers that would bring harm to not only those corporations' workers, but also the broader labor ecosystem.

Warner Bros. + Paramount

Paramount Skydance Corporation (Paramount) is attempting to acquire Warner Bros. Discovery, Inc. (Warner Bros.). This acquisition would represent the largest merger in Hollywood history, combining two of Hollywood's five major basic cable channel owners. The merger would have massive negative impacts on film industry workers. A likely reduction in the merged company's output would reduce the number of available jobs, and the merger reduces the competition for labor that pushes companies to provide better wages and benefits to employees.

DOJ has and will continue to fight to prevent this anti-competitive, unlawful merger. DOJ has:

- Led a multistate lawsuit challenging the merger.
- Secured a temporary restraining order halting the merger.
- Negotiated an agreement with Paramount and Warner Bros. to keep the merger from occurring until June 1, 2027, or until the court issues a ruling on the lawsuit, whichever comes first.

Tegna + Nexstar

In August 2025, Nexstar Media Group (Nexstar) announced a proposal in which it would acquire TEGNA Inc. (Tegna). The merger would create the largest broadcasting station group in the United States, owning half of the "Big Four" (FOX, NBC, ABC, and CBS) network affiliated stations in certain areas and covering 80% of U.S. television households. DOJ has opposed this harmful consolidation of broadcast media by:

- Filing a lawsuit challenging the merger in court and securing a ruling halting the merger while that lawsuit proceeds.
- Stopping Nexstar's "shocking" and "brazen" attempt to take over Tegna in violation of the court's order.

In addition to challenging individual anticompetitive mergers, DOJ has worked to help improve the overarching structures ensuring mergers receive appropriate disclosure and governmental review. In May of this year, DOJ led a multistate comment letter providing input to the U.S. Federal Trade Commission and U.S. Department of Justice on how to improve the federal government's review of large corporate mergers before they are completed.

Defending Key Protections for Immigrant Workers

Foreign workers are a large and crucial component of America's workforce. Structures such as the H1-B and H-2A visa programs allow immigrants to lawfully pursue a prosperous livelihood while contributing to the U.S. economy and providing key services to American consumers. The Trump Administration has made numerous attempts to limit foreign workers' access to such programs and erode immigrant workers' rights.

H-1B visas: H-1B visas allow U.S. employers to fill gaps in nationwide labor shortages by hiring highly skilled foreign national workers in roles that require specialized skills, such as physicians, researchers, and nurses. In September of 2025, President Trump issued a proclamation ordering an unprecedented $100,000 fee for new H-1B petitions, undermining the visa's purpose by preventing under-resourced, under-staffed fields from addressing staff shortages.

DOJ has fought to protect the H-1B visa program by filing a lawsuit and a multistate amicus brief opposing President Trump's order.

H2-A visas: H-2A visas allow U.S. employers to bring foreign workers to the United States to fill gaps in agricultural labor. DOJ has pushed back against multiple efforts by the Trump Administration to reduce the protections and wages for H-2A workers and their domestic counterparts. DOJ has:

- Opposed the Trump Administration's attempt to roll back federal regulations protecting H-2A workers from retaliation and exploitation.
- Led the pushback against the Trump Administration's interim final rule that would effectively lower wages for both domestic and H-2A farmworkers by altering how wage rates are determined.
- Co-led a multistate amicus brief in support of a lawsuit challenging the interim final rule that has resulted in an order finding the interim final rule unlawful.

Employment Authorization Documents (EADs): EADs permit non-U.S. citizens to work in the United States. The Trump Administration has worked to make EADs harder for eligible workers to obtain and maintain. DOJ has fought back by:

- Challenging a final rule by the U.S. Department of Health and Human Services (DHS) that prevents EADs from automatically extending for up to 540 days for workers who filed timely renewal applications.
- Leading a multistate opposition to DHS's proposal to effectively pause the EAD application process indefinitely for asylum seekers.

Safeguarding Workers' Legal Rights

Numerous federal laws and policies have been established to ensure that workers can pursue and carry out jobs without fear of exploitation, discrimination, or other forms of unfair mistreatment. DOJ has fought tirelessly to protect workers from attempts by both the Trump Administration and individual employers to circumvent and undermine these legal rights.

Protecting federal employees: The Trump Administration has repeatedly attempted to strip away its government workers' rights to speak their mind; advocate for better treatment; and do their jobs properly, even when doing these things conflicts with President Trump's personal agenda. Federal civil servants are the backbone to a properly functioning government. DOJ has intervened to ensure they are protected and respected by:

- Challenging President Trump's executive order attempting to strip federal workers of their collective bargaining rights.

- Opposing the U.S. Office of Personnel Management's proposed government-wide Non-Disclosure Agreement that would threaten to remove, debar, or criminally penalize federal employees for exercising their Constitutional right to free speech.
- Pushing the U.S. Supreme Court to issue a ruling blocking President Trump's effort to remove Lisa Cook from the Board of Governors of the Federal Reserve, an action that lacked proper evidence and risked causing broad economic instability.

Further Safeguarding Workers' Rights: DOJ has further demonstrated its commitment to defending and advancing workers' rights by:

- Reaching a settlement with Packers Sanitations Services, Inc. LTD. (now Fortrex), resolving allegations that the company unlawfully limited competition and workers' rights by making agreements with other employers not to hire each other's employees.
- Opposing the U.S. Department of Labor's reinstatement of a rule from the first Trump Administration that would increase the risk of workers being misclassified as independent contractors.
- Defending states' rights to enforce laws protecting employees from sex-based discrimination and other forms of discrimination.
- Advocating that truck drivers who work entirely in-state but in the stream of interstate commerce are not subject to the Federal Arbitration Act and should not be forced to resolve legal disputes in arbitration with their employers.
- Opposing the Trump Administration's attempt to weaken the Federal Labor Standards Act; the Family and Medical Leave Act; and the Migrant and Seasonal Agricultural Worker Protection Act, making it easier for indirect employers to avoid accountability for unjust working conditions.
- Challenging and securing a ruling blocking the Trump Administration's rule that would have denied Public Service Loan Forgiveness eligibility from civil servants working for organizations President Trump dislikes.

Prosecuting Employers' Unlawful Conduct

Some employers seek to enrich themselves by violating labor laws, bringing harm to hard-working employees through crimes such as wage theft and fraud. DOJ has taken businesses to court to hold them accountable for their unlawful practices and provide relief for affected workers. In the summer of 2026, DOJ recovered over $60,000 in restitution for workers, as well as $1.3 million in unpaid state payroll taxes.

One example of DOJ's commitment to protecting workers from dishonest employers is its filing of criminal charges against construction company US Framing West and two employees for multiple violations of state labor laws from 2018 to 2022, including grand theft, payroll tax evasion, wage theft, and the filing of false documents with the State.

Know Your Rights as a Worker

1. You Have the Right to Organize and Join a Union

Most employees are afforded certain rights to join together to improve their wages and working conditions, including:

- The right to form — or attempt to form — a union in your workplace.
- The right to join a union, whether the union is recognized by your employer or not.
- The right to assist a union in organizing your fellow employees.

Federal and state labor laws prohibit most employers from coercing, prohibiting, or otherwise interfering with these rights — and from taking actions meant to discourage union activity. In most cases, if your employer violates any of these rights, you can file an Unfair Labor Practice charge.

2. You May Be an "Employee" Even If You Are Called a "Contractor"

"Employees," unlike "independent contractors," are entitled to a wide range of rights, benefits, and protections under California law. This leads some unscrupulous businesses to misclassify their workers as independent contractors.

Your designation as an "employee" or as an "independent contractor" is determined by how you do your work. Here are some things that do not determine your status:

- Being labeled an independent contractor by your employer,
- Being required to sign an agreement stating that you are an independent contractor, or being paid as an independent contractor, i.e., without payroll deductions and with income reported by an IRS Form 1099, rather than a W-2.

3. You Have Several, Important Wage-And-Hour Benefits

Most employees in California are currently entitled to:

- A minimum wage of $16.90 per hour (or more in some localities and industries)
- Overtime premiums for work in excess of eight hours per day or forty hours per week; an unpaid 30-minute meal period for every five hours of work; and a paid 10-minute rest period for every four hours of work.

4. Your Wages, Tips, and Accrued Vacation Are Yours

It is generally illegal for an employer to deduct money from your paycheck to offset a cash shortage or breakage unless the employer can show you acted dishonestly, with willful misconduct, or with gross negligence.

Your employer is prohibited from keeping any portion of your tips. When you are terminated or you quit a job, you are entitled to your unused vacation pay and any unpaid, final wages.

5. You May Be Entitled to Time Off Both Paid and Unpaid

Under family and medical leave laws, many workers are entitled to unpaid, job-protected leave from work, with continued health insurance:

- For a pregnancy- or childbirth-related disability.
- To bond with a newborn, adopted or foster child.
- To recover from a serious health condition.
- To care for a seriously ill loved one, including a child, parent, grandparent, grandchild, sibling, spouse or registered domestic partner.
- To deal with a family member's military deployment overseas.

Most workers who participate in the State Disability Insurance (SDI) program are also entitled to up to eight weeks of partially paid family leave each year while taking time off from work for any of the reasons listed above.

Workers also may be entitled to up to 52 weeks of partial wage replacement for their own non-workplace-related disability or injury, including pregnancy- or childbirth-related disabilities.

Most workers are entitled to earn and use up to three sick days per year or more in certain localities.

6. California Law Prohibits Sexual Harassment and Discrimination in the Workplace

Your employer cannot discriminate against you based on any of the following: race, color, ancestry, national origin, religion, creed, age (40 and over), disability (mental and physical), sex, gender (including pregnancy, childbirth, breastfeeding, or related medical conditions), sexual orientation, gender identity, gender expression, medical condition, genetic information, marital status, or military or veteran status.

Your employer must take steps to protect you from sexual harassment and gender-based harassment, including unwanted sexual advances; visual, verbal or physical conduct of a sexual nature; and many other forms of offensive behavior, regardless of the sex or gender identity of the harasser.

7. You May Be Eligible for Unemployment Insurance If You Are Fired or Quit Your Job for "Good Cause"

Most workers are entitled to unemployment insurance benefits if they are laid off.

You are also entitled to benefits if you quit your job for a good reason or if you are fired for a reason other than "misconduct," i.e., showing serious or intentional disregard for your employer's interests. For example, repeated tardiness or unexcused absences from work may qualify as misconduct, but "poor performance" is not normally misconduct and should not disqualify you from benefits.

8. You May Be Entitled to Workers Compensation Benefits

If you suffer a work-related injury or illness, California's workers' compensation system is designed to provide you with the medical treatment you need, partially replace the wages you lose while you are recovering, and help you return to work. Report any injury or illness to your supervisor as soon as possible to avoid delays in receiving benefits.

Your employer is obligated to provide you with a claim form; you should file it as soon as possible.

9. You Can Reasonably Refuse to Do Unsafe Work

You have the right to refuse hazardous work — and you can't be punished for doing so — if both of the following are true: performing the work would violate a Cal/OSHA health or safety regulation and the violation would create a "real and apparent hazard" to you or your coworkers.

Before you refuse to perform unsafe work, however, make sure you inform your supervisor about the unsafe condition, and give the company a chance to correct it. If the company does not correct the unsafe condition, and you decide to refuse the work, make sure that you inform your supervisor, preferably in writing or in front of others, exactly why you are refusing to do the work, and that you will return to work as soon as the condition is fixed. Finally, where appropriate, you should contact Cal/ OSHA to file a complaint against your employer.

10. Your Employee Can't Retaliate Against You

Employers are prohibited from retaliating against you for exercising your rights in the workplace and for seeking government assistance to exercise these rights. That is true even if you are unknowingly wrong about your rights, so long as you are exercising them in good faith. The California Labor Code contain more than 45 labor laws that specifically prohibit retaliation, including retaliation against immigrant workers. You can file a complaint to fight against retaliation with the Labor Commissioner's Office's Retaliation Complaint Investigation Unit or inform the California Attorney General's Office.

11. You Have Rights Regardless of Immigration Status

All protections, rights, and remedies available under state law are available to all individuals regardless of immigration status who have applied for employment, or who are or have been employed, in California. The Immigrant Worker Protection Act (Assembly Bill 450) mandates employers to follow certain requirements regarding worksite inspections by immigration enforcement agents, including a requirement that employers not provide voluntary consent for agents to enter nonpublic workplace areas without a judicial warrant. For more information on the protections provided by this act, refer to these frequently asked questions.

For information on the legal rights of workers with Temporary Protected Status, as well as the legal obligations of their employers, please refer to our recently published guidance.