

REDEFINING  
THE BEST WAY  
TO DO BUSINESS  
IN THE  
21ST CENTURY

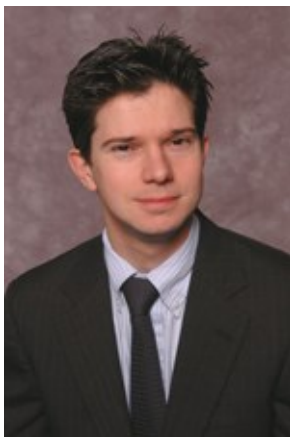


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**MAY 16, 2018**

**With 16 reporting, EAOC members had 813,885,900 in total sales in 2017.**

**aalrr** Atkinson, Andelson  
Loya, Ruud & Romo  
A Professional Law Corporation



Jonathan Judge of Atkinson, Andelson, Loya, Ruud & Romo (founded in 1979) gave a California Supreme Court update today. AALRR are the good guys, only representing employers in labor law issues. They represent all size clients and any firm that has an employee is a potential client. They advise clients every day regarding: employment applications, employee manuals, wrongful termination, discrimination, sexual harassment claims,

meal and rest period violations, suits on trade secret theft and overtime class action law suits, just to name a few vulnerable areas for employers. Jonathan is now a partner and has been with the firm for sixteen years. AALRR has 180 attorneys in nine offices in California.

TO SUCCEED IN  
BUSINESS IT'S NOT

**WHAT**

YOU KNOW BUT

**WHO**

YOU KNOW THAT

COUNTS MOST!

#### SCHEDULE

**May 23rd Erik Reyna**  
**E.R. Painting Off Site**  
**May 30th No Meeting**  
**June 6th Open**

#### OFF SITE

**Erik Reyna**  
**E.R. Painting Services Inc**  
**1306 E. Edinger Ave., Ste. A**  
**Santa Ana, CA 92707**

On Monday, April 30, 2018, the California Supreme Court issued a highly anticipated decision in *Dynamex Operations West, Inc. v. Superior Court of Los Angeles*. In an extensive 82 page opinion, the Court adopted the so-called “ABC Test” for determining whether a worker is an employee or an independent contractor for wage and hour claims arising under Industrial Welfare Commission (IWC) Wage Orders. The ABC Test creates a more difficult burden for businesses to overcome presumption that a worker is an employee of the company.

Under the ABC Test, a worker is presumed to be an employee, placing the burden on the employer to disprove the employer-employee relationship by affirmatively providing each of the following factors:

1. The worker is free from control and direction of the hiring entity in the performance of the work, both under the contract for performance and in fact;
2. The worker performs work that is outside the usual course of the hiring entity’s business; and
3. The worker is customarily engaged in an independently established trade, occupation, or business of the same nature as the work performed for the hiring entity.

Unless an employer proves all three requirements of the test, the worker will be considered an employee for claims arising under the Wage Orders, such as claims for unpaid wages and meal and rest break violations.

## **Open Classifications**

**Automobile Detailing**

**Awnings**

**Bakery**

**Business Brokerage**

**Carpet Cleaning**

**Dry Cleaning**

**Electrician Residential**

**Funeral Home**

**Garage Doors & Openers**

**Golf Course & Lessons**

**Insurance/Residential/Auto/  
Recreational**

**Janitorial**

**Jewelry**

**Optometrist**

**Physician Dermatologist**

**Podiatrist**

**Senior Care Service**

**Veterinarian**

**Window Cleaning**

## **Thought for the Week**

**“If you don’t build your  
dream, someone will hire  
you to help build theirs.”**

**Dhirubhai Ambani**