



July 25, 2022

F2022-05

TO: All Fair Board Presidents and CEOs

SUBJECT: AB 1499 (New Fair Funds) Employee Work Conditions Reminder

The Fairs and Expositions Branch (F&E) would like to remind the Network of California Fairs that the requirements of the Memorandum of Understanding (MOU) they signed in 2020 to be eligible to receive AB1499 funds are still in effect. “New Fair Funds” are provided via grants with an expiration date; however, the requirement to honor employee work conditions continues in effect until CDFA and the fair agree in writing to end the MOU. **Fairs that fail to abide by the terms of the MOU may become ineligible to continue receiving AB 1499 funds.**

The required work conditions apply to temporary employees (125-day employees hired by District Agricultural Associations - DAAs), as well as the employees of fair lessees. Employees covered by a valid collective bargaining agreement are exempt if the agreement expressly provides for wages, hours of work, working conditions, and meal periods. Full-time carnival ride operators are also exempt from the required work conditions. Non-DAAs should consult with their respective Human Resources Department or legal counsel for advice and direction regarding the obligation to provide the required work conditions.

As a reminder, the required work conditions are:

1. A meal period of not less than 30 minutes for a work period of more than five hours per day unless the work period per day of the employee is less than six hours and the meal period is waived by mutual consent of both the employer and the employee.
2. A second meal period of not less than 30 minutes for a work period of more than 10 hours per day, unless the work period per day of the employee is less than 12 hours, the second meal period is waived by mutual consent of both the employer and the employee, and the first meal period was not waived.
3. Compensation at the rate of no less than one and one-half times the regular rate of pay for any work in excess of eight hours in one workday, any work in excess of 40 hours in any one workweek, and the first eight hours worked on the seventh day of work in any one workweek.
4. Compensation at the rate of no less than twice the regular rate of pay for any work in excess of 12 hours in one day.



5. Compensation at the rate of no less than twice the regular rate of pay for any work in excess of eight hours on any seventh day of a workweek.

If you have any questions, please contact Mike Francesconi at Mike.Francesconi@cdfa.ca.gov or (916) 900-5365.

Sincerely,

A handwritten signature in blue ink that reads "Michael W Francesconi".

Mike Francesconi, Chief
Fairs & Expositions Branch