

Forms Required to be Provided to New Employee

Federal laws require some forms and notices to be given to or completed by employees upon hire, but California has additional requirements employers need to be aware of. This list is being provided as general information only.

Federal Requirements:

Completed at Orientation:

1. Form I-9 must be completed by the employee and employer within three days of the first day of work. (latest draft released 8/2023)
2. Form W-4 must be completed by each new hire and when changes to withholding occur. (latest draft released 2024)

California Requirements:

Provided at time of Job Offer:

1. The Wage Theft Prevention Act requires employers to provide new hires with a wage and employment notice upon hire and when wages change. The DIR has supplied a template, form DLSE-NTE, that employers may use for this purpose that meets the requirements of California Labor Code Section 2810.5. **For non-exempt employees only, place a copy in the personnel file. Form Wage Theft Prevention Act.** (latest draft released 1/2024)

Provided at time of Orientation:

1. The California Employment Development Department (EDD) requires employers to provide new hires with its own Disability Insurance Provisions pamphlet, DE 2515, within five days of hire. **Form DE 2515.** (latest draft released 1/2022)
2. The EDD's Paid Family Leave Insurance pamphlet, DE 2511, must also be given to employees upon hire. **Form DE 2511.** (latest draft released 5/2023)
3. California has its own tax withholding form, DE-4, which some employees must complete upon hire. Other employees need to complete the form only if they want their state withholding to differ from their federal withholding status. See the instructions on the form for more guidance. **Form DE 4.** (latest draft released 12/2022)
4. The California Department of Industrial Relations (DIR) requires employers to give new hires the right to worker's compensation pamphlet, Time of Hire Pamphlet, DWC Form 9783.1, no later than the end of their first pay period. **Form Time of Hire Pamphlet.** (latest draft released 2/1/2024)
5. The Civil Rights Department (CRD) requires their Sexual Harassment pamphlet, CRD-185, to be given to all new hires. **Form CRD 185 ENG.** (latest draft released 9/2022)
6. The Civil Rights Department (CRD) requires their California Family Rights Act pamphlet, to be given to all new hires. **Form CRD-E03P-ENG (formally DFEH-188).** (latest draft released 12/2022)
7. The Labor Commissioners Office requires their Victims of Domestic Violence Leave Notice to be given to all new hires. **Form Victims of Domestic Violence Leave Notice.** (latest draft released 3/2021)
8. Earned Income Tax Credit Form. **Form EITC Notice 797.** (latest draft released 12/2022)

Note: Be sure to include the memo titled, State-Required New-Hire Documents, as a cover letter for the documents listed above.

Provided with W-2 or 1099 (must be provided again in the month of March):

1. Tax Credit Notification Letter. **SB131.** (latest draft released 1/2024)