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NONPROFIT PUBLIC BENEFIT CORPORATIONS - CALIFORNIA

Gateway Community Charters v. Spiess

**Court of Appeal, Third District, California - March 8, 2017 - Cal.Rptr.3d - 9 Cal.App.5th 499
- 2017 WL 912073 - 17 Cal. Daily Op. Serv. 2225**

A nonprofit public benefit corporation that operated public charter schools appealed a labor commissioner awarding wages, liquidated damages, interest, and a waiting time penalty to a former employee.

The Superior Court granted the same relief after trial de novo. Corporation appealed.

The Court of Appeal held that a nonprofit public benefit corporation that operated charter schools was not an “other municipal corporation” exempt from Labor Code waiting time penalties.

A nonprofit public benefit corporation that operated charter schools was not an “other municipal corporation” exempt from Labor Code waiting time penalties, even though the corporation was subject to the open meeting laws of the Ralph M. Brown Act and the California Public Records Act, since it did not have the power to acquire property through eminent domain, it had no geographical jurisdiction, and it had no independent regulatory or police powers.