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# employers cannot rely on the *de minimis* doctrine..

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MSK Client Alert

July 30, 2018

The *de minimis* doctrine, which states that the law does not concern itself with "trifles," has been applied by federal courts to excuse the payment of wages for small amounts of otherwise compensable time upon a showing that the bits of time are administratively difficult to record. On Thursday, July 26, 2018, the California Supreme Court ruled that this doctrine does not apply when the otherwise compensable time occurs regularly. According to the Supreme Court, the advent of modern technology in recording time makes reliance on the *de minimis* rule nearly unnecessary. The Supreme Court, however, left for another day whether the *de minimis* doctrine can excuse an employer from paying for compensable time which does not occur regularly.

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