

CALIFORNIA SECURITY CASE LAW LIBRARY

How Security Guards File a Wage Claim with the Labor Commissioner

Updated 2026-08-04 · 9 min read · Cluster: labor ·

summitsecuritysacramento.com/case-law/how-to-file-wage-claim-labor-commissioner-security-guards

A California security guard can file a wage claim online or in person with the Labor Commissioner's Office (DLSE), which will assign a deputy to review the claim, may hold a conference or hearing, and can issue an order for unpaid wages and penalties.

When a wage claim makes sense

A wage claim is generally used for unpaid wages, unpaid overtime, missed meal/rest break premiums, unreimbursed expenses, or late final pay that the employer has not resolved directly.

Filing with the Labor Commissioner is typically free and does not require an attorney, though a guard may also consult one.

Wage claim process overview

Step	What happens	Typical detail
File the claim	Submit form online, by mail, or in person at a DLSE office	Include employer info, dates worked, and amounts owed
Initial review	Deputy labor commissioner reviews claim for jurisdiction	May request additional documents
Conference	Informal meeting to try to resolve the claim	Both parties may attend; may settle here
Hearing	Formal hearing (Berman hearing) if unresolved	Deputy issues a written order after
Collection	DLSE can help enforce an unpaid final order	Includes referral for judgment enforcement

Evidence to gather before filing

- Pay stubs and any final paycheck received
- Personal log of hours worked, including holdovers and missed breaks
- Schedules, post orders, texts, or emails showing directed work time
- Any termination or resignation paperwork

- Names and contact info of coworkers who may have witnessed relevant events

Timing matters

Wage claims are generally subject to statutes of limitation that vary by claim type, often three or four years, so guards should not wait indefinitely to file.

Research and education only

This page describes the general wage claim process for research and education and is not legal advice. Summit Force Security Group is not a law firm and does not provide legal representation.

For help with a specific claim, contact the California Labor Commissioner's Office directly or consult a licensed California employment attorney.

Quick answers

Does it cost money to file a wage claim in California?

No, filing a wage claim with the Labor Commissioner's Office is generally free.

Do I need a lawyer to file a wage claim?

No, the process is designed to be usable without an attorney, though a guard may choose to consult one.

What is a Berman hearing?

An informal administrative hearing held by the Labor Commissioner's Office to resolve a wage claim when a conference does not settle it.

How long do I have to file a wage claim?

Time limits vary by the type of claim, often three or four years, so it is best to file as soon as reasonably possible.

What happens after the Labor Commissioner issues an order?

If the employer does not pay, the Labor Commissioner can assist with enforcement, including referral for judgment collection.

Primary sources — read the official text

How to File a Wage Claim	California DIR / DLSE	https://www.dir.ca.gov/dlse/HowToFileWageClaim.htm
Wage Claim Process Overview	California DLSE	https://www.dir.ca.gov/dlse/dlse.html
Labor Code Section 98 (Berman Hearings)	California Legislative Information	https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=98.&lawCode=LAB
Wage and Hour Division	U.S. Department of Labor	https://www.dol.gov/agencies/whd

Research and education only. Summit Force Security Group is a licensed private patrol operator (PPO #122730), not a law firm. Nothing in this digest is legal advice, no attorney-client relationship is created, and nothing here implies endorsement or approval by BSIS, the Department of Consumer Affairs, the Labor Commissioner, the Civil Rights Department, the State of California, OSHA, FEMA, or any court or agency. Statutes and case law change — verify the current text with the primary sources above and consult a licensed California attorney about your situation.

Need coverage instead of research? Summit Force Security Group · 1-800-823-5337 · Summitforces@gmail.com · summitsecuritysacramento.com