



Employee Justice.

April 5, 2024

VIA ELECTRONIC FILING

Attn: PAGA Administrator
Labor and Workforce Development Agency
1515 Clay Street, Ste. 801
Oakland, CA 94612

RE: Luz Iraheta v. Starbucks Corporation

Dear PAGA Administrator:

Luz Iraheta ("Plaintiff" or "Ms Iraheta") is aggrieved employee under the Labor Code Private Attorneys General Act of 2004 ("PAGA"). Plaintiff intends to file a representative civil action against the Starbucks Corporation ("Starbucks" or "Defendant") on behalf of all "aggrieved employees," which consists of "All persons who have been, or currently are, employed by Starbucks in the State of California who are lactating parents, e.g., individuals who express milk for their infant children or others."

Per the California Secretary of State's website, the entity and service of process addresses are as follows:

Entity Addresses

STARBUCKS CORPORATION
2401 UTAH AVENUE S MS:
S-LA1 SUITE 800
SEATTLE, WA 98134

Service of Process Address

STARBUCKS CORPORATION
1505 Corporation
CORPORATION SERVICE COMPANY
WHICH WILL DO BUSINESS IN CALIFORNIA AS CSC
– LAWYERS INCORPORATING SERVICE

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Plaintiff's action will be premised on, among other things, Starbucks' systemic failure to provide State mandated accommodations to postpartum and nursing female employees who have returned to work but need to pump breastmilk to feed their babies.

Starbucks' actions violate, among other statutes:

- California Labor Code §§ 1030-1034 (lactation accommodation and notice; failure to have a compliant lactation policy);
- California Labor Code §§ 201-203 (waiting time penalties);
- California Labor Code § 226.7 (premium pay for non-compliant lactation accommodation);
- California Labor Code §§ 226 and 226.3 (inaccurate wage statements which do not reflect all earned wages); and
- California Labor Code §§ 2698, et seq. (default PAGA penalties).

Plaintiff will seek, on behalf of all aggrieved employees, statutory damages, liquidated damages, penalties, assessments, and/or any additional compensation arising from the above conduct.

Facts Substantiating Starbucks' Violations

Ms. Iraheta began her employment at Starbucks in 2019. She currently still works at Starbucks as a Shift Lead Supervisor, and works primarily at the Starbucks stores on 4800 Laurel Canyon ("Laurel Canyon") and 13535 Ventura Blvd. ("Ventura"). Ms. Iraheta also covers shifts at several other Starbucks stores in Los Angeles County.

Ms. Iraheta gave birth to her child on August 3, 2022. She took five to six months of maternity leave and returned to work in or about January 2023.

Ms. Iraheta was exclusively breastfeeding her child. When she returned to work in or about January 2023, she requested time and a private space to pump milk. However, Starbucks did not provide a conducive environment for pumping.

First, Starbucks did not provide reasonable breaks to pump. Management did not schedule enough people to work, which led Ms. Iraheta to miss pumping sessions. Ms. Iraheta missed on average two to three pumping sessions a week. Her coworkers would often see her shirt soaked through from her leaking breasts. When Ms. Iraheta would inform her manager that she needed to go pump, her manager would routinely refuse to give her permission to do so outside of her meal and rest periods and would dismissively say that if she could not pump it could not be helped.

Second, Starbucks did not have a legally compliant, dedicated lactation facility. At Laurel Canyon, prior to remodeling, there was no designated room, but a curtain in the backroom that would be blocked off. There was a little handwash station, but it was exposed and next to chemicals for cleaning supplies. There was no outlet, so Mr. Iraheta had to get a wireless pump. To pump with even a modicum of privacy, Ms. Iraheta would have to face the wall, with the curtain behind her so no one would peak through. There was no refrigerator in the area; Ms. Iraheta would have to store her pumped milk in the same fridge used for other milk. The section was as wide as a folding chair. At times, other male employees could see behind the curtain, and would stare. After the remodel at Laurel Canyon, there was no longer a curtained-off area; it was open. Sometimes, Ms. Iraheta would pump in the open while her colleagues were sitting there. When Ms. Iraheta went to other stores, there was no designated lactation space as well. Ms. Iraheta was forced to pump in a non-private area or in her car.

Consequently, Ms. Iraheta experienced a reduction in her milk supply for her child. She was forced to stop breastfeeding in or about June to July 2023. The reduction in her milk supply and lack of accommodation provided by Starbucks have caused Ms. Iraheta to experience embarrassment, anguish, personal hardship, anxiety, humiliation, and emotional distress.

Ms. Iraheta, along with herself, is informed and believes that other aggrieved employees were not provided lactation accommodations. It was difficult for plaintiff and other aggrieved employees to find suitable areas that were private and equipped to pump. There was also no notice provided to Iraheta and other aggrieved employees of their rights to lactation accommodation.

Ms. Iraheta was also not provided with a written response from Starbucks to her for the times she was denied break time or a location for lactation that complies with the law. Ms. Iraheta witnessed other employees, similarly situated as herself, who were unable to express milk for their infants as a result of the unlawful policies promulgated by Defendant.

Starbucks' failure to comply with California law has significantly impacted Ms. Iraheta and other breastfeeding employees of Defendant. Rather than support breastfeeding mothers, Defendant's practices forced those mothers into making the unimaginable choice

between utilizing demeaning, invasive, and unsanitary spaces to express milk or abandoning pumping and breastfeeding altogether.

It would be relatively easy for Defendant to comply with California law, given how Starbucks is one of the largest employers in the United States. For example, Defendant could have hired more employees to permit nursing employees to take adequate break time to pump. Defendant could have created designated and legally compliant lactation spaces in their current locations, or used portable pods, which are prefabricated temporary spaces that are commercially available for installation. Examples of such spaces include those sold by Mamava, Brighter Booth, and DayOne Baby, among others.

Scope of Anticipated Action

On behalf of themselves and all aggrieved employees, Plaintiff intends to seek all civil penalties that are available for these violations of the California Labor Code. This includes, but is not limited, Labor Code sections 201-203, 216, 225.5, 226, 226.3, 226.7, 1030-1034, and 2698, et seq.

Please inform us if you intend to investigate this matter. If you require any additional information, please contact me.

Very truly yours,

s/ Michael S. Morrison

Michael Morrison

Natalie Khoury

ALEXANDER MORRISON + FEHR LLP