

MARCOS BARRERA

c/o DIVERSITY LAW GROUP, P.C.
515 S. FIGUEROA STREET, SUITE 1250
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 488-6555
FACSIMILE (213) 488-6554

September 10, 2020

VIA ONLINE FILING

California Labor & Workforce Development Agency
Attn: PAGA Administrator
1515 Clay Street, Suite 801
Oakland, CA 94612

Re: Section 2699.3 Notice of Violations by TradeForce Staffing Solutions LLC,
TradeForce Staffing Solutions of Colorado, LLC, The Caputo Group, and
HRADVANTAGE, Inc.

To Whom It May Concern:

This is my written notice of Labor Code violations by my former employers, TradeForce Staffing Solutions LLC, TradeForce Staffing Solutions of Colorado, LLC, The Caputo Group, and HRADVANTAGE, Inc. (“the Company” or the proposed “Defendants”). Specifically, I allege that:

1. Defendants violated Labor Code sections 510, 558, and 1194 by failing to pay all overtime wages due to me and other aggrieved non-exempt employees. Specifically, whenever we earned non-hourly compensation, including, for example, “PERDIEM” pay, Defendants did not include the non-discretionary compensation as part of our remuneration when calculating the regular rates of pay for overtime purposes. Defendants thus underpaid all overtime wages due. Moreover, by failing to pay all overtime wages due, Defendants also violated Labor Code sections 201-204 by failing to timely pay due wages and Labor Code section 226(a) by failing to provide wage statements that show accurate overtime rates, gross wages earned, and net wages earned.

2. Defendants violated Labor Code sections 201-204 by failing to timely pay all due wages during employment or upon separation of employment to me and other aggrieved employees. As already discussed, by failing to pay all overtime wages due, Defendants failed to timely pay those wages during employment and upon separation of employment. Separately, Defendants also failed to timely pay wages due upon separation of employment. For example, I was informed my employment was terminated on April 3, 2020, but my final wages were not immediately available on a pay card. Defendants thus failed to timely pay all due wages during employment or upon separation of employment to me and other aggrieved employees. Moreover, Defendants deducted \$70 from my final wages, without my authorization, that I still have not been paid. Defendants thus also violated Labor Code sections 221-224

3. Defendants violated Labor Code section 226(a) by failing to provide accurate itemized wage statements to me and other aggrieved employees. As discussed above, by failing to pay all overtime wages due, Defendants failed to provide wage statements that show accurate

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overtime rates, gross wages earned, and net wages earned. Moreover, whenever we earned non-hourly compensation, including, for example, "PERDIEM" pay, Defendants also failed to provide wage statements that show the accurate number of units earned and applicable rate per unit. Instead, regardless of the number of units paid, the wage statements always show "1.00" unit paid with the gross amount of non-hourly compensation earned as the rate. Separately, Defendants also failed to provide wage statements that show the name and address of the legal entity that is the employer. Instead, the wage statements show "Tradeforce Staffing Solutions Adv – Lancaster," without any address listed (or show "HRADVANTAGE INC" and its address, "1225 NW MURRAY RD #206, PORTLAND, OR 97229"). Defendants thus failed to provide accurate itemized wage statements to me and all other similarly aggrieved employees.

The address for TradeForce Staffing Solutions LLC and TradeForce Staffing Solutions of Colorado, LLC is 15660 E Hinsdale Dr., Suite 201, Centennial, CO 80112.

The address for The Caputo Group and HRADVANTAGE, Inc. is 1225 NW Murray Rd., Suite 206, Portland, OR 97229.

Please contact my attorney, Larry W. Lee, at the above address or phone number if you have any questions regarding this matter. Thank you.

Sincerely,

DocuSigned by:

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Marcos Barrera

cc: TradeForce Staffing Solutions LLC, TradeForce Staffing Solutions of Colorado, LLC, The Caputo Group, and HRADVANTAGE, Inc. (via certified mail)