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October 22, 2020

VIA ONLINE SUBMISSION

California Labor & Workforce
Development Agency
800 Capitol Mall, MIC-55
Sacramento, CA 95814

Dear PAGA Administrator:

Together with Legal Aid at Work, our office represents Complainant Hector Castellanos who has worked as a ride-share driver for the past six years for Defendant Lyft, Inc. This letter is written pursuant to California Labor Code section 2699.3(a) to provide the Agency with notice of the Defendant's Labor Code violations.

Complainant submits this letter individually and on behalf of all of Defendant's drivers ("Aggrieved Employees"). Defendant is responsible for penalties pursuant to Labor Code § 2699 for the violations detailed herein.

As described below, Complainant alleges that Defendant violated Complainant's and Aggrieved Employees' right to be free from political interference and coercion as set forth in the California Labor Code, for example in Sections 1101 and 1102. Complainant also alleges that Defendant misclassified Complainant and Aggrieved Employees as independent contractors even though, under California law, they should have been properly classified as employees.

Defendant has violated the Labor Code by (1) making, adopting, and/or enforcing rules, regulations, and/or policies preventing Complainant and Aggrieved Employees from engaging or participating in politics and controlling, directing, or tending to control or direct the political activities or affiliations of Complainant and Aggrieved Employees and (2) coercing, influencing, and/or attempting to coerce or influence Complainant and Aggrieved Employees through or by means of threat of discharge or loss of employment to adopt or follow or refrain from adopting or following particular courses or lines of political action or political activity. Specifically, Defendant has publicly threatened mass layoffs of Complainant and Aggrieved Employees if

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Proposition 22 fails to pass in the upcoming November 2020 election, and Defendant has simultaneously applied enormous pressure on Complainant and Aggrieved Employees to vote for Proposition 22 in the upcoming election. Defendant has subjected Complainant and Aggrieved Employees to a barrage of “Yes” on Prop 22 propaganda via the company’s app, which Complainant and the Aggrieved Employees are required to use in order to do their work. Complainant and the Aggrieved Employees are captive to Defendant’s messages, many of which are misleading and coercive.

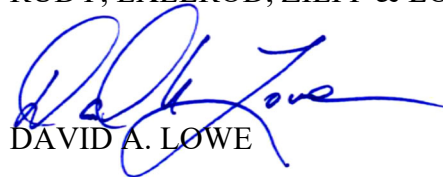
We provide this notice to allow Complainant to proceed with claims for civil penalties under the Labor Code Private Attorneys General Act of 2004 (“PAGA”) individually and on behalf of Aggrieved Employees if the LWDA declines to investigate and prosecute. If you elect not to investigate the Labor Code violations alleged herein, please let us know.

We are concurrently submitting the \$75.00 filing fee required by Cal. Labor Code section 2699.3.

Thank you for your attention. If you have any questions, please contact us.

Sincerely,

RUDY, EXELROD, ZIEFF & LOWE, LLP



DAVID A. LOWE

DAL/em
cc: Lyft, Inc. *(via Certified Mail)*