



March 29, 2021

ELECTRONICALLY FILED

Attn: PAGA Administrator
Labor and Workforce Development Agency
1515 Clay Street, Suite 801
Oakland, California 94612
PAGAFilings@dir.ca.gov

Re: Private Attorneys General Act of 2004 Notice

Employee: Cassandra Hollman

Employer: AYA Healthcare, Inc. d/b/a/ AYA Healthcare Staffing, Inc.; Pacific Gardens Medical Center, LLC; and Pacifica Of The Valley Corporation d/b/a PHV Pacifica Hospital of the Valley

To Whom It May Concern:

We represent Cassandra Hollman who was an employee of AYA Healthcare, Inc. d/b/a/ AYA Healthcare Staffing, Pacific Gardens Medical Center, LLC, and Pacifica Of The Valley Corporation d/b/a PHV Pacifica Hospital of the Valley, and other related entities (collectively, “Defendants”). We intend to file a Private Attorneys General Act (“PAGA”) complaint against Defendants on behalf of Ms. Hollman and all other hourly, non-exempt travel nurse employees of Defendants in California (the “Aggrieved Employees”). Pursuant to California Labor Code § 2699.3, we hereby provide notice of our clients’ intent to bring claims under California Labor Code § 2699(a) and (f).

Ms. Hollman and Aggrieved Employees are current and former similarly situated, hourly, non-exempt travel nurses of Defendants in California. Ms. Hollman intends to file a complaint against Defendants on behalf of herself and Aggrieved Employees who have been denied payment for all hours worked, including time worked while off-the-clock. Ms. Hollman will pursue claims pursuant to the California Labor Code, including: failure to pay for all hours worked (Cal. Lab. Code §§ 200 et seq); failure to provide regular/minimum wage (Cal. Lab. Code §§ 1182.11, 1182.12, 1194, 1194.2, 1197, 1197.1; Cal. Code Regs. tit. 8, § 11090); failure to provide overtime premium pay (Cal. Lab. Code §§ 200, 510, 1194, 1194.2; Cal. Code Regs. tit. 8, § 11090); failure to authorize and permit meal periods (Cal. Lab. Code §§ 218.5, 218.6, 226.7, 512, 558.1; Cal. Code Regs. tit. 8, § 11090); failure to reimburse for necessary business expenditures incurred (Cal. Lab. Code §§ 2802, 510, 558.1; Cal. Code Regs. tit. 8, § 11090); failure to provide and maintain accurate and compliant wage records (Cal. Lab. Code §§ 226); and failure to pay final wage & waiting time penalties (Cal. Lab. Code §§ 201-203).



Ms. Hollman intends to state causes of action pursuant to California Labor Code §§ 2699(a) and (f) for civil penalties for violating the various California Labor Code provisions enumerated above. Pursuant to Section 2699(a), Ms. Hollman will seek civil penalties pursuant to each provision of the Code that provides for a civil penalty to be assessed and collected by the Labor and Workforce Development Agency or any of its departments, divisions, commissions, boards, agencies, or employees, including but not limited to those Labor Code provisions referenced above, as well as Sections 225.5, 226.3, and 256 of the California Labor Code. To the extent a provision of the Labor Code does not provide for a civil penalty, Ms. Hollman will seek civil penalties pursuant to California Labor Code Section 2699(f). Defendants were, at all relevant times, employers who violated the rights of Ms. Hollman and other Aggrieved Employees by violating various sections of the California Labor Code as outlined in this letter.

Ms. Cassandra Hollman was a traveling nurse employed at Pacific Gardens Medical Center located in Hawaiian Gardens, CA and PHV Pacifica Hospital of the Valley located in Sun Valley, CA. Ms. Hollman split her time between the Hawaiian Gardens location and the Sun Valley location. Ms. Hollman was placed by AYA Healthcare Inc., d/b/a AYA Healthcare Staffing, headquartered in San Diego, CA. Defendant AYA Healthcare Inc. is a for profit corporation that provides healthcare staffing and workforce solutions nationwide. In 2020, the company became the largest travel nurse and workforce solutions provider in the country – delivering solutions for all aspects of healthcare staffing including locums, allied health, and just-in-time local staff.

Like the Aggrieved Employees, Ms. Hollman was placed by AYA at Pacific Gardens Medical Center located in Hawaiian Gardens, California and at PHV Pacifica Hospital of the Valley located in Sun Valley, California. Ms. Hollman divided her time between the two locations each week. Ms. Hollman was to be paid at a regular rate of \$106 per hour and an overtime rate of \$159 per hour. Ms. Hollman's employment started on January 17, 2021 and ended on January 31, 2021.

Ms. Hollman and the Aggrieved Employees experienced a number of wage and hour violations due to Defendants' practices. Ms. Hollman systematically did not receive her second meal break. She did not receive premiums for meal break violations and did not sign a meal waiver. Defendants also regularly required Ms. Hollman and the Aggrieved Employees to undergo temperature checks and answer COVID-19 exposure and symptoms questions which took less than 5 minutes per day before each shift. Ms. Hollman also had to put on her own respirator mask before entering the building and was not compensated for the mask or the time. She did not receive double-time for hours worked after 12 hours shifts. Per her contract, Ms. Hollman was paid from 7:00pm until 7:30am (12.5 hours). Ms. Hollman was not provided with any personal protective equipment supplies, so she bought and used her own face masks, gowns, goggles, face shields and booties. Ms. Hollman and the Aggrieved Employees had to wash their scrubs at their motel which cost \$8 for two washes. Ms. Hollman was promised mileage reimbursement and still has not been paid for it. Ms. Hollman and Aggrieved Employees received inaccurate wage statements, and they had to call the financial department several times to get wage statements corrected. Ms. Hollman believed that AYA missed some payments: she did not receive overtime on her first check, her second check was still short on overtime, she got four checks total to reconcile, but claimed that she is still owed wages. Her paychecks were inconsistent: taxes were withheld from her first paycheck but not for her subsequent three paychecks.



Ms. Hollman is represented by Schneider Wallace Cottrell Konecky LLP (“SWCK”), a law firm based in Emeryville, California. SWCK has extensive experience in the successful litigation and resolution of employment and representative actions nationwide. A description of the work, mission, and credentials of the firms can be found at www.schneiderwallace.com. Ms. Hollman and her counsel are committed to zealously pursuing redress on behalf of the State of California and all other similarly situated employees for the violations and civil penalties set forth above.

Sincerely,

SCHNEIDER WALLACE
COTTRELL KONECKY LLP

/s/ Carolyn H. Cottrell

CAROLYN H. COTTRELL
Attorney at Law

CC via certified mail

Agent for Service of Process for: AYA Healthcare Services, INC. and AYA Healthcare, INC.
CORPORATION SERVICE COMPANY WHICH WILL DO BUSINESS IN CALIFORNIA AS
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2710 Gateway Oaks Drive, Suite 150N
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Agent for Service of Process for: Pacific Gardens Medical Center, LLC
Michael Worsham
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Agent for Service of Process for: Pacifica Of The Valley Corporation d/b/a PHV Pacifica
Hospital of the Valley
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