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February 12, 2016

***Via Certified Mail – 7015 3010 0001 8770 3588***

***Return Receipt Requested***

LABOR AND WORKFORCE DEVELOPMENT AGENCY  
Attn: PAGA Administrator  
1515 Clay Street, Suite 801  
Oakland, CA 94612

***Via Certified Mail – 7015 3010 0001 8770 3595***

***Return Receipt Requested***

Lakewood Park Manor  
12045 South Lakewood Blvd.  
Downey, CA 90242

Re: **EUNICE LUNA VS. LAKEWOOD PARK MANOR**

**NOTICE OF LABOR CODE VIOLATIONS PURSUANT TO  
LABOR CODE SECTION § 2699 et seq.**

To: California Labor and Workforce Development Agency and Lakewood Park Manor  
("Defendant").

From: Eunice Luna, on behalf of herself and aggrieved Caregivers and other hourly non-exempt employees who were subject to the employer's wage and hour policies as set forth below.

**Factual Statement**

Please note that this firm, the Mahoney Law Group, APC, represents the interests of Eunice Luna (hereinafter "Ms. Luna ") and all other aggrieved employees who intend to file a complaint alleging various Labor Code violations.

**Theories of Labor Code Violations and Remedies**

Ms. Luna will allege that Lakewood Park Manor (hereinafter "Defendant") violated various section of the Labor Code, including §§ 510 and 1194, by failing to provide Ms. Luna and all other aggrieved employees overtime compensation for such excess hours.

Ms. Luna as well as her co-workers were regularly not compensated for all minimum wages as well as overtime for all hours worked, which is in violation of Labor Code §§ 510, 558, 1182.12, 1194, 1197, 1198 and is actionable under Labor Code §2699.5.

Ms. Luna will also allege that Defendant violated Labor Code §§ 201 and 202, et seq., due to their uniform policy, practice and procedure of willfully failing to pay the earned and unpaid wages of all such former employees.

Ms. Luna intends to allege that Defendant violated Labor Code § 226 as part of their ongoing business practice, by failing to provide their employees with proper and understandable itemized wage statements. Furthermore, Ms. Luna, will allege that Defendants violated Labor Code Ms. Luna and all other aggrieved employees that no longer work for the Defendants one (1) day of pay in penalties for each day that he or she was paid late, until payment was made, up to a maximum of thirty (30) days.

Ms. Luna will further allege that Defendant violated Labor Code § 226.7, due to their ongoing practice of discouraging and dissuading Ms. Luna and other aggrieved employees from taking rest breaks of not less than ten (10) minutes.

Ms. Luna, will also allege that Defendant further violated Labor Code § 226.7 by failing to provide legally compliant meal periods in addition to impeding, discouraging and/or dissuading Ms. Luna and other aggrieved employees from taking legally compliant meal periods.

Ms. Luna will allege that as a result of Defendant violations of Labor Code § 226.7, Ms. Luna as well as all other aggrieved employees are entitled to damages equal to one (1) hour of wages per missed meal and rest period.

Lastly, Ms. Luna will allege that Defendant violated Labor Code §226.2 for failing to compensate Ms. Luna well as other aggrieved employees for rest and recovery periods and other nonproductive time, separate from any piece-rate compensation.

Defendant further violated Labor Code §226.2(a)(2) by failing to include the total hours of compensable rest and recovery periods, rate of compensation and the gross wages paid for those periods on the wage statements issued to Ms. Luna and other aggrieved employees.

Accordingly, Ms. Luna will allege in his complaint that Defendant violated Labor Code §204, since Ms. Luna and her co-workers did not receive all their wages in a timely fashion as a result of Defendant's policies.

Ms. Luna will seek to represent herself, and a putative class of employees as well as all other aggrieved employees who were employed by Defendant.

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Please advise if the LWDA has any objection to my client's including PAGA claims in her complaint. We look forward to your response. Please feel free to contact our office if you have any comments or questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'SMB', is positioned above the typed name.

Sean M. Blakely  
**MAHONEY LAW GROUP, APC**

SMB/jn



249 East Ocean Boulevard Suite 814 Long Beach, CA 90802

**CERTIFIED MAIL**



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DEVELOPMENT AGENCY  
Attn: PAGA Administrator  
1515 Clay Street, Ste. 801  
Oakland, CA 94612**

**RECEIVED**  
DEPT. OF INDUSTRIAL RELATIONS

**FEB 17 2016**

**LABOR STANDARDS ENFORCEMENT  
OAKLAND DISTRICT OFFICE**

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OF THE RETURN ADDRESS. FOLD AT DOTTED LINE