

NOTICE OF PRIVATE ATTORNEYS GENERAL ACT CLAIM

To: California Labor and Workforce Development Agency,
Cosm Hollywood Park, LLC.
Date: March 25, 2025
Subject: *LaQuitta Robinson v. Cosm Hollywood Park, LLC.*

INTRODUCTION

Please take notice that LaQuitta Robinson intends to seek civil penalties against her employer, Cosm Hollywood Park, LLC. ("Cosm") under the California Private Attorneys General Act, California Labor Code §§ 2698, *et seq.* ("PAGA"), on behalf of herself, the Labor and Workforce Development Agency ("LWDA"), and other aggrieved employees. Cosm is liable for these civil penalties as a result of its uniform and systematic failure to comply with California wage laws, including California Labor Code provisions relating to the payment of overtime wages and minimum wages, and providing meal and rest breaks (or payment of the statutory additional wages due), expense reimbursements, inaccurate wage statements, and waiting time penalties.

Before pursuing these PAGA penalties in a representative capacity, California Labor Code § 2699.3 requires that aggrieved employees notify their employer and the LWDA of the specific provisions of the California Labor Code allegedly violated, as well as the facts and legal grounds supporting the allegations. To that end, we submit this letter on behalf of our client, LaQuitta Robinson, and on behalf of all aggrieved employees to provide notice of the following facts and violations of the California Labor Code:

GENERAL INFORMATION

Cosm Hollywood Park, LLC. is an entertainment venue that allows the public to experience sporting events or other forms of entertainment and has its headquarters in Inglewood, California. At all times mentioned herein, Cosm is licensed to do business in the State of California and conducted and continues to conduct substantial business in the State of California and at all times mentioned herein, Cosm was and is covered by the California Labor Code and the applicable California Industrial Welfare Commission ("IWC") Wage Order.

LaQuitta Robinson is employed by Cosm as a Bartender from May 4, 2024 to the present. At all times, Ms. Robinson was employed as hourly non-exempt employee.

CALIFORNIA LABOR CODE VIOLATIONS**1. Failure to Provide Rest Periods**

(California Labor Code §§ 226.7 and 512 and IWC Wage Orders)

High workload demands, strict deadlines, and intense pressure to meet company goals forced employees to delay, shorten, or forgo their rest breaks to complete their assigned tasks. Indeed, Cosm regularly failed to provide Ms. Robinson and other employees with any rest break. In addition, when working more than six hours, Ms. Robinson and other employees would not receive any additional rest breaks. As a result, Ms. Robinson and other employees regularly worked in excess of four hours or major fraction thereof during work days without being provided at least a ten-minute rest period in which they were relieved of all duties, as required by California Labor Code §§ 226.7, 512, and 512.1198 and IWC Wage Orders, and Cosm is liable for civil penalties under California Labor Code §§ 2698 *et seq.*

2. Failure to Provide Meal Periods

(California Labor Code §§ 226.7, 512 and IWC Wage Orders)

The same workload demands discussed above forced Ms. Robinson and other employees to delay, shorten, or forgo their meal breaks to complete their assigned tasks. Oftentimes, Ms. Robinson worked more than a six-hour shift and did not receive a 30-minute meal break. As a result, Ms. Robinson and other employees worked more than five hours during a shift without being provided a timely half-hour meal period and/or more than ten hours in a shift without receiving a second timely half-hour meal period, as required by California Labor Code §§ 226.7 and 512 and the IWC Wage Orders. Additionally, when such violations occurred, Employers failed to pay Ms. Robinson and other Aggrieved Employees the one-hour premium required by Labor Code § 226.7 using the regular rate of pay. As a result, Cosm has violated California Labor Code §§ 226.7 and 512 and the applicable IWC Wage Order, and is liable for civil penalties under California Labor Code §§ 2698 *et seq.*

3. Failure to Pay Overtime Wages

(California Labor Code §§ 510 and 1194, and 1198)

At times, Cosm employed Ms. Robinson and other employees for more than eight hours per day or more than 40 hours per workweek. In this instance, the non-exempt employees are entitled to receive one-and-one half times their regular hourly rate of pay for working more than eight hours but less than 12 hours in a workday or over 40 hours in a workweek. Notwithstanding this law, Cosm failed to maintain a policy that compensates Ms. Robinson and other employees for all hours worked, including overtime compensation and properly calculating the overtime rate.

As a result, Cosm has violated California Labor Code §§ 204, 210, 211, 510, 1194, 1197.1, and 1198 and the applicable IWC Wage Order for failure to pay overtime, and is liable for civil penalties under California Labor Code §§ 558 and 2698 *et seq.*

4. Failure to Pay Minimum Wage

(California Labor Code §§ 204, 1118.12, 1197.1, IWC Wage Order)

Cosm failed to pay Ms. Robinson and other employees California's prevailing minimum wage for all "hours worked." In such an instance, Cosm was obligated to pay wages for all hours worked, but failed to do so. As a result, Cosm has violated California Labor Code §§ 204, 558, 1118.12, 1193.6, 1194, 1197, 1197.1, and 1198 and the applicable IWC Wage Order for failure to pay minimum wage for all hours worked, and is liable for civil penalties under California Labor Code §§ 558 and 2698 *et seq.*

As a result, Cosm has violated California Labor Code §§ 204, 210, 211, 510, 1194, 1197.1, and 1198 and the applicable IWC Wage Order for failure to pay overtime, and is liable for civil penalties under California Labor Code §§ 558 and 2698 *et seq.*

5. Failure to Provide Accurate Itemized Wage Statements

(California Labor Code § 226)

Ms. Robinson and other employees' wage statements were deficient, because of the violations detailed in this notice, including not paying regular and overtime wages for all hours worked and failing to provide meal and rest break premiums. As a result, the wage statements provided to Ms. Robinson and other employees were not accurate and do not include all of the statutorily-required information. Specifically, Cosm has violated California Labor Code § 226 by willfully failing to furnish Ms. Robinson and other employees with accurate, itemized wage statements. These California Labor Code violations, in turn, constitute PAGA violations.

6. Reporting Time Pay

(IWC Wage Order)

Under California law, each workday an employee is required to work, but is not put to work or is furnished with less than half of his or her usual day's work, the employee must be paid for half the usual or scheduled day's work, but in no event for less than two hours not more than four, at his or her regular rate of pay. Here, Cosm required Ms. Robinson and other employees to report to work, but sometimes Cosm's management would inform them that there was not any work for them that day. In such a situation, these employees were sent home before their usual day's work, and are entitled to reporting time pay under the applicable IWC Wage Order. Cosm, however, did not provide reporting time pay to Ms. Robinson and other employees in violation of the applicable IWC Wage Order, which in turn, constitutes a PAGA violation.

7. Failure to Pay Waiting Time Penalties

(California Labor Code § 203)

Sections 201 and 202 of the California Labor Code requires that employers pay employees all wages due immediately if an employer discharges an employee, and within 72 hours if an employee quits his or her employment. Section 203 of the California Labor Code provides that if an employer willfully fails to timely pay such wages the employer must, as a sanction and amount

owed, continue to pay that employee's wages until the back wages are paid in full or an action is commenced. The sanction and amount owed cannot exceed 30 days of wages.

Cosm owed wages to discharged employees, such as premiums for missed meal and rest periods, minimum wage, and overtime pay for hours worked over eight hours in a workday or 40 in a workweek. Cosm's failure to pay these wages at termination was willful and constitutes a PAGA violation based on a violation of California Labor Codes §§ 201-203 and 558.

8. Failure to Reimburse for Business Expenditures and Losses
(California Labor Code § 2802)

As a pattern of practice, Cosm regularly failed to reimburse and indemnify Ms. Robinson and other employees for their business expenses. These expenses were necessary expenditures incurred by Ms. Robinson and other employees in performing job duties. For example, Ms. Robinson and other employees were required to spend pants and non-slip shoes as part of their uniform. In addition, Ms. Robinson and other employees were required to use their own mobile devices in order to clock-in/out and check their schedule through an application called, "Day Force", but were not reimbursed for this expense. Despite being aware of these business expenses, Cosm failed to reimburse Ms. Robinson and other employees for such business expenses in violation of California Labor Code § 2802, which requires employers to "indemnify his or her employee for all necessary expenditures and losses incurred by employees." In turn, this constitutes a PAGA violation based on a violation of California Labor Code §§ 2800 and 2802.

CONCLUSION

In sum, Cosm has committed PAGA violations based on non-compliance with California Labor Code §§ 204, 1118.12, 1197.1 (minimum wage), 226 (inaccurate itemized wage statements), 226 (wage statements), 226.7(meal and rest break violations), 510-511, 512 (meal breaks), 2802 (expense reimbursements) and 202-203 and 558 (waiting time penalties), as well as the applicable IWC Wage Order

Ms. Robinson seeks to remedy these violations by securing unpaid wages and civil penalties. Please let me know whether the LWDA intends to investigate or whether we may proceed with a civil action as representatives for the LWDA and those employees that are aggrieved. If you have any questions, please do not hesitate to contact me.

Sincerely,



Vache Thomassian, Esq.
KJT Law Group, LLP

VIA ONLINE FILING

Labor and Workforce Development Agency

Attn: PAGA Administrator

Filed at "New PAGA Claim Notice" (<https://dir.tfaforms.net/308>)

VIA CERTIFIED MAIL, 9589 0710 5270 1144 2192 49

Cosm Hollywood Park, LLC.

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