

ALEXANDER LIMA
310.712.8154 Direct
Alexander.Lima@capstonelawyers.com

March 13, 2025

VIA ONLINE SUBMISSION

California Labor & Workforce Development Agency
ATTN: PAGA Administrator
(<https://dir.govfa.net/310>)

Subject: *Jose Lechuga v. Del West Engineering, Inc.*
LWDA Case No. LWDA-CM-1085710-25 - AMENDED NOTICE

Dear PAGA Administrator:

This office represents Jose Lechuga in connection with his claims under the California Labor Code. Mr. Lechuga was an employee of DEL WEST ENGINEERING, INC. (“DEL WEST”). We previously provided notice of Mr. Lechuga’s claims to the California Labor and Workforce Development Agency (“LWDA”) on March 12, 2025, and submitted the applicable filing fee pursuant to Labor Code section 2699.3(a)(1)(B). This amended notice supplements Mr. Lechuga’s prior LWDA notice and adds an additional claim.

The employer may be contacted directly at the address below:

DEL WEST ENGINEERING, INC.
28128 LIVINGSTON AVE
VALENCIA, CA 91355

Mr. Lechuga intends to seek civil penalties, attorneys’ fees, costs, and other available relief for violations of the California Labor Code, which are recoverable under sections 2698, *et seq.*, the Labor Code Private Attorneys General Act of 2004 (“PAGA”). Mr. Lechuga seeks relief on behalf of himself, the State of California, and other persons who are or were employed by DEL WEST as a non-exempt, hourly paid employee in California and who received at least one wage statement (“aggrieved employees”). This letter is sent in compliance with the notice and reporting requirements of California Labor Code section 2699.3.

DEL WEST employed Mr. Lechuga as an hourly paid, non-exempt employee from approximately March 2008 to March 2024. Mr. Lechuga worked for DEL WEST as a Robot operator, Machine Operator, Polisher, Tumbler, CRN Coating helper, and/or Tumble Operator at its facilities located at 29006 Hancock Parkway, Valencia, California 91355 and 28128 Livingston Avenue, Valencia, California 91355. During his employment, Mr. Lechuga typically worked ten (10) hours or more per day and four (4) to five (5) days or more per week. By the end of her employment, Mr. Lechuga was

compensated approximately \$25.36 per hour. His job duties included, without limitation, operating robotic machinery for polishing the stems of high-performance engine valves, completing XRF certification processes, and maintaining the cleanliness of his work area.

DEL WEST committed each of the following Labor Code violations against Mr. Lechuga, the facts and theories of which follow, making him an “aggrieved employee” pursuant to California Labor Code section 2699(c)(1):¹

Violation of California Labor Code §§ 6401 and 6403 – Failure to Provide Safety Devices and Safeguards

California Labor Code section 6401 provides that employers must furnish and use safety devices and safeguards, and adopt and use practices, means, methods, operations, and processes which are reasonably adequate to render the employment and place of employment safe and healthy. California Labor Code Section 6401 further provides that an employer must do everything reasonably necessary to protect the life, safety and health of its employees. California Labor Code section 6403(a) requires that employers provide and use safety devices and safeguards reasonably adequate to render the employment and place of employment safe.

During the relevant period, DEL WEST failed to provide Mr. Lechuga and other aggrieved employees with personal protective equipment, such as steel-toed boots, to keep them safe in the workplace. Despite the fact that DEL WEST required Mr. Lechuga and other aggrieved employees to wear certain personal protective equipment, including steel-toed boots, while engaged in their work-related duties, DEL WEST failed to provide such reasonably necessary equipment to Mr. Lechuga and other aggrieved employees to keep them safe. Thus, DEL WEST’s failure to provide Mr. Lechuga and other aggrieved employees with safety devices and safeguards for the workplace violates Labor Code sections 6401 and 6403.

Mr. Lechuga and other aggrieved employees are entitled to recover civil penalties, attorneys’ fees, costs, and interest thereon, and seek injunctive relief to bring DEL WEST into compliance with Labor Code sections 6401 and 6403, pursuant to Labor Code sections 2699(a), (f), and (k).

Accordingly, pursuant to PAGA, and in particular California Labor Code sections 1194.5, 2699(a), 2699(k), and 2699.3(b), Mr. Lechuga, acting in the public interest as a private attorney general, seeks assessment and collection of civil penalties for himself, all other aggrieved employees, and the State of California against DEL WEST for violations of California Labor Code sections 6401 and 6403.

¹ These facts, theories, and claims are based on Mr. Lechuga’s experience and counsel’s review of those records currently available relating to Mr. Lechuga’s employment. Discovery conducted in litigation of wage and hour claims such as these often reveals additional claims that the aggrieved employee was not initially aware of (because the aggrieved employee was not aware of the law’s requirements, the employer misinformed its employee of the law’s requirements, or because the employer effectively hid the violations). Thus, Mr. Lechuga reserves the right to supplement this letter with additional facts, theories, and claims if he becomes aware of them subsequent to the submission of this letter.

Thank you for your attention to this matter. If you have any questions, please contact me at the phone number or address below:

Alexander Lima
Capstone Law APC
1875 Century Park East, Suite 1000
Los Angeles, CA 90067
(310) 556-4811

Best Regards,

A handwritten signature in black ink, appearing to read 'Alexander Lima', followed by three dots.

Alexander Lima

Copy: DEL WEST ENGINEERING, INC. (via U.S. Certified Mail)

Capstone Law, APC
1875 Century Park, East, 1000
Los Angeles, CA. 90067



DEL WEST ENGINEERING, INC
28128 LIVINGSTON AVE
VALENCIA, CA 91355

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VALENCIA, CA

DEL WEST ENGINEERING, INC.
28128 LIVINGSTON AVE
VALENCIA, CA 91355

PS Form 3800, January 2023 PSN 7530-02-000-9053 See Reverse for instructions

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- Complete items 1, 2, and 3.
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28128 LIVINGSTON AVE
VALENCIA, CA 91355

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