

August 3, 2022

**VIA ONLINE FILING TO LWDA and ELECTRONIC MAIL & CERTIFIED
MAIL TO EMPLOYER**

Labor & Workforce Development Agency Attn. PAGA Administrator 1515 Clay Street, Ste. 801 Oakland, CA 94612 PAGA@dir.ca.gov <i>Via Online Submission</i>	The Toro Company: Jeremy Robb, Esq. Senior Attorney, Commercial & Employment, Jeremy.Robb@toro.com Attorney for: The Toro Company <i>Via Electronic Mail</i> The Toro Company 8111 Lyndale Avenue South Bloomington, Minnesota 55420 <i>Via Certified Mail</i>
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Re: **Notice of Violation of California Labor Code Sections §§ 201, 202, 203, 204 et seq., 226, 226(a), 226.2, 226.3, 226.7, 227.3, 232, 233, 234, 246 et seq., 510, 512, 558, 1182.12, 1194, 1194.2, 1197, 1197.1, 1197.5, 1198, 2802, Violations of Applicable Industrial Welfare Commission Wage Orders, and Pursuant to California Labor Code Section 2699.5**

Dear Mr. Robb,

Our office represents Plaintiff Jvonn Gonzalez (“Plaintiff”), and other aggrieved employees in a proposed lawsuit against The Toro Company, a Delaware Corporation (herein referred as “Defendant”).

“Aggrieved Employees” refers to all individuals who are or were previously employed by Defendant The Toro Company in California and classified as non-exempt employees during the time period of July 25, 2021 until a date as determined by the Court. Plaintiff has been employed by Defendant in California beginning September 20, 2021 to on or about May 18, 2022 as a non-exempt employee, entitled to payment of all wages and the legally required meal and rest breaks, as well as overtime wages, reimbursement, and accurate wage statements. Defendant also failed to pay Plaintiff and other aggrieved employees’ minimum wages and overtime and meal and rest break premiums. Defendant also failed to reimburse Plaintiff and other aggrieved employees for business-related expenses. Further, failure to compensate Plaintiff and other Aggrieved





Employees for all time worked, including but not limited to donning and doffing personal protective equipment (“PPE”). Defendant also failed to correctly calculate Plaintiff’s regular rate of pay for purposes of payment of overtime and sick time pay. Further, Defendant unlawfully failed to timely pay Plaintiff and other Aggrieved Employees for earned wages. Additionally, Plaintiff and other Aggrieved Employees used their personal cellular phones to execute their job duties, Defendant failed to reimburse Plaintiff and other Aggrieved Employees for the costs related to the use of their personal cellular phones to execute their job duties and for purchase of their personal protective equipment. As a consequence of the aforementioned violations, Plaintiff further contends that Defendant failed to provide accurate wage statements to him, and other Aggrieved Employees, in violation of California Labor Code section 226(a). Said conduct, in addition to the foregoing, violates §§ 201, 202, 203, 204 *et seq.*, 226(a), 226.2, 226.3, 226.7, 227.3, 232, 233, 234, 246 *et seq.*, 510, 512, 558, 1182.12, 1194, 1194.2, 1197, 1197.1, 1198, 2802, Violations of Applicable Industrial Welfare Commission Wage Orders, and Pursuant to California Labor Code Section 2699.5

Plaintiff seeks to represent a group of Aggrieved Employees defined as all non-exempt and exempt employees who worked for Defendant during the relevant claim period. A true and correct copy of the proposed Complaint by Plaintiff against Defendant, which (1) identifies the alleged violations, (2) details the facts and theories which support the alleged violations, (3) details the specific work performed by Plaintiff, (4) sets forth the people/entities, dates, classifications, violations, events, and actions which are at issue to the extent known to Plaintiff, and (5) sets forth the illegal practices used by Defendant, is attached hereto. This information provides notice to the Labor and Workforce Development Agency of the facts and theories supporting the alleged violations for the agency’s reference. Plaintiff therefore incorporate the allegations of the attached Complaint into this letter as if fully set forth herein. If the agency needs any further information, please do not hesitate to ask.

This notice is provided to enable Plaintiff to proceed with the Complaint against Defendant as authorized by California Labor Code section 2699, *et seq.* The lawsuit consists of other Aggrieved Employees. As counsel, our intention is to vigorously prosecute the claims as alleged in the Complaint, and to procure civil penalties as provided by the Private Attorney General Statue of 2004 on behalf of Plaintiff and all Aggrieved California Employees.

Your earliest response to this notice is appreciated. If you have any questions or concerns, please do not hesitate to contact me at the below number and address.

Respectfully,

Nicole Barvié
Attorney for Plaintiff