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VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Republic National Distributing Company
14402 Franklin Avenue
Tustin, CA 92780

RE: Bakin, Andrey v. Republic National Distributing Company, et al.

To Whom It May Concern:

This office represents Andrey Bakin ("Claimant"), a former non-exempt employee of Republic National Distributing Company and its related entities (collectively, "Respondents"). Pursuant to Labor Code § 2699.3(a), this letter serves as formal notice of Claimant's intent to pursue civil penalties under the Private Attorneys General Act of 2004 ("PAGA"), Labor Code §§ 2698–2699.5. We request that the Labor and Workforce Development Agency ("LWDA") investigate the alleged Labor Code violations outlined below. Should the LWDA decline to investigate or fail to respond within the statutory time, Claimant intends to proceed with a civil action to recover penalties on behalf of himself and all similarly aggrieved employees.

Overview of Claims and Aggrieved Employees

This action is brought on behalf of Claimant and similarly aggrieved non-exempt employees who are currently or were formerly employed by Respondents at any of their California locations during the one-year period preceding this notice and continuing through the present. The claims asserted arise from widespread violations of California wage and hour laws, including but not limited to:

- Failure to pay for all hours worked;
- Failure to provide or compensate for missed meal and rest breaks;
- Failure to pay overtime wages;
- Inaccurate and incomplete wage statements;
- Other derivative and statutory violations of the Labor Code.

Claimant's Background and Employment

Claimant began his employment with Respondents on or about December 21, 2021, as a non-exempt Sales Representative Merchandiser at Respondents' Tustin facility located at 14402 Franklin Avenue, Tustin, California. He worked full-time and was responsible for stocking, rotating, and displaying inventory at major retail locations.

Throughout his employment, Claimant and similarly aggrieved employees were routinely denied lawful meal and rest periods. For example, they were required to remain reachable by mobile phone or radio during breaks and were frequently interrupted to perform work-related tasks. As a result, they were not fully relieved of duty and were not provided with uninterrupted, duty-free rest and meal periods as required by law. No premium pay was provided in lieu of these missed or shortened breaks.

In addition, Claimant and similarly aggrieved employees were required to perform work off-the-clock, including responding to communications outside of scheduled shifts, for which they were not compensated. Defendant failed to maintain accurate time records reflecting all hours worked, resulting in systematic underpayment of regular and overtime wages.

The conduct described above was not isolated or inadvertent but part of a broader pattern and practice affecting Claimant and similarly situated employees across Respondents' California operations.

Detailed Labor Code Violations

1. **Meal and Rest Break Violations (Lab. Code §§ 226.7, 512)**
   - Employees were not provided timely and uninterrupted 30-minute meal periods or 10-minute rest periods.
   - No premiums were paid in lieu of these breaks.
   - Respondents are liable for one additional hour of pay per violation, per day.
2. **Failure to Pay for All Hours Worked (Lab. Code §§ 1194, 1197)**
   - Employees were not paid for premium break compensation.
3. **Failure to Pay Overtime Wages (Cal. Labor Code §§ 510 and 1194);**
   - Employees were not paid for premium overtime compensation.
4. **Inaccurate Wage Statements (Lab. Code § 226(a))**
   - Wage statements failed to reflect all hours worked, and meal/rest break premiums.
   - Penalties apply under §§ 226.2, 226.3, and 2698.
5. **Waiting Time Penalties (Lab. Code §§ 201–203)**
   - Upon separation, Respondents failed to timely pay final wages.
   - Claimant and others are entitled to waiting time penalties for each day wages remained unpaid, up to 30 days.

Conclusion and Request for Agency Action

The above violations occurred consistently and systematically at all of Respondents' California facilities throughout the statutory period. As such, Respondents are liable for all available PAGA civil penalties, as well as underlying unpaid wages, interest, and attorneys' fees and costs.

We respectfully request that the LWDA notify this office in writing if it elects not to investigate these violations so that Claimant may proceed with a representative action under Labor Code § 2699. If we do not receive notice within the statutory time period, we will file a civil complaint seeking all appropriate relief.

Very truly yours,

Danny Yadidsion