

HAMMONDLAW

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November 1, 2022

Via LWDA Website

California Labor & Workforce Development Agency
Attn: PAGA Administrator
455 Golden Gate Avenue, 9th Floor
San Francisco, CA 94102

Via Certified Mail

Atlassian US, Inc.
Michael Cannon-Brookes, Chief Executive Officer
350 Bush St, 13th Floor
San Francisco, CA 94101

Re: *Labor Code Private Attorneys General Act Notice*

Dear Mr. Cannon-Brookes:

This letter is to provide you with notice of a claim for penalties under the Labor Code Private Attorneys General Act, as amended, Labor Code § 2699.3.

This firm represents Ahmad Chaudry ("Plaintiff") for his claims against Atlassian US, Inc. ("Defendant" or "Atlassian") on behalf of himself and all current and former employees employed by Defendant in California who worked remotely ("Aggrieved Employees") from one year prior to the postmark date of this Notice to the present ("PAGA Period") for Defendant's violations of Labor Code § 2802.

The factual basis supporting Plaintiff's claim is as follows:

Violation of Labor Code § 2802:

Pursuant to Labor Code § 2802, an employer is required to reimburse its employees "for all necessary expenditures or losses incurred by the employee in direct consequence of the discharge of his or her duties, or of his or her obedience to the directions of the employer..." During the PAGA Period, and continuing to present, Defendant required, and/or expected Plaintiff and Aggrieved Employees to work remotely. In working remotely, Plaintiff and Aggrieved Employees incurred necessary expenditures or losses, including but not limited to internet service and/or equipment and phone service and/or equipment. Defendant knew or should have known that Plaintiff and Aggrieved Employees incurred these expenses, yet failed to fully reimburse Plaintiff and Aggrieved Employees for these expenditures or losses in

violation of § 2802 of the California Labor Code. Plaintiff understands that some Aggrieved Employees may have received partial reimbursement for the expenses associated with their personal cell phones during part or all of the PAGA Period, but, many Aggrieved Employees received no such partial reimbursement, and Plaintiff and Aggrieved Employees received no reimbursement for the other expenses associated with working remotely including their home internet service.

Pursuant to Labor Code § 2699(f)(2), Plaintiff and Aggrieved Employees are entitled to one hundred dollars (\$100) for each pay period in which there was an initial violation, and two hundred dollars (\$200) for each pay period in which there was a subsequent violation. Plaintiff is also entitled to reasonable attorneys' fees and costs pursuant to Labor Code § 2699(g)(1).

Conclusion:

Therefore, pursuant to Labor Code § 2699.3, we write to inform you and the Labor and Workforce Development Agency of our intent to pursue a civil action against Defendant that will claim civil penalties under the PAGA to be brought by the Plaintiff, individually and on behalf of all other Aggrieved Employees, based on the labor code violations alleged above.

Yours truly,

Julian Hammond