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VIA CERTIFIED U.S. MAIL—RETURN RECEIPT REQUESTED

6/18/25

Attention: PAGA Administrator
Acting Agency Secretary
California Labor & Workforce Development Agency
PAGAFilings@dir.ca.gov

Safeway Inc.
11555 Dublin Canyon Rd
Pleasanton, CA 94588

Agent For Service
Amanda Garcia
330 N. Brand Blvd
Glendale, CA 91203

RE: Labor Code § 2699.3 Notice by Aggrieved Employee Gilma Lara

Dear PAGA Administrator and All Entities and Persons listed herein:

This constitutes statutory notice pursuant to Labor Code § 2699.3(a)(1) for purposes of bringing a claim under the Private Attorneys General Act, Labor Code § 2699, *et seq.* ("PAGA"). Please consider this a request for the California Labor & Workforce Development Agency ("LWDA" or "Agency") to take action against Safeway Inc. and its agents, managers, and supervisors (collectively "Defendants"), for violations of the California Labor Code described below. I am writing on behalf of Gilma Lara, an Aggrieved Employee represented by this law firm (hereinafter

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“Plaintiff”) who seeks to assert a PAGA claim on behalf of the State of California and all other current or former non-exempt employees who have been employed by Defendants in California during the relevant time period (“Aggrieved Employees”).

PLEASE TAKE NOTICE THAT THIS IS ALSO A GENERAL LITIGATION PRESERVATION NOTICE to preserve all documents relating to all employees including, but not limited to, all timekeeping and payroll records in paper form, native electronic form, and any other format in which they are generated and maintained in the regular course of business; all databases and computer or electronic systems that are used for timekeeping and payroll; all records and evidence in any way related to the facts and claims asserted in this letter; all records and evidence in any way related to claims of Plaintiff, the state and other current or former employees under the California Labor Code Private Attorney General (including underlying Labor Code and IWC orders), the California Government Code, and the Equal Employment Opportunity Act. These documents include but are not limited to all schedules (both current and former) all timekeeping records (including data reflected on product and price labels containing time stamps of when such were generated, as such documents serve as *de facto* time records indicating times employees were working), all rest and meal period records, all duty and responsibility records, all records of facilities which include employee signatures, initials, or security badge scans, all payroll records, all state or federal withholding records, all personnel files, and other employment records, all records concerning the payment or non-payment of wages, or provision or non-provision of state-mandated labor code protections, as well as all documents pertaining to harassment or discrimination against employees, all communications relating to these records and documents, and all emails relating to these records and documents.

Further, pursuant to Labor Code §§ 210, 558, 558.1, 1197.1, 2699(f) and other provisions of the Labor Code, please consider this a notice to Safeway Inc. owners, supervisors, managers, agents, and all other person acting on behalf of Safeway Inc.

This investigation request and notice of Labor Code violations concerns the systematic failure by Safeway Inc. to pay current and former California non-exempt employees in conformance with the California Labor Code and IWC Wage Orders. At the core of Safeway Inc.’s violations is a policy of: failing to provide required meal and rest breaks; failing to pay wages for all hours worked, including minimum and overtime wages; failing to pay all wages due upon termination to severed employees; and failing to issue accurate itemized wage statements; among other violations of state labor law.

Liability under PAGA may be based on a wide variety of Labor Code provisions including, but not limited to, §§ 201, 202, 203, 210, 216, 218, 218.6, 223, 225, 226, 226.7, 510, 512, 6400, 6401, 6401.7, 6402, 6403, 6404, 1174, 1175, 1194, 1194.2, 1197, 1197.1 1199 and 2673.1(a), IWC wage orders, and all of the provisions listed in Labor Code 2699.5 (including the penalty provisions related to these predicate provisions), among others. Any violation of these or any other Labor Code provisions serves as the basis for a PAGA claim by an Aggrieved Employee on behalf of

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herself and other Aggrieved Employees. The facts and theories underlying these violations include, without limitation, the following:

1. Defendants failed to provide all required rest breaks to Plaintiff and Aggrieved Employees. Employees have a heavy workload and are routinely required to skip one or more required rest breaks altogether in order to complete their assigned work tasks. By further way of illustration, Plaintiff was also routinely only offered one rest break on shifts which qualified for at least two rest breaks.
2. Defendant failed to provide all required meal periods to Plaintiff and Aggrieved Employees, as a result of the workload impositions described in the preceding paragraph. To the extent meal periods were provided, they were often untimely (i.e., occurring after the fifth hour of work) and/or interrupted, on-duty, and not of the required full 30-minute statutory duration. On some occasions, employees were instructed to clock-out for their meal periods before the fifth hour of work so that Defendants' timekeeping system would reflect a timely meal period and thereby evade liability for meal period premium wages, but to continue working and take their meal period later in the shift. This happened regularly, for example, at busy times, including (without limitation) on "Promotion Fridays." On other occasions, Plaintiff and Aggrieved Employees clocked out but Defendants required them to continue working, telling them "there is too much work to do" and they cannot take breaks.
3. Defendant failed to pay Plaintiff and Aggrieved Employees for all hours worked, including minimum and overtime wages. Defendants routinely required Plaintiff and Aggrieved Employees to work off-the-clock, during unpaid meal periods and after clocking-out for their daily shifts. Some of this work consisted of, without limitation, printing product labels and price tags. The machine used for generation of such labels and tags recorded a date and time stamp for each label, and therefore some degree of off-the-clock work is identifiable by comparison of such machine data with time clock records.
4. As a result of the foregoing violations, Defendants failed to pay all wages due and owing to Plaintiff and Aggrieved Employees (e.g., earned wages for meal and rest period violations, and all overtime and minimum wages attributable to off-the-clock work), and therefore failed to issue accurate itemized wage statements, as such statements failed to reflect wages earned for overtime and minimum wages, as well as premium wages for meal and rest break violations.
5. In addition, as a result of the wage payment violations described above, Defendants failed to timely pay all wages upon termination to those Aggrieved Employees who separated from Defendants' employ.

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The above provisions do not include all of the derivative penalties associated with the above provisions, which are listed throughout the Labor Code and are PAGA penalties.

Plaintiff was employed by Defendants in a non-exempt capacity during the past year and may be contacted through our office: Mallison & Martinez, Attorneys at Law, 1939 Harrison Street, Suite 730, Oakland, California 94612.

If no action is taken within 65 days, we will assume that we may pursue this action under the theories described above against the Defendants described above and their managers, agents, owners and other liable persons and entities (pursuant to Labor Code § 210, 558, 1197.1, 2699(f) (and other provisions)).

Sincerely,

A handwritten signature in black ink, appearing to read 'Cody A. Bolce', with a stylized flourish at the end.

Cody A. Bolce, Esq.

MALLISON & MARTINEZ

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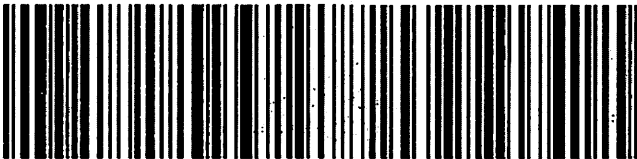
Hector Martinez
MALLISON AND MARTINEZ
1939 HARRISON ST STE 730
OAKLAND CA 94612-3547

SHIP
TO:

Safeway Inc.
Agent for service: Amanda Garcia
330 N Brand Blvd
Glendale CA 91203-2308



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Amanda Garcia
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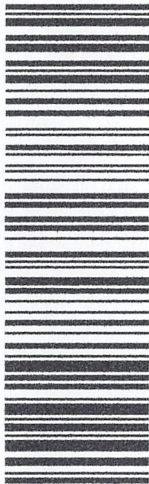
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Mallison & Martinez
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Pleasanton, CA 94588



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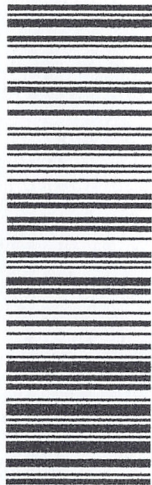
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