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December 30, 2022

Via Online Filing (LWDA)

California Labor and Workforce Development Agency
Attn: PAGA Administrator
1515 Clay Street, Ste 801
Oakland, CA 94612
<http://www.dir.ca.gov/Private-Attorneys-General-Act>

Via Certified Mail (Employers)

The Permanente Medical Group, Inc.
1950 Franklin Street, 20th Floor
Oakland, CA 94612
Receipt No.: 7021 1970 0000 9061 3660

Agent for Service of Process for
The Permanente Medical Group, Inc.:
Karen A Hall.
1950 Franklin Street, 20th Floor
Oakland, CA 94612
Receipt No.: 7021 1970 0000 9061 3677

Kaiser Permanente International
1 Kaiser Plaza
Oakland, CA 94612
Receipt No.: 7021 1970 0000 9061 3653

Agent for Service of Process for
Kaiser Permanente International:
CSC Lawyers Incorporating Service
2710 Gateway Oaks Dr., Ste 150 N
Sacramento, CA 95833
Receipt No.: 7021 1970 0000 9061 3684

RE: NOTICE PURSUANT TO LABOR CODE SECTIONS 2698 *et seq.*

To Whom It May Concern:

PLEASE TAKE NOTICE that Plaintiff Yolanda Ortega-Calbert, individually and on behalf of all others similarly situated, gives NOTICE of her intent to commence a civil action pursuant to California Labor Code Section 2698, *et seq.* against her former employers, Defendants The Permanente Medical Group, Inc., a California Corporation; Kaiser Permanente International, a California nonprofit corporation (collectively “Permanente Medical Group” or “Defendants”). Plaintiff hereby gives written notice electronically to the Labor and Workforce Development Agency, and by certified mail to Defendants via their agent(s) for service of process.

Plaintiff was employed by Defendants as an hourly, non-exempt employee. Plaintiff began her employment with Defendants in or about February 2006 and continued such employment through January 2022. During the relevant time, she performed functions as an Addiction Medicine Counselor.

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The group of aggrieved employees that Plaintiff seeks to represent is a group of non-exempt employees working directly or indirectly for Defendants in the State of California during the relevant time period (“Aggrieved Employees”). This notice is timely as it is provided within one year of the violations. Each of the violations set forth below and in the attached complaint is asserted on behalf of Plaintiff and the Aggrieved Employees.

Plaintiff has attached her Complaint, and incorporates the allegations in the Complaint as though fully set forth herewith, setting out the specific provisions of the Labor Code that Plaintiff alleges have been violated, including the facts and relevant theories alleged against Defendants in the Complaint.

Pursuant to *Huff v. Securitas Security Services*, 23 Cal. App. 5th 745, 751 (2018), an employee who brings a representative action and was affected by at least one of the violations alleged in the complaint has standing to pursue penalties on behalf of the state not only for that violation, but for violations affecting other employees as well. Accordingly, Plaintiff has standing to pursue penalties on behalf of the state for violations affecting all the aggrieved employees working for Defendants at their locations in the State regardless of their classification, job title, locations, or whether they were hired directly or through a labor contractor or staffing agency.

Plaintiff claims that Defendants implemented legally non-compliant policies and practices which led to Defendants’ 1) Failure to Pay Minimum Wages; 2) Failure to Pay Reporting Time Wages; 3) Failure to Pay Overtime Owed; 4) Failure to Provide Lawful Meal Periods; 5) Failure to Authorize and Permit Rest Periods; 6) Failure to Timely Pay Wages During Employment; 7) Failure to Timely Pay Wages Owed Upon Separation From Employment; 8) Failure to Reimburse Necessary Expenses; 9) Knowing and Intentional Failure to Comply with Itemized Wage Statement Provisions; 10) Violation of the Unfair Competition Law;.

In addition to the claims alleged in the attached Complaint, Plaintiff also contends that Defendants failed to keep accurate records as required by Wage Order 7-2001, Labor Code 1174, and 1198. IWC Wage Order 4-2001 and 5-2001 requires in pertinent part: every employer shall keep accurate information with respect to each employee including the following: (3) Time records showing when the employee begins and ends each work period. Meal periods, split shift intervals, and total daily hours worked shall also be recorded...(5) Total hours worked in the payroll period and applicable rates of pay...” Labor Code section 1174 also requires Defendants to maintain and preserve, in a centralized location, among other items, records showing the names and addresses of all employees employed and payroll records showing the hours worked daily by, and the wages paid to, its employees. On information and belief and based thereon, Defendants have knowingly and intentionally failed to comply with Labor Code section 1174, including by implementing the policies and procedures and committing the violations alleged in the complaint, including without limitation failing to keep records of meal periods and all wages earned at the proper rates. Defendants’ failure to comply with Labor Code section 1174 is unlawful pursuant to Labor Code section 1175.

All Labor Code provisions in the Complaint alleged to have been violated pertain to all

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entities and individuals named in the Complaint, even if not expressly specified.

Please advise by certified mail within sixty-five (65) days of the post mark on this letter if the LWDA intends to investigate these claims. Thank you, and please contact me if you have any questions or require additional information.

Very Truly Yours,

/s/ Christina M. Lucio

Christina M. Lucio, Esq.

Enclosed: Complaint