LWDA PAGA Claim Notice Attachment

Dickerson v. Ernst & Young

Pursuant to California Labor Code sections 2698 et seq. ("PAGA"), this letter serves as written notice on behalf of aggrieved employee TaMiya Dickerson and other similarly aggrieved employees of Ernst & Young US LLP of the violation of Labor Code Section 1197.5 and the intention to seek civil penalties as authorized by PAGA.

EY unilaterally set Ms. Dickerson's annual sales and revenue goals, controlled the allocation and reallocation of "lead" and revenue credit on engagements, determined her year-end "allocation of firm income," and retained the authority to strip allocations after the fact and to end her relationship with the firm. Although styled as a "partner," Ms. Dickerson was economically dependent on EY and treated as an employee with respect to compensation structures, performance management, and separation decisions.

This notice is provided on behalf of Ms. Dickerson, a black woman, and other women and/or nonwhite California-based current and former professionals whom EY tracks and compensates through its sales and revenue allocation system, including Managing Partners, Partners, Senior Directors/Senior Managers, Directors/Managers, Senior Associates, and Associates.

At the front end, when an engagement is generated at EY, employees are tagged for sales and revenue credit; at the back end, during fiscal-year close and performance reviews, partners manually reallocate dollar amounts based on subjective human review, politics, and social dynamics. While the system-generated allocations initially reflect higher sales and revenue credit for women and employees of color, after the partner-driven reallocation process, women and employees of color consistently moved to the bottom.

EY's process systematically downgrades allocations for women and professionals of color while preserving or enhancing allocations for white and male comparators, resulting in materially lower effective pay to Ms. Dickerson and similarly situated women and professionals of color for substantially similar work. As a result, Ms. Dickerson and other aggrieved employees have suffered reduced allocations, bonuses, promotions, partnership distributions, and other forms of compensation on the basis of race/ethnicity and sex, in violation of Labor Code Section 1197.5.