NASSIRI & JUNG LLP

Charles H. Jung
NASSIRI & JUNG LLP
1700 Montgomery Street, Suite 207
San Francisco, CA 94111

(t) 415-762-3100 | (f) 415-534-3200
charles@njfirm.com | www.njfirm.com

April 28, 2026

VIA ONLINE SUBMISSION

Labor and Workforce Development Agency
Attn: PAGA Administrator
455 Golden Gate Avenue, 10th Floor
San Francisco, CA 94102

VIA EMAIL & U.S. CERTIFIED MAIL

Samsara Inc.
c/o Helene Wasserman, Alan Sims
Littler Mendelson P.C.
633 West Fifth Street, 63rd Floor
Los Angeles, CA 90071
HWasserman@littler.com
AlSims@littler.com

Re: Notice of Labor Code Violations Pursuant to the Private Attorneys General Act (Labor Code § 2699.3) – Elaine Go v. Samsara Inc.

To the Labor and Workforce Development Agency and Defendant Samsara Inc.:

Please take notice that my office represents Elaine Go ("Plaintiff") in a representative action against her former employer, Samsara Inc. ("Defendant" or "Samsara"). Plaintiff brings this action on behalf of herself and the State of California, and as a proxy for all similarly situated Aggrieved Employees pursuant to the Private Attorneys General Act ("PAGA"), Labor Code § 2699 *et seq*.

I. DEFINITION OF AGGRIEVED EMPLOYEES

Plaintiff intends to seek civil penalties on behalf of herself and the following group of Aggrieved Employees:

1. Misclassification Group: All current and former California employees of Samsara Inc. who were classified as exempt within the Marketing Department (and similarly situated operational departments), and/or who received non-discretionary bonuses during the applicable statutory period.

2. Payroll Withholding Group: All current and former California employees of Samsara Inc. who received Labor Code § 203 Waiting Time Penalty payments from which Defendant unlawfully deducted W-2 payroll taxes.

3. Protected Leave Group: All current and former California employees of Samsara Inc. who were demoted, terminated, or experienced other adverse employment actions following the use of or request for protected sick leave.

II. FACTUAL ALLEGATIONS & DOCUMENTARY EVIDENCE

During her employment from March 13, 2023 to July 10, 2025, Plaintiff was nominally given the title of "Senior Manager, Customer Lifecycle Marketing" and classified as an exempt, salaried employee. This classification was a fiction. Due to chronic, company-wide understaffing, Plaintiff and similarly situated Aggrieved Employees did not primarily engage in exempt managerial duties. Instead, they were routinely forced to act as primary individual contributors, spending the vast majority of their time executing ground-level, non-exempt tasks.

Defendant's misclassification of Marketing Managers was a corporate strategy. Defendant understaffs its marketing departments while simultaneously increasing campaign volume quotas by 200-300%. Furthermore, Defendant's reliance on deficient upstream data architecture forces nominally exempt managers to abandon strategic duties and perform non-exempt manual data entry and execution tasks to keep the department functional. By assigning non-exempt execution duties to salaried managers, Defendant avoids paying legally required overtime wages across the department.

A. Misclassification

Samsara's own Directors have documented this misclassification in writing. In Plaintiff's FY25 Year-End Performance Review, Director [redacted] admitted that Plaintiff was forced to perform ground-level execution. Defendant's records confirm the resource challenges. Plaintiff was forced to work an average of sixty-four hours per week, including twelve-hour weekday shifts and mandatory weekend work, without overtime compensation.

B. *Ferra* Violation

Defendant operates a uniform corporate compensation structure that pays non-discretionary quarterly bonuses, which for Plaintiff was defined as an on-target bonus eligibility 20% of salary. Because Defendant misclassified these employees, Defendant failed to calculate a Regular Rate of Pay that incorporated these non-discretionary bonuses. Consequently, even if Defendant had attempted to pay overtime or meal/rest break premiums, its corporate payroll algorithm was designed to underpay those wages in direct violation of the California Supreme Court's mandate in *Ferra v. Loews Hollywood Hotel, LLC,* 11 Cal.5th 858 (2021).

C. Unpaid Final Wages and Unlawful Taxation of Penalties

Defendant terminated Plaintiff on July 10, 2025, [redacted]. Defendant failed to issue her final wages immediately as required by Labor Code § 201. Defendant's own payroll department documented this violation on Plaintiff's July 14, 2025 wage statement, explicitly paying her for "32.00 hours" of Waiting Time penalties. However, Defendant unlawfully failed to remit the full thirty days of statutory penalties owed, creating an ongoing violation. Furthermore, Defendant committed a systemic payroll violation by unlawfully subjecting the $3,165.44 Waiting Time penalty to W-2 payroll tax withholdings (Federal, State, Medicare, OASDI). Under California law, Labor Code § 203 payments are penalties, not wages, and are not subject to wage withholdings. By taxing this penalty, Defendant's automated payroll system systematically underpays statutory penalties owed to Aggrieved Employees and issues fundamentally inaccurate wage statements.

D. Whistleblower Retaliation in Violation of Labor Code § 1102.5

Defendant maintains a systemic practice of retaliating against employees who disclose unlawful working conditions. In May 2025, Plaintiff engaged in protected activity by formally complaining to management regarding a hostile work environment. Management acknowledged the conduct could constitute a "hostile work environment" but failed to intervene. Instead, Defendant unlawfully terminated Plaintiff within ninety days of her protected complaint. Pursuant to the SB 497 amendments (Labor Code § 1102.6), Defendant's adverse action triggers a statutory presumption of retaliation. Plaintiff seeks all applicable civil penalties under PAGA for Defendant's willful violation of Labor Code § 1102.5, including but not limited to the mandatory penalty of ten thousand dollars ($10,000) per violation pursuant to Labor Code § 1102.5(f).

E. Bad-Faith Failure to Produce Statutory Records

Following her termination, Plaintiff issued lawful demands for her payroll and personnel records pursuant to Labor Code §§ 226(b)-(c) and 1198.5. Defendant failed to timely and fully comply with these statutory deadlines. Furthermore, the records ultimately produced were conspicuously incomplete, suggesting spoliation of evidence regarding her performance and complaints, further triggering independent statutory penalties and attorneys' fees.

F. Systemic Retaliation for the Use of Protected Sick Leave

Defendant maintains a punitive, corporate-wide policy of retaliating against Aggrieved Employees who take protected time off for medical reasons. Rather than honoring its obligations under the Healthy Workplaces, Healthy Families Act, Defendant utilizes employees' requests for medical leave as an opportunistic catalyst for termination or adverse action.

Plaintiff was abruptly terminated on July 10, 2025, the exact same day [redacted]. This is a systemic practice. Other Aggrieved Employees have faced identical or substantially similar retaliation: one employee was locked out of company systems and fired on the exact day she initiated [redacted]; another was immediately placed on a baseless coaching plan and blocked from internal transfers upon returning from [redacted]; and another was abruptly fired shortly after returning from [redacted]. This establishes a clear, class-wide pattern of penalizing Aggrieved Employees for exercising their statutory right to use protected sick leave.

//

G. Failure to Maintain and Provide Accurate Records (Labor Code §§ 226, 1198.5)

Defendant has failed to maintain or adequately provide complete and accurate personnel and payroll records upon request. Plaintiff hereby puts Defendant on formal notice to preserve all emails, Slack communications, metadata, Jira tickets, and performance evaluations pertaining to Plaintiff and the Aggrieved Employees. Any attempt by Defendant to rely on undocumented, after-the-fact "performance" critiques that were not contemporaneously provided in Plaintiff's personnel file will be viewed as spoliation of evidence and a further violation of the Labor Code.

III. ENUMERATED LABOR CODE VIOLATIONS

Based on the systemic corporate practices outlined above, Plaintiff and the Aggrieved Employees have suffered the following statutory violations:

1. Failure to Pay Overtime (Labor Code §§ 510, 1194, 1198): Defendant failed to pay 1.5x and 2x overtime premiums for hours worked over eight in a day and forty in a week. Furthermore, Defendant enforced a de facto requirement that Aggrieved Employees work seven consecutive days in a workweek. By imposing impossible campaign delivery deadlines while denying the department the headcount necessary to execute them, Defendant implicitly demanded and accepted weekend labor from its misclassified managers without providing the mandatory premium pay required under California law.

2. Failure to Provide Meal Periods (Labor Code §§ 226.7, 512): Due to the extreme workload and understaffing, Plaintiff and Aggrieved Employees regularly worked shifts exceeding ten and twelve hours without being provided their first or second off-duty thirty-minute meal periods, nor were they paid the mandatory one-hour premium at the augmented *Ferra* Regular Rate of Pay.

3. Failure to Provide Rest Periods (Labor Code § 226.7): Defendant routinely failed to authorize and permit unhindered ten-minute rest periods for every four hours worked, nor did it pay the corresponding premium wages.

4. Inaccurate Wage Statements (Labor Code § 226(a)): Unpaid meal and rest premiums constitute unpaid wages. Because Defendant failed to record these wages, failed to list all hours worked, and failed to calculate the correct Regular Rate of Pay, every wage statement issued to the Aggrieved Employees during the statutory period was legally inaccurate.

5. Failure to Pay Timely Wages Upon Termination (Labor Code §§ 201, 202, 203): Defendant willfully failed to pay all earned wages (including unpaid overtime and break premiums) immediately upon termination or within seventy-two hours of resignation, triggering up to thirty days of waiting time penalties for all terminated Aggrieved Employees.

6. Retaliation for Use of Paid Sick Leave (Labor Code §§ 233, 246.5(c)): Defendant

maintains a systemic, corporate practice of discharging, threatening to discharge, demoting, or otherwise discriminating against Plaintiff and Aggrieved Employees for initiating and utilizing their accrued sick days to cover medical and family leaves of absence. Plaintiff seeks all applicable PAGA civil penalties for Defendant's willful, class-wide pattern of retaliation under Labor Code §§ 233 and 246.5(c).

7. Failure to Maintain and Provide Accurate Records (Labor Code §§ 226, 1198.5): Defendant has failed to maintain or adequately provide complete and accurate personnel and payroll records upon request.

8. Whistleblower Retaliation (Labor Code § 1102.5): Defendant maintains a systemic practice of retaliating against Aggrieved Employees who disclose unlawful working conditions. Defendant unlawfully terminated Plaintiff within ninety days of her protected complaint regarding a hostile work environment, triggering a statutory presumption of retaliation under Labor Code § 1102.6. Plaintiff seeks all applicable PAGA civil penalties for Defendant's willful violation of Labor Code § 1102.5.

9. Unlawful Withholding from Statutory Penalties (Labor Code §§ 203, 221, 226): Defendant maintains a uniform, algorithmic payroll practice of treating Labor Code § 203 waiting time penalties as taxable wages. By unlawfully deducting W-2 payroll taxes from statutory penalty payouts, Defendant systematically underpays the full penalty amounts owed to terminated Aggrieved Employees, makes unlawful deductions from payments (Labor Code § 221), and consequently issues legally inaccurate itemized wage statements (Labor Code § 226).

IV. CONCLUSION

Plaintiff is ready to provide further information to the LWDA if requested. If the Agency does not intend to investigate this matter, Plaintiff intends to commence a civil action in Superior Court to recover PAGA civil penalties, statutory penalties, unpaid wages, prejudgment interest, and reasonable attorneys' fees and costs.

Sincerely,

Charles H. Jung