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December 18, 2023

VIA CERTIFIED MAIL AND E-FILING (Per Labor Code Section 2699(I)(4))

Department of Industrial Relations
Accounting Unit
455 Golden Gate Avenue, 10th Floor
San Francisco, CA 94102

Attn: PAGA Administrator
1515 Clay Street, Ste. 801
Oakland, CA 94612
PAGA@dir.ca.gov

Re: **Private Attorneys General Act (PAGA) Cure Notification**, November 30, 2023
Letter From Gabriella Sole, Esq., Re Central Valley Training Center, Inc.

To Whom It May Concern:

This office represents the above-captioned employer, which is the subject of attorney Gabriella Sole's November 30, 2023 letter. The allegation in Ms. Sole's letter is that the wage statements issued by the employer violated Labor Code Section 226(a)(8) by failing to list the "legal entity that is the employer" within the meaning of that subsection. Central Valley Training Center disputes and denies the allegation that it violated Section 226(a)(8). A wage statement is compliant if "a reasonable person would be able to readily ascertain the [employer's name address] without reference to other documents or information." Labor Code Sections 226(e)(2)(B)(iii), 226(e)(2)(C). The wage statements provided to employees identified the employer as "Central Valley Training Center." The full name of the business is actually "Central Valley Training Center, Inc." Given this minor discrepancy, there is no way that any reasonable person employed by the employer could have been unable to ascertain the name of her/his employer for the purposes of requesting wage statements or W-2's (the purpose of the Section 226(a)(8) requirement).

Notwithstanding the position of the employer that there is no violation and, accordingly, no liability, we write on behalf of our client to memorialize that the alleged violations have been fully “cured” within the meaning of Labor Code Sections 2699(d) and 2699.3(c)(2)(A).

For all pay periods beginning November 30, 2020, and ending December 11, 2023, cured wage statements were re-issued to all current and former employees, along with detailed explanatory cover correspondence in the form of Exhibit 1 for current employees and Exhibit 2 for former employees.¹ All former employees were sent hard copies of all cured re-issued wage statements, for pay periods between November 30, 2020, and ending December 11, 2023, by first class mail to each individual’s last known address. All current employees were notified by a memo sent to their work email address that they can access their cured re-issued wage statements for all pay periods between November 30, 2020, and ending December 11, 2023, online (the same method by which these employees access their wage statements normally) and were provided with detailed information regarding the way to access these online statements. There are 73 current employees who have opted out of receiving pay statements online and therefore were sent hard copies of all cured re-issued wage statements for pay periods between November 30, 2020, and ending December 11, 2023, by first class mail to each individual’s last known address. Current employees also were offered the option of printed “hard copies” of all of the re-issued wage statements.

Hard copies of cured re-issued wage statements were sent to former employees on or before January 2, 2024. The memo with instructions on accessing online versions of the re-issued wage statements were emailed to current employees on or before January 2, 2024.

The chart below shows the number of cured wage statements issued, and the number of former and current employees to whom cured wage statements were issued.

¹ Exhibit 1 is a cover memo dated 12-18-23, mailed on 12-15-23. Exhibit 2 is a cover memo dated 12-18-23, mailed on 12-15-23.

Number of Cured Wage Statements Issued	Number of Former Employees² To Whom Cured Wage Statements Were Provided	Number of Current Employees³ To Whom Cured Wage Statements Were Provided
31,173	506	513

An exemplar of a cured wage statement issued by the employer is provided as Exhibit 3. The exemplar has been redacted to omit the employee's name and address.

Beginning with the pay period starting December 11, 2023, the employer is now issuing wage statements that do expressly reflect the precise name of the legal entity that is the employer: Central Valley Training Center, Inc. Accordingly, the alleged violation of Labor Code Section 226(a)(8) has been fully cured and abated.

In sum, each current or former employee of the subject employer, within the three-year period prior to the postmark date of Ms. Sole's November 30, 2023 letter, was provided with cured wage statements that contain all of the information required by Labor Code Section 226(a), specifically including Section 226(a)(8). In providing these cured wage statements, the employer complied with Labor Code Section 226(a), which provides, in relevant part: "For purposes of this subdivision, 'copy' includes a duplicate of the itemized statement provided to an employee or a computer-generated record that accurately shows all of the information required by this subdivision."

Attached as Exhibit 4 is a sworn declaration under penalty of perjury attesting to the facts set forth in this letter.

We look forward to your response within the 17-day period allowed by Labor Code Section 2699.3(c). If no response is received, the employer assumes that the LWDA takes no issue with, and has no questions or concerns pertaining to, the above-described cure efforts, and we will proceed accordingly. If you have any questions or would like any additional information to complete your review, please contact me via the contact information shown at the top of this letter.

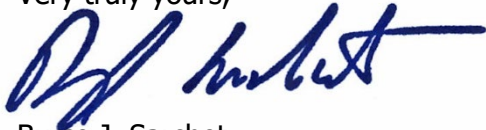
² These "former employees" figures include individuals who are no longer employed by the employer.

³ These "current employees" figures include individuals who remain employed by the employer.

Department of Industrial Relations
PAGA Administrator
December 18, 2023
Page 4

Thank you for your consideration.

Very truly yours,

A handwritten signature in blue ink, appearing to read "B. J. Sarchet", written in a cursive style.

Bruce J. Sarchet

Enclosures

cc: Gabriella Sole, Esq. (via email and via certified mail)

EXHIBIT 1

MEMORANDUM

SENT BY EMAIL TO WORK EMAIL ADDRESS

CENTRAL VALLEY TRAINING CENTER, INC.

TO: ALL CURRENT CENTRAL VALLEY TRAINING CENTER, INC. EMPLOYEES

FROM: BRANDI BARAZZA, HUMAN RESOURCES DIRECTOR

DATE: DECEMBER 18, 2023

REGARDING: WAGE STATEMENT TECHNICAL MODIFICATION

It recently came to our attention that the format of wage statements issued by Central Valley Training Center, Inc. over the past three years needs to be slightly modified. We have decided to re-issue all these wage statements with modified information, and provide them to you. **This has nothing to do with the pay you have received or the deductions taken.** All of that information was completely accurate on the wage statements you originally received. The only reason for providing you these modified wage statements is to clarify the employer's legal name.

For all pay periods during which you were employed, between November 30, 2020, and ending December 11, 2023, a set of modified wage statements is being provided to you. These modified wage statements modify the company legal name. You can find the modified company legal name included on all wage statements issued on or after November 30, 2020 posted at your account on Innovative Business Solutions (IBS). This is the same place where you currently access your pay statements. If you simply access that account, you can review all the modified wage statements issued on or after November 30, 2023. You can access your IBS payroll account by going to <https://secure2.saashr.com/ta/CVT.clock?rnd=NEW>. Enter your company ID, username and password. Should you need any assistance in logging into your IBS payroll account, please contact us. In addition, if you would like to have printed "hard copies" for your records, we will be happy to print them for you. For current employees who have opted out of receiving pay statements online, modified wage statements will be sent by first class mail to your last known address.

If you have any questions about these technical modifications to your wage statements, please contact Brandi Barraza at bbarraza@cvtcinc.com.

EXHIBIT 2

MEMORANDUM

SENT BY FIRST CLASS MAIL TO LAST KNOWN PHYSICAL ADDRESS
OR TO UPDATED ADDRESS IN USPS NATIONAL CHANGE OF ADDRESS DATABASE

COVER MEMO SENT BY EMAIL TO LAST KNOWN PERSONAL EMAIL ADDRESS

CENTRAL VALLEY TRAINING CENTER, INC.

TO: ALL FORMER CENTRAL VALLEY TRAINING CENTER, INC. EMPLOYEES

FROM: BRANDI BARAZZA, HUMAN RESOURCES DIRECTOR

DATE: DECEMBER 18, 2023

REGARDING: WAGE STATEMENT TECHNICAL MODIFICATION

It recently came to our attention that the format of wage statements issued by Central Valley Training Center, Inc. over the past three years needs to be slightly modified. We have decided to re-issue all these wage statements with modified information, and provide them to you. **This has nothing to do with the pay you have received or the deductions taken.** All of that information was completely accurate on the wage statements you originally received. The only reason for providing you these modified wage statements is to clarify the employer's legal name.

For all pay periods during which you were employed, between November 30, 2020, and ending December 11, 2023, a set of modified wage statements is enclosed. These are being sent to you by first class mail to your last known address. We have also sent this cover memo to your last known personal email address. These enclosed modified wage statements modify the company legal name.

If you have any questions about these technical modifications to your wage statements, please contact Brandi Barraza at bbarraza@cvtcinc.com.

EXHIBIT 3

[REDACTED] XXX-XX- [REDACTED] Check 11720 Pay Date: 12/12/2023
10-PT Type: Manual Pay Period: 12/03/2023-12/12/2023

Earnings

	Rate	Hrs/Units	Current	YTD
Recruit Incent.				1,325.00
Retro Pay				65.13
Train Stipend				1,250.00
Regular	21.01000	48.00	1,008.48	30,562.10
Meal Prem				464.22
Rest Break Prem				18.10
Holiday				832.63
Sick	21.01000	1.00	21.01	904.28
VacPayout	21.01000	19.16	402.55	402.55
Vacation				610.54
Bonus				115.00
Cell Phone				230.00
Mileage	0.65500	5	3.28	1,473.84
Reimb Fingerpr				20.00
Gross Pay			1,432.04	36,549.55
Hours Worked		48.00		
Hours Paid		68.16		

Taxes Withheld

	Taxable	Taxable YTD	Current	YTD
FIT				
FICA				
MEDI				
SIT:CA				
SDI:CA				
Total				
Net Pay			1,183.74	31,840.70
Check			1,183.74	20,285.26
Checking (2075)			0.00	11,555.44

Company Paid Benefits

	Current	YTD
Basic Life		
FUTA		
FICA		
MEDI		
SUTA_SC:CA		
SUTA:CA		
Total		

Accruals

	Accrued	Taken	Bal.	Accrue Rate
Sick	Hrs: 51.62	45.92	5.70	0.0333 Hrs/Pay Period
Vacation	Hrs: 49.00	30.98	18.02	1.96 Hrs/Pay Period

Information & Announcements

Central Valley Training Center, Inc.
10100 Trinity Parkway Suite 110
Stockton CA 95219
(209) 951-1671

Final check 12/12/2023
19.16 Vacation Hours paid out

Tax Allowance Settings

Federal:

California:

Central Valley Training Center, Inc. 10100 Trinity Parkway, Suite 110, Stockton, CA 95219
Business Phone #: (209) 951-1671

1 of 2

THIS CHECK IS VOID WITHOUT A COLORED BORDER AND BACKGROUND PLUS A KNIGHT & FINGERPRINT WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW

Central Valley Training Center, Inc.
10100 Trinity Parkway
Suite 110
Stockton, CA 95219

Bank of Stockton

BANK OF STOCKTON

Check Date: 12/12/2023

Check #: 11720

Pay To The
Order Of:

Amount: One Thousand One Hundred Eighty Three Dollars and 74/100 Cents ***** \$ **1,183.74

10-PT 11035 12/12/2023 11720

Raymond D. Nefza

Authorized Signature

11720 1211010371

1255011858

EXHIBIT 4

DECLARATION OF BRANDI BARRAZA

I, Brandi Barraza, hereby declare as follows:

1. I am employed as the Human Resources Director for Central Valley Training Center, Inc. (CVTC).
2. We received a copy of a letter, postmarked November 30, 2023, from Gabriella Sole, addressed to the California Labor and Workforce Development Agency. The letter alleges that CVTC is in violation of several provisions of the California Labor Code. CVTC disputes the allegations in that letter.
3. Even though we believe that our wage statements comply with all legal requirements, out of an abundance of caution we elected to "cure" any deficiency in our wage statements, going back three years. The wage statements provided to employees identified the employer as "Central Valley Training Center." The full name of the business is actually "Central Valley Training Center, Inc."
4. We "cured" any possible legal issue with our wage statements as follows: For all pay periods beginning November 30, 2020, and ending December 11, 2023, cured wage statements were re-issued to all current and former employees, along with detailed explanatory cover correspondence. That correspondence is attached at Exhibit 1 and Exhibit 2 to our counsel's letter to the LWDA dated December 18, 2023. All former employees were sent hard copies of all cured re-issued wage statements, for pay periods between November 30, 2020, and ending December 11, 2023, by first class mail to each individual's last known address. All current employees were notified by a memo sent to their work email address that they can access their cured re-issued wage statements for all pay periods between November 30, 2020, and ending December 11, 2023, online (the same method by which these employees access their wage statements normally) and were provided with detailed information regarding the way to access these online statement. There are 73 current employees who have opted out of receiving pay statements online and therefore were sent hard copies of all cured re-issued wage statements for pay periods between November 30, 2020, and ending December 11, 2023, by first class mail to each individual's last known address. Current employees also were offered the option of printed "hard copies" of all of the re-issued wage statements.
5. Hard copies of cured re-issued wage statements were sent to former employees on or before January 2, 2024. The memo with instructions on accessing online versions of the re-issued wage statements were emailed to current employees on or before January 2, 2024.

6. The chart below shows the number of cured wage statements issued, and the number of former and current employees to whom cured wage statements were issued:

Number of Cured Wage Statements Issued	Number of Former Employees¹ To Whom Cured Wage Statements Were Provided	Number of Current Employees² To Whom Cured Wage Statements Were Provided
31,173	506	513

7. An exemplar of a cured wage statement issued by the employer is provided as Exhibit 3 to our counsel's letter to the LWDA dated December 18, 2023. The exemplar has been redacted to omit the employee's name and address.
8. Beginning with the pay period starting December 11, 2023, the employer is now issuing wage statements that do expressly reflect the precise name of the legal entity that is the employer: Central Valley Training Center, Inc.

I hereby declare under penalty of perjury of the laws of the State of California that I have read the foregoing declaration consisting of this and one other page, and hereby declare that it is true and correct of my own personal knowledge.


Brandi Barraza

Date: 12/18/23

4890-3716-0599.1 / 040059-1000

1 **PROOF OF SERVICE BY ELECTRONIC TRANSMISSION**

2 I am employed in Sacramento County, California. I am over the age of eighteen years
3 and not a party to the within-entitled action. My business address is 500 Capitol Mall, Suite 2000,
4 Sacrameg.nto, California 95814. On this 18th day of December, 2023, I served a copy of the within
5 document(s):g.

6 **DECEMBER 18, 2023 LETTER**

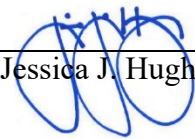
7 Based on a court order or an agreement of the parties to accept service by e-mail or electronic
8 transmission, I caused the documents to be sent to the persons at the e-mail addresses on the attached
9 service list on the dates and at the times stated thereon. I did not receive, within a reasonable time after
10 the transmission, any electronic message or other indication that the transmission was unsuccessful.

11 The electronic notification address of the person making the service is jjhughey@littler.com:

12 Gabriella C. Sole
13 410 Arden Avenue, Suite 203
14 Glendale, CA 91203-4007
15 E-mail: g.soleg.sole@calljustice.com

16 I declare under penalty of perjury under the laws of the State of California that the
17 above is true and correct.

18 Executed on this 18th day of December, 2023, at Sacramento, California.

19 
20 _____
21 Jessica J. Hughey
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