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**VIA ONLINE SUBMISSION**

Labor and Workforce Development Agency  
Attn: PAGA Administrator

*Copies sent via U.S. Certified Mail to:*

Google LLC  
C/O CSC - Lawyers Incorporating Service (Registered Agent)  
2710 Gateway Oaks Drive Ste. 150N  
Sacramento, CA 95833

cc: Caitlin Wang, Esq., Employment Counsel, Google LLC  
Employment Counsel, Google LLC  
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Mountain View, CA 94043  
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**Re: Notice of Labor Code Violations Pursuant to the Private Attorneys General Act (Labor Code § 2699.3)**  
**Plaintiff/Aggrieved Employee:** Soobin Cha  
**Employer:** Google LLC

**To the Labor and Workforce Development Agency and Google LLC:**

The undersigned counsel represents Plaintiff Soobin Cha (hereinafter "Plaintiff"), a former employee of Google LLC (hereinafter "Employer" or "Google"). Pursuant to the Private Attorneys General Act of 2004 (PAGA), California Labor Code § 2699.3, this correspondence serves as statutory notice that the Plaintiff intends to file a civil action seeking PAGA penalties on behalf of the State of California, the Plaintiff personally, and all other aggrieved employees.

**I. Definition of Aggrieved Employees**

The Aggrieved Employees are defined as: *All current and former California-based employees of Google LLC who held the title of Visual Designer (L4 or L5), UX Designer, or a substantially similar title, and who were classified as exempt at any time during the PAGA statutory period.*

**II. Standing Requirements**

Pursuant to the 2024 legislative amendments to PAGA (AB 2288 and SB 92), notice is hereby

provided that the Plaintiff personally suffered each of the Labor Code violations alleged herein during the statutory period while employed by Google LLC. The Plaintiff possesses standing to bring this representative action on behalf of all Aggrieved Employees.

### **III. Facts and Theories of Liability**

#### **A. Misclassification and Unpaid Overtime/Double-Time; Labor Code §§ 510, 1194)**

Google misclassified L4 and L5 Visual Designers, including the Plaintiff, as exempt from overtime under the administrative and professional exemptions of IWC Wage Order 4-2001. Under the strict quantitative test mandated by the California Supreme Court in *Ramirez v. Yosemite Water Co.*, 20 Cal. 4th 785 (1999), an employee must actually spend more than 50% of their working time performing exempt duties to qualify for the exemption.

The facts demonstrate that the Plaintiff spent approximately 70% of actual working hours performing strictly non-exempt work. Upon transfer to the YouTube division (2024-26), the Plaintiff was functionally demoted to a production support role, spending 40% of working time executing administrative hand-offs, file renaming, and exporting assets for an L7 Designer, and 30% of working time performing basic production design entirely devoid of independent discretion. The Employer possessed actual knowledge of this misclassification.

Because the Plaintiff was misclassified, the Employer failed to pay statutory overtime and double-time. For example, during the “crunch period” spanning August 2025 through January 2026 (approximately 26 weeks), the Plaintiff was routinely required to work 16-hour days on weekdays and approximately 8 hours total over the weekends. The Employer failed to pay time-and-a-half for hours worked over eight per day or forty per week, and failed to pay double-time for hours worked in excess of twelve per day, resulting in severe violations of Labor Code §§ 510 and 1194. This systemic practice applies across the defined cohort of Aggrieved Employees who were similarly subjected to non-exempt tasking under the guise of an L4/L5 exempt title.

#### **B. Missed Meal and Rest Periods; Labor Code §§ 226.7, 512.**

Due to the aforementioned misclassification, systemic understaffing, and intense micromanagement by division leadership, the Plaintiff and the Aggrieved Employees were prevented from taking compliant, uninterrupted 30-minute meal periods. During the crunch period, the Plaintiff missed an uninterrupted meal period approximately twice per week. The Employer failed to pay the mandated one hour of premium pay for each missed meal or rest period, in violation of Labor Code §§ 226.7 and 512. Pursuant to the California Supreme Court’s ruling in *Naranjo v. Spectrum Security Servs., Inc.*, 13 Cal. 5th 93 (2022), these unpaid premium wages constitute wages that trigger derivative violations for inaccurate wage statements and failure to pay all wages upon termination. Plaintiff seeks all applicable civil penalties for these meal and rest period violations, including those under Labor Code § 558.

#### **C. Inaccurate Wage Statements (Labor Code § 226)**

Pursuant to Labor Code § 226(a), employers must provide accurate itemized wage statements showing total hours worked and all applicable hourly rates in effect during the pay period. Because the Employer misclassified the Aggrieved Employees as exempt, the wage statements issued during the statutory period systematically omitted the actual hours worked and the applicable overtime/double-time rates. For example, the Plaintiff’s pay statement dated February 6, 2026, explicitly lists 80 hours of Regular Pay, erasing the substantial overtime hours actually worked. These violations trigger the specific penalty structure of § 226.3.

**D. Failure to Maintain Accurate Payroll Records; Labor Code § 1174.**

Labor Code § 1174(d) requires employers to maintain accurate records showing the actual hours worked daily. By classifying the Aggrieved Employees as exempt, the Employer willfully failed to record or maintain accurate timekeeping records of the extreme hours worked, specifically during the 2025-26 crunch period.

**E. Failure to Pay All Wages Upon Termination; Labor Code §§ 201-203.**

Labor Code §§ 201 and 202 require the immediate payment of all earned wages upon termination or resignation. The Plaintiff was terminated on February 6, 2026. The Employer failed to pay the large backlog of earned overtime, double-time, and meal period premiums. This willful failure triggers individual statutory waiting time penalties under Labor Code § 203, and subjects the Employer to civil penalties under PAGA, including those pursuant to Labor Code § 256, on behalf of the State of California and all Aggrieved Employees.

**F. Withholding of Personnel Records; Labor Code § 1198.5.**

Labor Code § 1198.5 mandates that employers produce a complete copy of personnel records relating to an employee's performance within 30 days of a statutory request. On April 24, 2026, the Employer produced a 106-page file. However, the Employer maliciously, fraudulently, and oppressively withheld the December 2025 Support Check-in document (a Performance Improvement Plan). This document was generated by management and weaponized to justify the Plaintiff's termination. The deliberate suppression of this important performance record violates § 1198.5 and subjects the Employer to the \$750 statutory penalty.

**IV. Penalties Sought**

Pursuant to Labor Code § 2699(f)(2) (as amended by AB 2288 and SB 92), as well as Labor Code §§ 558, 256, and 226.3, the Plaintiff seeks the assessment of all applicable civil penalties for each violation. Due to the Employer's malicious, fraudulent, and oppressive conduct, specifically the deliberate suppression of statutory personnel records to conceal unlawful employment practices and shadow HR policies, the Plaintiff seeks the heightened penalty of \$200 per aggrieved employee per pay period for all applicable violations. The Plaintiff further asserts that the Employer's conduct negates any entitlement to the 15% or 30% penalty caps reserved for employers engaging in "all reasonable steps" toward compliance.

Sincerely,



Charles H. Jung