

SAN LUIS OBISPO SUPERIOR COURT
 BY Carol L. McGlirk
 Carol L. McGlirk, Deputy Clerk

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Attorney for ALLINSON MELENDEZ,
 DANIELLE MIRANDA, and DALIA GONZALEZ
 as Private Attorneys General

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN LUIS OBISPO

STATE OF CALIFORNIA ex rel.
 ALLINSON MELENDEZ,
 DANIELLE MIRANDA, and DALIA
 GONZALEZ, as Private Attorneys
 General,

Plaintiff,

v.

COASTHILLS CREDIT UNION; DOES 1
 through 25, inclusive,

Defendants.

Case No. 24CV-0284

Assigned for All Purposes to:

**COMPLAINT FOR CIVIL PENALTIES
 UNDER THE PRIVATE ATTORNEYS
 GENERAL ACT**

[Unlimited Civil Case – Exceeds \$35,000]

Trial Date:

Complaint filed:

COMES NOW Plaintiff STATE OF CALIFORNIA ex rel. ALLINSON MELENDEZ,
 DANIELLE MIRANDA, and DALIA GONZALEZ, as Private Attorneys General (“Plaintiff”),
 who asserts claims against Defendant COASTHILLS CREDIT UNION and DOES 1 through 25,
 inclusive (collectively “Employer” or “Defendants”) as follows:

INTRODUCTION

1. Plaintiff brings this action under the Labor Code Private Attorneys General Act of
 2004 (“PAGA”), Labor Code sections 2698, *et seq.* A PAGA action is a “type of *qui tam* action”
 in which the plaintiff proceeds on behalf of the State of California and shares in the recovery of
 civil penalties; it “is not a dispute between an employer and an employee arising out of their

1 contractual relationship. It is a dispute between an employer and the *state....*" *Iskanian v. CLS*
2 *Transportation Los Angeles, LLC* (2014) 59 Cal.4th 348, 381-382, 386. "[T]he State is the real
3 party in interest." *Id.*, at 387.

4 2. Accordingly, Ms. Melendez, Ms. Miranda, and Ms. Gonzalez are not suing in their
5 individual capacity; they are proceeding herein solely under the PAGA on behalf of themselves,
6 approximately 500 similarly situated current and former aggrieved employees employed by
7 Employer between February 27, 2023, and the conclusion of the action ("Statutory Period"), and
8 the People of the State of California (collectively "Employees").

9 3. PAGA, specifically Section 2699, subdivision (a) of the California Labor Code,
10 permits an aggrieved employee to recover civil penalties set forth within the California Labor
11 Code for violations of the California Labor Code. In addition, Section 2699(f) establishes civil
12 penalties for violations of California Labor Code provisions that do not contain their own civil
13 penalties. Plaintiff brings this civil action to recover civil penalties for the violations identified
14 below. Those civil penalties are sought for violations committed against Employees of Defendant.

15 4. Plaintiff brings this action for violations of occupational health-and-safety
16 provisions of the California Labor Code. Defendants subjected Employees to these violations,
17 some of which caused injury while some of which did not necessarily cause injury. This action
18 does not seek compensation for any injury, however; the PAGA provides for civil penalties, not
19 for injuries to employees, but for violations of the California Labor Code.

20 5. Pursuant to Section 2699.3, Plaintiff sent proper notices to the California Labor and
21 Workforce Development Agency, the Division of Occupational Safety and Health, and Defendant,
22 of the specific provisions of the California Labor Code alleged to have been violated, including the
23 facts and theories to support the alleged violation. A copy of Plaintiff's PAGA notices of claims
24 are attached hereto as **Exhibits 1 and 2**.

25 6. Neither the LWDA nor the Division of Occupational Safety and Health inspected
26 or investigated the violations within the time provided by law. Additionally, with respect to those
27 violations that were curable under Subdivisions (b)(1) and/or (c)(1), Defendant failed to invoke its
28 option to cure the violations within the time provided under PAGA.

1 7. Plaintiff and Employees are, therefore, entitled to all available civil penalties, in
2 addition to Plaintiff's costs and attorneys' fees.

3 **JURISDICTION AND VENUE**

4 8. This Court has jurisdiction over this action pursuant to the California Constitution,
5 Article VI, §10.

6 9. Venue is proper in this Court because this action arises from Defendant's
7 employment of Plaintiffs in San Luis Obispo County.

8 **PARTIES**

9 10. For all times relevant herein, ALLINSON MELENDEZ was an adult individual
10 residing in California. Ms. Melendez is not suing in her individual capacity; she is proceeding
11 herein solely under the PAGA on behalf of the State of California for all aggrieved employees,
12 including herself.

13 11. For all times relevant herein, DANIELLE MIRANDA was an adult individual
14 residing in California. Ms. Miranda is not suing in her individual capacity; she is proceeding
15 herein solely under the PAGA on behalf of the State of California for all aggrieved employees,
16 including herself.

17 12. For all times relevant herein, DALIA GONZALEZ was an adult individual residing
18 in California. Ms. Gonzalez is not suing in her individual capacity; she is proceeding herein solely
19 under the PAGA on behalf of the State of California for all aggrieved employees, including
20 herself.

21 13. For all times relevant herein, Defendant COASTHILLS CREDIT UNION, was and
22 is a California business entity with its principal place of business in California.

23 14. Whenever in this Complaint reference is made to any act, deed, or conduct of
24 Defendants, the allegation means that Defendants engaged in the act, deed, or conduct by or
25 through one or more of its agents, employees, or representatives, who was actively engaged in the
26 management, direction, control, or transaction of the business and affairs of Defendants.

27 15. Plaintiff is ignorant of the true names and capacities, whether individual, corporate,
28 associate, or otherwise, of the defendants sued herein as Does 1 through 25, inclusive, and

1 therefore sues said defendants (the “Doe Defendants”) by such fictitious names. Plaintiff will
2 amend this Complaint to insert the true names and capacities of the Doe Defendants at such time
3 as the identities of the Doe Defendants are ascertained.

4 16. Plaintiff is informed and believes, and based thereon alleges, that the Doe
5 Defendants are the partners, agents, or principals and co-conspirators of Defendants, and of each
6 other; that Defendants and the Doe Defendants performed the acts and conduct herein alleged
7 directly, aided and abetted the performance thereof, or knowingly acquiesced in, ratified, and
8 accepted the benefits of such acts and conduct, and therefore each of the Doe Defendants is liable
9 to the extent of the liability of Defendants as alleged herein.

10 17. Plaintiff is further informed and believe, and thereon allege, that at all times herein
11 material, each Defendant was completely dominated and controlled by its co-Defendant(s) and
12 each was the alter ego of the other. Whenever and wherever reference is made in this Complaint to
13 any conduct by Defendants, or any of them, such allegations and references shall also be deemed
14 to mean the conduct of each of the Defendants, acting individually, jointly, and severally.
15 Whenever and wherever reference is made to individuals who are not named as defendants in this
16 Complaint, but were employees and/or agents of Defendants, such individuals at all relevant times
17 acted on behalf of Defendants named in this Complaint within the scope of their respective
18 employment or agency with Defendants.

19 **FACTS COMMON TO ALL CAUSES OF ACTION**

20 18. Ms. Gonzalez began working for Defendant in or around November 2020.

21 19. Ms. Miranda began working for Defendant in or around March 2022.

22 20. Ms. Melendez began working at Defendant in or around September 2022.

23 21. In the branch where Gonzalez, Miranda, and Melendez worked, Defendant’s
24 employees were exposed to a hazardous chemical leak. At its worst, the branch smelled like a
25 sewer. Customers and employees alike complained that the branch stunk. As a result,
26 Defendant’s employees at the branch became ill. Employees at the branch began reporting their
27 occupational illnesses to Defendant.

22. On September 1, 2023, Defendant notified employees that they were prohibited from disclosing to the public information about the hazardous chemicals detected within the Defendant's branch. Unsafe levels of ethanol were detected in the air.

23. Afterwards, employees began expressing their concerns and questioning Defendant's management more vocally regarding their symptoms and Defendant's efforts to fix the situation. Defendant's management stopped sharing as much information about the chemical hazard with employees and informed employees that management could no longer speak on the subject without Defendant's lawyers.

24. Employees bring this action to remedy these and other violations of the California Labor Code discussed below.

FIRST CAUSE OF ACTION

Violation of Labor Code § 2350

(By Plaintiff against All Defendants)

25. Plaintiff incorporates by reference and realleges each and every allegation contained above, as though fully set forth herein.

26. “Every factory, workshop, mercantile or other establishment in which one or more persons are employed, shall be kept clean and free from the effluvia arising from any drain or other nuisance....” Lab. Code § 2350.

27. In violation of the foregoing, during the Statutory Period Defendant failed to keep its bank branch free from offensive smells (i.e., effluvia) arising from a drain or other nuisance at or near the branch where Employees including Gonzalez, Miranda, and Melendez worked. As a result, Defendant is liable for civil penalties.

28. Defendants are subject to civil penalties as provided by law.

SECOND CAUSE OF ACTION

Unlawful Confidentiality Order on Employees in Violation of Labor Code Section 1102.5(a)

(By Plaintiff against All Defendants)

29. Plaintiff incorporates by reference and realleges each and every allegation contained above, as though fully set forth herein.

30. Labor Code section 1102.5(a) provides in pertinent part: “An employer, or any person acting on behalf of the employer, shall not make, adopt, or enforce any rule, regulation, or policy preventing an employee from disclosing information to a government or law enforcement agency, to a person with authority over the employee, or to another employee who has authority to investigate, discover, or correct the violation or noncompliance, or from providing information to, or testifying before, any public body conducting an investigation, hearing, or inquiry, if the employee has reasonable cause to believe that the information discloses a violation of state or federal statute, or a violation of or noncompliance with a local, state, or federal rule or regulation, regardless of whether disclosing the information is part of the employee’s job duties.”

31. In violation of the foregoing, during the Statutory Period Defendant made and adopted a rule prohibiting employees from reporting elevated and unsafe ethanol levels in violation of the Labor Code and Title 8 of the California Code of Regulations outside the branch, including to Cal/OSHA and others. Defendant is subject to additional civil penalties as provided by law.

32. Defendants are subject to civil penalties as provided by law.

THIRD CAUSE OF ACTION

Unlawful Confidentiality Order on Employees in Violation of Labor Code Section 232.5

(By Plaintiff against All Defendants)

33. Plaintiff incorporates by reference and realleges each and every allegation contained above, as though fully set forth herein.

34. Labor Code § 232.5 provides the following in pertinent part: “No employer may do any of the following: (a) Require, as a condition of employment, that an employee refrain from disclosing information about the employer’s working conditions.”

35. In violation of the foregoing, during the Statutory Period Defendant required as a condition of employment to refrain from disclosing information about Employees' working conditions.

36. Defendants are subject to civil penalties as provided by law.

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1 **FOURTH CAUSE OF ACTION**

2 **Failure to Produce Documents Requested by Employees**

3 **(By Plaintiff against All Defendants)**

4 37. Plaintiff incorporates by reference and realleges each and every allegation
5 contained above, as though fully set forth herein.

6 38. "If an employee or applicant signs any instrument relating to the obtaining or
7 holding of employment, he shall be given a copy of the instrument upon request." Lab. Code, §
8 432.

9 39. During the Statutory Period Employees requested from Defendant all documents
10 they signed. In violation of the foregoing statute, Defendant withheld the entirety of various
11 documents. Instead, Defendant produced to the requesting Employees only the last or signature
12 page of the instrument rather than the instrument itself. Defendant violated its statutory duty and
13 is subject to additional civil penalties as a result.

14 40. In violation of Labor Code section 6407, Defendant also failed to produce a copy of
15 its injury prevention program in a timely manner upon receipt of Employees' written
16 authorizations and valid requests being made by Employees' designated representative. To date,
17 Defendant has not produced any plan materials. Defendant is subject to additional civil penalties
18 as provided by law.

19 41. Defendants are subject to civil penalties as provided by law.

20 **FIFTH CAUSE OF ACTION**

21 **Failure to Establish, Implement, and Maintain Effective Injury Prevention Program**

22 **(By Plaintiff against All Defendants)**

23 42. Plaintiff incorporates by reference and realleges each and every allegation
24 contained above, as though fully set forth herein.

25 43. "Every employer shall establish, implement, and maintain an effective injury
26 prevention program. The program shall be written, except as provided in subdivision (e), and shall
27 include, but not be limited to, the following elements: (1) Identification of the person or persons
28 responsible for implementing the program. (2) The employer's system for identifying and

1 evaluating workplace hazards, including scheduled periodic inspections to identify unsafe
2 conditions and work practices. (3) The employer's methods and procedures for correcting unsafe
3 or unhealthy conditions and work practices in a timely manner. (4) An occupational health and
4 safety training program designed to instruct employees in general safe and healthy work practices
5 and to provide specific instruction with respect to hazards specific to each employee's job
6 assignment. (5) The employer's system for communicating with employees on occupational health
7 and safety matters, including provisions designed to encourage employees to inform the employer
8 of hazards at the worksite without fear of reprisal. (6) The employer's system for ensuring that
9 employees comply with safe and healthy work practices, which may include disciplinary action."
10 Lab. Code, 6401.7, subd. (a). "The employer shall correct unsafe and unhealthy conditions and
11 work practices in a timely manner based on the severity of the hazard." Lab. Code, 6401.7, subd.
12 (b).

13 44. "The employer shall train all employees when the training program is first
14 established, all new employees, and all employees given a new job assignment, and shall train
15 employees whenever new substances, processes, procedures, or equipment are introduced to the
16 workplace and represent a new hazard, and whenever the employer receives notification of a new
17 or previously unrecognized hazard." Lab. Code, 6401.7, subd. (c). "The employer shall keep
18 appropriate records of steps taken to implement and maintain the program." Lab. Code, 6401.7,
19 subd. (d). The standards board shall adopt a standard setting forth the employer's duties under this
20 section...." Lab. Code, 6401.7, subd. (e)(1).

21 45. To substantially comply with Section 6401.7, pursuant to regulations the employer
22 must provide adequate meetings, training programs, posting, written communications, a system of
23 anonymous notification by employees about hazards, labor/management safety and health
24 committees, or any other means that ensures communication with employees. Moreover, records
25 of the steps taken to implement and maintain the Program shall include: (1) Records of scheduled
26 and periodic inspections to identify unsafe conditions and work practices, including person(s)
27 conducting the inspection, the unsafe conditions and work practices that have been identified and
28 action taken to correct the identified unsafe conditions and work practices. These records shall be

1 maintained for at least one (1) year; and (2) Documentation of safety and health training for each
2 employee, including employee name or other identifier, training dates, type(s) of training, and
3 training providers.

4 46. Throughout the Statutory Period, Defendant failed to establish, implement, and
5 maintain an effective injury and illness prevention program. Defendant failed to perform periodic
6 inspections to identify unsafe conditions and work practices, particularly those concerning
7 ergonomics, repetitive motion injuries, work-related driving, workplace violence, chemical
8 exposure protection, and other workplace risks facing the Employees. Defendant also failed to
9 provide occupational health and safety training designed to instruct Employees in general safe and
10 healthy work practices and to provide specific instruction with respect to hazards specific to each
11 Employee's job assignment; Defendant failed to provide such training to Employees or any
12 indication that any Employees attended any safety training.

13 47. There was also ineffective communication between Employees and Defendant on
14 occupational health and safety matters regarding the foregoing issues. Employees complained to
15 management about problems existing in Defendant's facility but Defendant informed employees
16 that management could no longer speak to employees about safety-related issues without
17 involving Defendant's lawyers.

18 48. Defendant failed to provide adequate meetings, training programs, posting, written
19 communications, a system of anonymous notification by employees about hazards,
20 labor/management safety and health committees, or any other means that ensures communication
21 with employees regarding health and safety conditions and workplace injury and illness reporting.
22 Defendant is subject to additional civil penalties as provided by law.

23 **SIXTH CAUSE OF ACTION**

24 **Violation of Labor Code § 6407**

25 **(By Plaintiff against All Defendants)**

26 49. Plaintiff incorporates by reference and realleges each and every allegation
27 contained above, as though fully set forth herein.

1 50. “Every employer and every employee shall comply with occupational safety and
2 health standards, with Section 25910 of the Health and Safety Code, and with all rules,
3 regulations, and orders pursuant to this division which are applicable to his own actions and
4 conduct.” Lab. Code § 6407.

5 51. Throughout the Statutory Period, Defendant failed to provide effective training to
6 Employees on hazardous chemicals in their work area at the time of their initial assignment, and
7 whenever a new chemical hazard was introduced into their work area. Defendant failed to
8 provide any training regarding the measures Employees can take to protect themselves and
9 appropriate work practices to avoid injury and illness. Defendant is subject to additional civil
10 penalties as provided by law.

11 52. Defendants are subject to civil penalties as provided by law.

12 **SEVENTH CAUSE OF ACTION**

13 **Permitting Unsafe Work and Failure to Provide Safe Workplace, Practices, and Processes**

14 **(By Plaintiff against All Defendants)**

15 53. Plaintiff incorporates by reference and realleges each and every allegation
16 contained above, as though fully set forth herein.

17 54. By committing the acts and omissions described in the preceding sections
18 throughout Employees’ employment, Employer also violated Labor Code, §§ 6400, 6401, 6402,
19 6403, 6404 by requiring and permitting unsafe work, and failing to provide safe workplaces,
20 practices, and processes to its Employees. Employer is subject to additional civil penalties as
21 provided by law.

22 55. Defendants are subject to civil penalties as provided by law.

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PRAYER

WHEREFORE, Plaintiff and Employees pray for judgment against Defendants, as follows:

1. For all civil penalties provided by law and according to proof;
2. For reasonable costs and attorneys' fees under the PAGA and Code of Civil Procedure section 1021.5; and
3. For such other and further relief as the Court deems proper.

DATED: May 6, 2024

WORKWORLD LAW CORP.
A Professional Corporation

By: 
RUBEN ESCOBEDO
Attorney for ALLINSON MELENDEZ,
DANIELLE MIRANDA, and DALIA
GONZALEZ as Private Attorneys General

EXHIBIT 1



WORKWORLD LAW

6907 El Camino Real, Suite A
Atascadero, CA 93422
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(805) 335-2476
(805) 892-6213 (Fax)

February 27, 2024

VIA ELECTRONIC FILING

CALIFORNIA LABOR AND
WORKFORCE DEVELOPMENT AGENCY
ATTN. PAGA ADMINISTRATOR
455 GOLDEN GATE AVENUE, 10TH FLOOR
SAN FRANCISCO, CA 94102

CALIFORNIA DIVISION OF
OCCUPATIONAL SAFETY AND HEALTH
455 GOLDEN GATE AVE., RM. 9516
SAN FRANCISCO, CA 94102

VIA U.S. CERTIFIED MAIL

CoastHills Credit Union
1075 Betteravia Road
Santa Maria, CA 93454

CoastHills Credit Union
PO Box 8000
Santa Maria, CA 93456-8000

**Re: Dalia Gonzalez, Danielle Miranda, and Allinson Melendez's Notice of
Claims/Labor Code Private Attorneys General Act of 2004, California Labor Code
§§ 2698, *et seq.***

To the California Division of Occupational Safety and Health, California Labor and
Workforce Development Agency, and CoastHills Credit Union ("Coast Hills"):

WorkWorld Law Corp. represents Dalia Gonzalez, Danielle Miranda, and Allinson
Melendez who intend to bring an action under the Private Attorneys General Act of 2004
("PAGA"), Labor Code sections 2698, *et seq.*, on behalf of themselves, approximately 500
similarly situated current and former aggrieved employees employed by Coast Hills throughout
the State of California between February 27, 2023, and the conclusion of the action ("Statutory
Period"), and the People of the State of California (collectively "Employees").

PAGA, specifically Section 2699 of the California Labor Code, permits an aggrieved employee to recover civil penalties set forth within the California Labor Code for violations of the California Labor Code. In addition, Section 2699(f) establishes civil penalties for violations of California Labor Code provisions that do not contain their own civil penalties. Employees intend to bring a civil action to recover civil penalties for the violations identified below, including civil penalties pursuant to Section 2699, subdivision (f) as well as those civil penalties specifically set forth within the text of the California Labor Code. Those penalties are sought for violations committed against Employees of Coast Hills.

* * *

Ms. Gonzalez began working for Coast Hills in or around November 2020.

Ms. Miranda began working for Coast Hills in or around March 2022.

Ms. Melendez began working at Coast Hills in or around September 2022.

In the branch where Gonzalez, Miranda, and Melendez worked, Coast Hills employees were exposed to a hazardous chemical leak. At its worst, the branch smelled like a sewer. Customers and employees alike complained that the branch stunk. As a result, Coast Hills employees at the branch became ill. Employees at the branch began reporting their occupational illnesses to Coast Hills.

On September 1, 2023, Coast Hills notified employees that they were prohibited from disclosing to the public information about the hazardous chemicals detected within the Coast Hills branch. Unsafe levels of ethanol were detected in the air.

Afterwards, employees began expressing their concerns and questioning Coast Hills management more vocally regarding their symptoms and Coast Hills' efforts to fix the situation. Coast Hills management stopped sharing as much information about the chemical hazard with employees and informed employees that management could no longer speak on the subject without Coast Hills' lawyers.

Employees seek to bring this action to remedy these and other violations of the California Labor Code discussed below.

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Pursuant to Section 2699.3, the specific provisions of the California Labor Code alleged to have been violated, including the facts and theories to support the alleged violation, are as follows:

A. Violation of Labor Code § 2350

“Every factory, workshop, mercantile or other establishment in which one or more persons are employed, shall be kept clean and free from the effluvia arising from any drain or other nuisance....” Lab. Code § 2350.

Employees incorporate the foregoing sections herein. In violation of the foregoing, during the Statutory Period Coast Hills failed to keep its bank branch free from offensive smells (i.e., effluvia) arising from a drain or other nuisance at or near the branch where Employees including Gonzalez, Miranda, and Melendez worked. As a result, Coast Hills is liable for civil penalties.

B. Unlawful Confidentiality Order on Employees in Violation of Labor Code Section 1102.5(a)

Labor Code section 1102.5(a) provides in pertinent part: “An employer, or any person acting on behalf of the employer, shall not make, adopt, or enforce any rule, regulation, or policy preventing an employee from disclosing information to a government or law enforcement agency, to a person with authority over the employee, or to another employee who has authority to investigate, discover, or correct the violation or noncompliance, or from providing information to, or testifying before, any public body conducting an investigation, hearing, or inquiry, if the employee has reasonable cause to believe that the information discloses a violation of state or federal statute, or a violation of or noncompliance with a local, state, or federal rule or regulation, regardless of whether disclosing the information is part of the employee’s job duties.”

Employees incorporate the foregoing sections herein. In violation of the foregoing, during the Statutory Period Coast Hills made and adopted a rule prohibiting employees from reporting elevated and unsafe ethanol levels in violation of the Labor Code and Title 8 of the California Code of Regulations outside the branch, including to Cal/OSHA and others. Coast Hills is subject to additional civil penalties as provided by law.

C. Unlawful Confidentiality Order on Employees in Violation of Labor Code Section 232.5

Labor Code § 232.5 provides the following in pertinent part: “No employer may do any of the following: (a) Require, as a condition of employment, that an employee refrain from disclosing information about the employer’s working conditions.”

Employees incorporate the foregoing sections herein. In violation of the foregoing, during the Statutory Period Coast Hills required as a condition of employment to refrain from disclosing information about Employees’ working conditions.

D. Failure to Produce Documents Requested by Employees

“If an employee or applicant signs any instrument relating to the obtaining or holding of employment, he shall be given a copy of the instrument upon request.” Lab. Code, § 432.

Employees incorporate the foregoing sections herein. During the Statutory Period Employees requested from Coast Hills all documents they signed. In violation of the foregoing statute, Coast Hills withheld the entirety of various documents. Instead, Coast Hills produced to the requesting Employees only the last or signature page of the instrument rather than the instrument itself. Coast Hills violated its statutory duty and is subject to additional civil penalties as a result.

In violation of Labor Code section 6407, Coast Hills also failed to produce a copy of its injury prevention program in a timely manner upon receipt of Employees’ written authorizations and valid requests being made by Employees’ designated representative. To date, Coast Hills has not produced any plan materials. Coast Hills is subject to additional civil penalties as provided by law.

E. Failure to Establish, Implement, and Maintain Effective Injury and Illness Prevention Program

“Every employer shall establish, implement, and maintain an effective injury prevention program. The program shall be written, except as provided in subdivision (e), and shall include, but not be limited to, the following elements: (1) Identification of the person or persons responsible for implementing the program. (2) The employer’s system for identifying and evaluating workplace hazards, including scheduled periodic inspections to identify unsafe conditions and work practices. (3) The employer’s methods and procedures for correcting unsafe or unhealthy conditions and work practices in a timely manner. (4) An occupational health and safety training program designed to instruct employees in general safe and healthy work practices and to provide specific instruction with respect to hazards specific to each employee’s job assignment. (5) The employer’s system for communicating with employees on occupational health and safety matters, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal. (6) The employer’s system for ensuring that employees comply with safe and healthy work practices, which may include disciplinary action.” Lab. Code, 6401.7, subd. (a). “The employer shall correct unsafe and unhealthy conditions and work practices in a timely manner based on the severity of the hazard.” Lab. Code, 6401.7, subd. (b).

“The employer shall train all employees when the training program is first established, all new employees, and all employees given a new job assignment, and shall train employees whenever new substances, processes, procedures, or equipment are introduced to the workplace and represent a new hazard, and whenever the employer receives notification of a new or previously unrecognized hazard.” Lab. Code, 6401.7, subd. (c). “The employer shall keep appropriate records of steps taken to implement and maintain the program.” Lab. Code, 6401.7, subd. (d). The standards board shall adopt a standard setting forth the employer’s duties under this section....” Lab. Code, 6401.7, subd. (e)(1).

To substantially comply with Section 6401.7, pursuant to regulations the employer must provide adequate meetings, training programs, posting, written communications, a system of anonymous notification by employees about hazards, labor/management safety and health committees, or any other means that ensures communication with employees. Moreover, records of the steps taken to implement and maintain the Program shall include: (1) Records of scheduled and periodic inspections to identify unsafe conditions and work practices, including person(s) conducting the inspection, the unsafe conditions and work practices that have been identified and action taken to correct the identified unsafe conditions and work practices. These records shall be maintained for at least one (1) year; and (2) Documentation of safety and health training for each employee, including employee name or other identifier, training dates, type(s) of training, and training providers.

Employees incorporate the foregoing sections herein. Throughout the Statutory Period, Coast Hills failed to establish, implement, and maintain an effective injury and illness prevention program. Coast Hills failed to perform periodic inspections to identify unsafe conditions and work practices, particularly those concerning ergonomics, repetitive motion injuries, work-related driving, workplace violence, chemical exposure protection, and other workplace risks facing the Employees. Coast Hills also failed to provide occupational health and safety training designed to instruct Employees in general safe and healthy work practices and to provide specific instruction with respect to hazards specific to each Employee's job assignment; Coast Hills failed to provide such training to Employees or any indication that any Employees attended any safety training.

There was also ineffective communication between Employees and Coast Hills on occupational health and safety matters regarding the foregoing issues. Employees complained to management about problems existing in Coast Hills' facility but Coast Hills informed employees that management could no longer speak to employees about safety-related issues without involving Coast Hills' lawyers.

Coast Hills failed to provide adequate meetings, training programs, posting, written communications, a system of anonymous notification by employees about hazards, labor/management safety and health committees, or any other means that ensures communication with employees regarding health and safety conditions and workplace injury and illness reporting. Coast Hills is subject to additional civil penalties as provided by law.

F. Violation of Labor Code § 6407

"Every employer and every employee shall comply with occupational safety and health standards, with Section 25910 of the Health and Safety Code, and with all rules, regulations, and orders pursuant to this division which are applicable to his own actions and conduct." Lab. Code § 6407.

Throughout the Statutory Period, Coast Hills failed to provide effective training to Employees on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new chemical hazard was introduced into their work area. Coast Hills failed to

provide any training regarding the measures Employees can take to protect themselves and appropriate work practices to avoid injury and illness. Coast Hills is subject to additional civil penalties as provided by law.

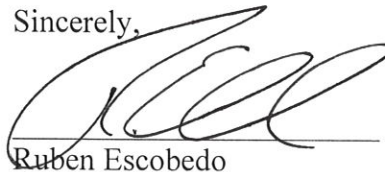
G. Permitting Unsafe Work and Failure to Provide Safe Workplace, Practices, and Processes

Employees incorporate the preceding sections herein. By committing the acts and omissions described in the preceding sections during the Statutory Period, Coast Hills also violated Labor Code, §§ 6400, 6401, 6402, 6403, 6404 by requiring and permitting unsafe work, and failing to provide safe workplaces, practices, and processes to its Employees. Coast Hills is subject to additional civil penalties as provided by law.

* * *

Please do not hesitate to contact the undersigned if you would like to discuss this matter further. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ruben Escobedo', written over a horizontal line.

Ruben Escobedo

EXHIBIT 2



WORKWORLD LAW

6907 El Camino Real, Suite A
Atascadero, CA 93422
support@workworldlaw.com
(805) 335-2476
(805) 892-6213 (Fax)

March 13, 2024

VIA ELECTRONIC FILING

CALIFORNIA LABOR AND
WORKFORCE DEVELOPMENT AGENCY
ATTN. PAGA ADMINISTRATOR
455 GOLDEN GATE AVENUE, 10TH FLOOR
SAN FRANCISCO, CA 94102

CALIFORNIA DIVISION OF
OCCUPATIONAL SAFETY AND HEALTH
455 GOLDEN GATE AVE., RM. 9516
SAN FRANCISCO, CA 94102

VIA U.S. CERTIFIED MAIL

CoastHills Credit Union
1075 Betteravia Road
Santa Maria, CA 93454

CoastHills Credit Union
PO Box 8000
Santa Maria, CA 93456-8000

**Re: Dalia Gonzalez, Danielle Miranda, and Allinson Melendez's Notice of
Claims/Labor Code Private Attorneys General Act of 2004, California Labor Code
§§ 2698, *et seq.***

To the California Division of Occupational Safety and Health, California Labor and
Workforce Development Agency, and CoastHills Credit Union ("Coast Hills"):

WorkWorld Law Corp. represents Dalia Gonzalez, Danielle Miranda, and Allinson
Melendez who intend to bring an action under the Private Attorneys General Act of 2004
("PAGA"), Labor Code sections 2698, *et seq.*, on behalf of themselves, approximately 500
similarly situated current and former aggrieved employees employed by Coast Hills throughout
the State of California between February 27, 2023, and the conclusion of the action ("Statutory
Period"), and the People of the State of California (collectively "Employees").

PAGA, specifically Section 2699 of the California Labor Code, permits an aggrieved employee to recover civil penalties set forth within the California Labor Code for violations of the California Labor Code. In addition, Section 2699(f) establishes civil penalties for violations of California Labor Code provisions that do not contain their own civil penalties. Employees intend to bring a civil action to recover civil penalties for the violations identified below, including civil penalties pursuant to Section 2699, subdivision (f) as well as those civil penalties specifically set forth within the text of the California Labor Code. Those penalties are sought for violations committed against Employees of Coast Hills.

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Ms. Gonzalez began working for Coast Hills in or around November 2020.

Ms. Miranda began working for Coast Hills in or around March 2022.

Ms. Melendez began working at Coast Hills in or around September 2022.

In the branch where Gonzalez, Miranda, and Melendez worked, Coast Hills employees were exposed to a hazardous chemical leak. At its worst, the branch smelled like a sewer. Customers and employees alike complained that the branch stunk. As a result, Coast Hills employees at the branch became ill. Employees at the branch began reporting their occupational illnesses to Coast Hills.

On September 1, 2023, Coast Hills notified employees that they were prohibited from disclosing to the public information about the hazardous chemicals detected within the Coast Hills branch. Unsafe levels of ethanol were detected in the air.

Afterwards, employees began expressing their concerns and questioning Coast Hills management more vocally regarding their symptoms and Coast Hills' efforts to fix the situation. Coast Hills management stopped sharing as much information about the chemical hazard with employees and informed employees that management could no longer speak on the subject without Coast Hills' lawyers.

Employees seek to bring this action to remedy these and other violations of the California Labor Code discussed below.

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Pursuant to Section 2699.3, the specific provisions of the California Labor Code alleged to have been violated, including the facts and theories to support the alleged violation, are as follows:

A. Violation of Labor Code § 2350

“Every factory, workshop, mercantile or other establishment in which one or more persons are employed, shall be kept clean and free from the effluvia arising from any drain or other nuisance....” Lab. Code § 2350.

Employees incorporate the foregoing sections herein. In violation of the foregoing, during the Statutory Period Coast Hills failed to keep its bank branch free from offensive smells (i.e., effluvia) arising from a drain or other nuisance at or near the branch where Employees including Gonzalez, Miranda, and Melendez worked. As a result, Coast Hills is liable for civil penalties.

B. Unlawful Confidentiality Order on Employees in Violation of Labor Code Section 1102.5(a)

Labor Code section 1102.5(a) provides in pertinent part: “An employer, or any person acting on behalf of the employer, shall not make, adopt, or enforce any rule, regulation, or policy preventing an employee from disclosing information to a government or law enforcement agency, to a person with authority over the employee, or to another employee who has authority to investigate, discover, or correct the violation or noncompliance, or from providing information to, or testifying before, any public body conducting an investigation, hearing, or inquiry, if the employee has reasonable cause to believe that the information discloses a violation of state or federal statute, or a violation of or noncompliance with a local, state, or federal rule or regulation, regardless of whether disclosing the information is part of the employee’s job duties.”

Employees incorporate the foregoing sections herein. In violation of the foregoing, during the Statutory Period Coast Hills made and adopted a rule prohibiting employees from reporting elevated and unsafe ethanol levels in violation of the Labor Code and Title 8 of the California Code of Regulations outside the branch, including to Cal/OSHA and others. Coast Hills is subject to additional civil penalties as provided by law.

C. Unlawful Confidentiality Order on Employees in Violation of Labor Code Section 232.5

Labor Code § 232.5 provides the following in pertinent part: “No employer may do any of the following: (a) Require, as a condition of employment, that an employee refrain from disclosing information about the employer’s working conditions.”

Employees incorporate the foregoing sections herein. In violation of the foregoing, during the Statutory Period Coast Hills required as a condition of employment to refrain from disclosing information about Employees’ working conditions.

D. Failure to Produce Documents Requested by Employees

"If an employee or applicant signs any instrument relating to the obtaining or holding of employment, he shall be given a copy of the instrument upon request." Lab. Code, § 432.

Employees incorporate the foregoing sections herein. During the Statutory Period Employees requested from Coast Hills all documents they signed. In violation of the foregoing statute, Coast Hills withheld the entirety of various documents. Instead, Coast Hills produced to the requesting Employees only the last or signature page of the instrument rather than the instrument itself. Coast Hills violated its statutory duty and is subject to additional civil penalties as a result.

In violation of Labor Code section 6407, Coast Hills also failed to produce a copy of its injury prevention program in a timely manner upon receipt of Employees' written authorizations and valid requests being made by Employees' designated representative. To date, Coast Hills has not produced any plan materials. Coast Hills is subject to additional civil penalties as provided by law.

E. Failure to Establish, Implement, and Maintain Effective Injury and Illness Prevention Program

"Every employer shall establish, implement, and maintain an effective injury prevention program. The program shall be written, except as provided in subdivision (e), and shall include, but not be limited to, the following elements: (1) Identification of the person or persons responsible for implementing the program. (2) The employer's system for identifying and evaluating workplace hazards, including scheduled periodic inspections to identify unsafe conditions and work practices. (3) The employer's methods and procedures for correcting unsafe or unhealthy conditions and work practices in a timely manner. (4) An occupational health and safety training program designed to instruct employees in general safe and healthy work practices and to provide specific instruction with respect to hazards specific to each employee's job assignment. (5) The employer's system for communicating with employees on occupational health and safety matters, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal. (6) The employer's system for ensuring that employees comply with safe and healthy work practices, which may include disciplinary action." Lab. Code, 6401.7, subd. (a). "The employer shall correct unsafe and unhealthy conditions and work practices in a timely manner based on the severity of the hazard." Lab. Code, 6401.7, subd. (b).

"The employer shall train all employees when the training program is first established, all new employees, and all employees given a new job assignment, and shall train employees whenever new substances, processes, procedures, or equipment are introduced to the workplace and represent a new hazard, and whenever the employer receives notification of a new or previously unrecognized hazard." Lab. Code, 6401.7, subd. (c). "The employer shall keep appropriate records of steps taken to implement and maintain the program." Lab. Code, 6401.7, subd. (d). The standards board shall adopt a standard setting forth the employer's duties under this section...." Lab. Code, 6401.7, subd. (e)(1).

To substantially comply with Section 6401.7, pursuant to regulations the employer must provide adequate meetings, training programs, posting, written communications, a system of anonymous notification by employees about hazards, labor/management safety and health committees, or any other means that ensures communication with employees. Moreover, records of the steps taken to implement and maintain the Program shall include: (1) Records of scheduled and periodic inspections to identify unsafe conditions and work practices, including person(s) conducting the inspection, the unsafe conditions and work practices that have been identified and action taken to correct the identified unsafe conditions and work practices. These records shall be maintained for at least one (1) year; and (2) Documentation of safety and health training for each employee, including employee name or other identifier, training dates, type(s) of training, and training providers.

Employees incorporate the foregoing sections herein. Throughout the Statutory Period, Coast Hills failed to establish, implement, and maintain an effective injury and illness prevention program. Coast Hills failed to perform periodic inspections to identify unsafe conditions and work practices, particularly those concerning ergonomics, repetitive motion injuries, work-related driving, workplace violence, chemical exposure protection, and other workplace risks facing the Employees. Coast Hills also failed to provide occupational health and safety training designed to instruct Employees in general safe and healthy work practices and to provide specific instruction with respect to hazards specific to each Employee's job assignment; Coast Hills failed to provide such training to Employees or any indication that any Employees attended any safety training.

There was also ineffective communication between Employees and Coast Hills on occupational health and safety matters regarding the foregoing issues. Employees complained to management about problems existing in Coast Hills' facility but Coast Hills informed employees that management could no longer speak to employees about safety-related issues without involving Coast Hills' lawyers.

Coast Hills failed to provide adequate meetings, training programs, posting, written communications, a system of anonymous notification by employees about hazards, labor/management safety and health committees, or any other means that ensures communication with employees regarding health and safety conditions and workplace injury and illness reporting. Coast Hills is subject to additional civil penalties as provided by law.

F. Violation of Labor Code § 6407

"Every employer and every employee shall comply with occupational safety and health standards, with Section 25910 of the Health and Safety Code, and with all rules, regulations, and orders pursuant to this division which are applicable to his own actions and conduct." Lab. Code § 6407.

Throughout the Statutory Period, Coast Hills failed to provide effective training to Employees on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new chemical hazard was introduced into their work area. Coast Hills failed to

provide any training regarding the measures Employees can take to protect themselves and appropriate work practices to avoid injury and illness. Coast Hills is subject to additional civil penalties as provided by law.

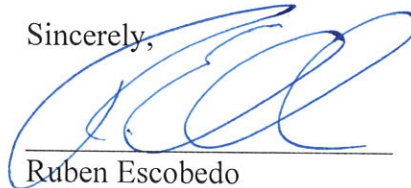
G. Permitting Unsafe Work and Failure to Provide Safe Workplace, Practices, and Processes

Employees incorporate the preceding sections herein. By committing the acts and omissions described in the preceding sections during the Statutory Period, Coast Hills also violated Labor Code, §§ 6400, 6401, 6402, 6403, 6404 by requiring and permitting unsafe work, and failing to provide safe workplaces, practices, and processes to its Employees. Coast Hills is subject to additional civil penalties as provided by law.

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Please do not hesitate to contact the undersigned if you would like to discuss this matter further. Thank you for your attention to this matter.

Sincerely,



Ruben Escobedo