

Payam Benyamini
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June 7, 2024

VIA ONLINE FILING TO THE LWDA AND CERTIFIED MAIL TO EMPLOYER

California Labor & Workforce Development Agency
Attn: PAGA Administrator
455 Golden Gate Ave., 10th Floor
San Francisco, CA 94102

Re: Payam Benyamini v. Lundquist Institute for Biomedical Innovation at Harbor-UCLA Medical Center, et al

To Whom It May Concern:

This correspondence shall constitute my written notice under Labor Code section 2699.3 of my claims, individually and on behalf of all similarly aggrieved former and current employees, against my employer Lundquist Institute for Biomedical Innovation at Harbor-UCLA Medical Center, a California Nonprofit Corporation, Michael R. Jones, an individual, Laura Survant, an individual, Marianne Gausche-Hill, an individual, Priya Uppuluri, an individual, Ashraf S. Ibrahim, an individual, and Eman G. Youssef, an individual (collectively referred to as "Employer"). I allege that:

1. My Employer violated Labor Code section 510 and 1194 by failing to pay all overtime wages due to myself and all aggrieved employees. Thus, I and all aggrieved employees are entitled to our unpaid overtime wages pursuant to Labor Code section 510 and 1194.
2. My Employer violated Labor Code section 201 by failing to pay me and the aggrieved employees all final wages owing and due in a timely fashion at the end of our employment. Specifically, my Employer does not pay their employees all of their wages, including overtime wages as well as compensation for missed meal and rest periods, at the end of employment, as required pursuant to Labor Code sections 201 and 203. As such, my Employer must pay waiting time penalties pursuant to Labor Code section 203 in addition to the associated civil penalties.
3. My Employer violated Labor Code section 226 by failing to provide itemized wage statements containing all required information and by failing to maintain and keep accurate records of their employees. Specifically, my Employer failed to keep accurate records of rates of pay, wages earned, net wages, overtime rates of pay, and hours worked at each rate of pay. Specifically, based on the violations set forth above, the hours worked were always incorrectly stated on the wage statements issued to myself and all aggrieved employees.

4. My Employer violated Labor Code section 512 by failing to provide their employees proper meal and rest periods. My Employer have policies and practices of having their employees work through legally required meal and rest breaks. Specifically, I and the aggrieved employees regularly worked in excess of four (4) hours per day and accordingly had a right to take a 10-minute rest period for each such four (4) hour shift worked; I and the aggrieved employees also regularly worked in excess of five (5) hours per day and accordingly had a right to take an unfettered 30-minute meal break for each such five (5) hour shift worked. My Employer, however, regularly denied me and the aggrieved employees proper unfettered meal and rest periods without just compensation, in contravention of Labor Code section 512.

5. My Employer has a pattern and practice of not paying their employees all wages, additional wages, and premium wages due and owing to them as mandated by the applicable IWC Wage Orders.

6. My Employer has violated Labor Code section 2810.5 by refusing to provide mandated Notices to Employees stating in writing the identity and contact information of our employer, our wage information, the company worker compensation carrier information, as well as our right to paid sick leave as provided for by the Los Angeles Municipal Code and by statute.

7. My Employer violated Labor Code sections 226, 432, and 1198.5 by failing to timely provide me with a full and complete copy of my personnel file, wage and hour records, and copies of all agreements I signed, as well as all of my job performance evaluations.

8. My Employer's pattern and practice of violating the mandates of the Labor Code span over many years. We did not receive any type of training concerning prevention of sexual harassment at the workplace. In addition, we do not know where the mandatory posters concerning workers compensations, equal pay, minimum wages and meal / rest breaks were or the applicable IWC Wage Orders are posted. I was not issued any Notice to Employee as required by Labor Code section 2810.5. It is my intent to seek PAGA civil penalties pursuant to recent California Supreme Court and Appellate Court case law as established by *Iskanian v. CLS Trans* (2014) 59 Cal. 4th 348; *Huff v. Securitas Security Services* (2018) 23 Cal. App. 5th 745; *Mejia v. Merchants* (2019) 38 Cal. App. 5th 73; *Williams v. Sup. Ct.* (2017) 3 Cal. 5th 531; *Kim v. Reins* (2020) 9 Cal. 5th 73; *Bautista v. Fantasy Activewear* (2020) 52 Cal. App. 4th 650; *Amalgamated Transit Union v. Sup Ct* (2009) 46th Cal. 4th 993; *Fireside Bank v. Sup. Ct* (2007) 40 Cal 4th 1069; *Arias v. Sup. Ct.* (2009) 46 Cal. 4th 969; *ZBNA v. Sup. Ct.* (2019) 8 Cal. 5th 175, 184; and *Johnson v. Maxim Healthcare Servs., Inc.* (2021) 66 Cal. App. 5th 924.

The address for my Employer is:

Lundquist Institute for Biomedical Innovation at Harbor-UCLA Medical Center
1124 W Carson St.
Torrance, CA 90502

Michael R. Jones
1124 W Carson St.
Torrance, CA 90502

Laura Survant
1124 W Carson St.
Torrance, CA 90502

Marianne Gausche-Hill
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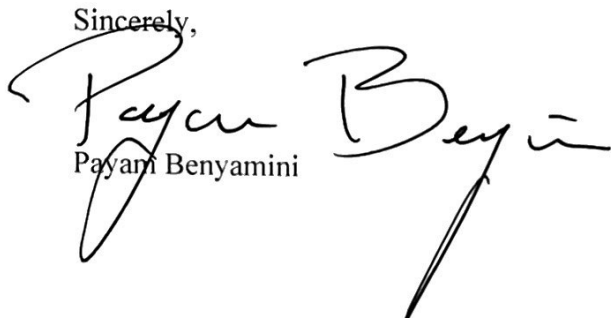
Priya Uppuluri
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Eman G. Youssef
1124 W Carson St.
Torrance, CA 90502

Please contact my attorney, Thomas M. Lee, at the address/telephone number listed above if you have any questions regarding this matter.

Sincerely,



Payam Benyamini