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January 24, 2025

**EMPLOYER CURE NOTICE / PROPOSAL TO CURE**

Labor and Workforce Development Agency  
800 Capitol Mall, Suite 5000  
Sacramento, CA 95814

Re: Proposal to Cure Alleged PAGA Violations  
PAGA No.: LWDA-CM-1069115-24

Dear Sir or Madam,

I write regarding the December 23, 2024, PAGA notice filed by Bibiyan Law Group on behalf of their client, Jacqueline Vodden, and sent to my client, Ernest Pierson Co. dba Pierson Building Center.

The plaintiff's attorneys in this case did not submit a code-compliant notice to the California Labor & Workforce Development Agency. The letter served upon the LWDA and served upon the employer is a scattershot of labor code sections with no attempt to provide the employer with notice as to which sections may apply. While we are committed to complying with the cure proposal process, we do not want to have to guess which violations are being claimed as applicable and which ones are not.

It is clear that at least some, if not all, of this letter does not apply to my client. For instance, Pierson Building Center's outdoor working conditions in the whole of Eureka, California, that require cool down periods (nor are there any such indoor working conditions at Pierson Building Center).

On January 9, 2025, we emailed the Bibiyan Law Group in an attempt to clarify the allegations made in the PAGA letter. Unfortunately, we have not received a response to date. As written, this PAGA letter is deficient as it does not provide my client with the requisite information needed to participate in the cure process provided by PAGA.

Should the LWDA find that the employee notice is sufficient and that any violation occurred, the employer can demonstrate that it took all reasonable steps to comply before receiving the PAGA notice.

The employer regularly conducts payroll audits and takes corrective action based on the results. It also disseminates lawful written policies, trains supervisors on applicable Labor Code and wage order compliance, and ensures appropriate corrective action when necessary. As a small business with limited resources, any violations that may have occurred were not malicious, fraudulent, or oppressive.

After receiving the defective notice, the employer promptly took steps to address any potential issues.

The employer is a current member of Cal Chamber and receives the annual California Labor Law Digest, as well as weekly CalChamber alert emails. It also receives periodic updates for GP Track from George Petersen Insurance Agency. To meet anti-harassment requirements, the employer uses the KPA Risk Management Center for training all employees and supervisors in Anti-Harassment training for California Managers and Employees. When questions arise about policies and procedures, the employer consults other HR professionals, conducts online research, and refers to the California Labor Law Digest. Professional legal guidance is sought as needed. The employer regularly attends seminars and webinars, including those hosted by the North Coast Employer Advisory Council.

Throughout the year, supervisors and employees receive memos and reminders about company policies. For example, on December 4, 2024, a meeting was held with department managers to discuss a new procedure for tracking lunch periods, and on December 6, 2024, a memo was included in all employees' paychecks to remind them of the company's meal and rest period policies.

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My client takes compliance with California labor laws seriously and is committed to addressing any legitimate issues that may be raised. If plaintiff's counsel can identify which specific Labor Code provisions were violated, the employer proposes to pay any unpaid wages, as well as any owed liquidated damages or interest to any affected employees. The employer remains fully dedicated to maintaining compliance and is ready to implement new policies or modify existing ones to address any identified deficiencies.

We respectfully request the opportunity to resolve this matter and look forward to your response.

Kind Regards,

A handwritten signature in black ink that reads "Patrik Griego". The script is cursive and fluid.

Patrik Griego

PG/ck

Cc: Bibiyan Law Group