

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

**2255 CALLE CLARA
LA JOLLA, CALIFORNIA 92037**

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**WRITERS E-MAIL:
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**WRITERS EXT:
1009**

**May 14, 2025
CA3651**

VIA ONLINE FILING TO LWDA AND CERTIFIED MAIL TO DEFENDANT

**Labor and Workforce Development Agency
Online Filing**

**Global Mail, Inc.
Certified Mail #9589071052703176334181
C T CORPORATION SYSTEM
AMANDA GARCIA
330 N BRAND BLVD, SUITE 700
GLENDALE, CA 91203**

Re: Notice Of Violations Of California Labor Code Sections §§ 201, 202, 203, 204, 210, 226(a), 226.7, 227.3, 246, 510, 512, 558(a)(1)(2), 1194, 1197, 1197.1, 1198, 2100, 2802, California Code of Regulations, Title 8, Section 11040, Subdivision 5(A)-(B), and Violation of Applicable Industrial Welfare Commission Wage Order(s) brought Pursuant To California Labor Code Section 2699.5.

Dear Sir/Madam:

This letter serves as a written notice under California Labor Code Section 2699.3 on behalf of Manatua Maluia (“Plaintiff”) and all other Aggrieved Employees of Global Mail, Inc. (“Defendant”). “Aggrieved Employees” refers to all individuals who are or previously were employed by Global Mail, Inc. in California, including any employees staffed with Global Mail, Inc. by a third party, and classified as non-exempt employees during the time period of May 14, 2024 until a date as determined by the Court (“PAGA Period”). Our offices represent Plaintiff and other Aggrieved Employees in a lawsuit against Defendant. Plaintiff was employed by Defendant in California from June of 2021 to November 25, 2024. Plaintiff was at all times classified by Defendant as a non-exempt employee, paid on an hourly basis, and entitled to the legally required meal and rest periods and payment of minimum and overtime wages due for all time worked. Defendant, however, unlawfully failed to record and pay Plaintiff and other Aggrieved Employees for, including but not limited to, all of their time worked, including minimum and overtime wages and sick pay wages at the correct rate, for all of their missed meal and rest breaks at the correct regular rates, for all of their time spent working off the clock as described further below, and for businesses expenses incurred but not reimbursed.

Plaintiff was employed by Defendant as a Mail Package Sorter at Defendant’s facility in Whittier, California, located at 3963 Workman Mill Road, Whittier, CA 90601.

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Throughout Plaintiff's employment and during the PAGA period, Plaintiff was extremely busy and under severe pressure from his supervisors to work as quickly as possible to sort mail and finish other work tasks, such as loading and unloading trucks, making sure departments had necessary equipment and forklift driving. As a result, Plaintiff and other Aggrieved Employees were subjected to numerous violations during their employment with Defendant. For example, Plaintiff regularly did not receive compliant meal breaks which were either taken late, after the 5th hour of his shift, interrupted due to work-related issues or not taken at all. Plaintiff received, on average, 2 compliant meal breaks every week. On Mondays, for example, Plaintiff could expect a compliant meal break because Mondays were usually a slow period for incoming and outgoing mail. The heavy workload, lack of coverage and pressure from supervisors, such as Cristofer Granillo, to move mail in and out of the facility as quickly as possible also led to missed rest breaks. On average, Plaintiff missed rest breaks 4 days a week. As a result, during the PAGA Period Plaintiff regularly did not receive compliant meal breaks and rest breaks which is in violation of Cal. Labor Codes Sections 226.7 and 512. During the PAGA Period, Plaintiff *did not receive any* premium payments for meal break or rest break violations despite suffering multiple violations every week. Attached as **Exhibit #1** are true and correct copies of Plaintiff's wage statements for the pay periods from September 8, 2024 through October 5, 2024, showing **zero** rest break premiums paid and **zero** meal break premiums paid by Defendant when Plaintiff regularly did not receive compliant meal and rest breaks during that time period.

Furthermore, as a result of severe pressure from Defendant to keep mail moving in and out of the facility quickly, Plaintiff and other Aggrieved Employees worked while off the clock which resulted in unpaid minimum and overtime wages in violation of California Labor Code Sections 510, 1194, 1197 & 1198. For example, on the 6 a.m. to 2:40 p.m. shift, Plaintiff would sometimes clock out at the end of his shift but keep working for another hour in order get additional work done and avoid overtime if possible. Defendant discouraged employees from working overtime and, during some parts of the year, such as peak season, manager approval for overtime was required. Also, it was not uncommon for Plaintiff to clock out and work during his meal breaks in order to complete jobs as quickly as possible which resulted in additional unpaid off the clock work. Further, pursuant to Labor Code § 204 *et seq.*, Defendant failed to timely provide Plaintiff and other Aggrieved Employees with their wages, including the meal and rest break penalties described above.

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Additionally, Plaintiff and the Aggrieved Employees were paid on an hourly basis. As such, the wage statements should reflect all applicable hourly rates during the pay period and the proper regular and overtime wages earned. Often, this did not occur. Plaintiff therefore contends that Defendant failed to provide accurate wage statements to him, and other Aggrieved Employees, in violation of California Labor Code section 226(a), such as not including all non-discretionary incentive wages into the regular rate for purposes of calculating Plaintiff's correct overtime rate during certain pay periods. For example, attached as **Exhibit #2** is a true and correct copy of Plaintiff's wage statement for the pay period July 14, 2024 through July 27, 2024 where Plaintiff earned overtime and an Employee Recognition bonus of \$125 ("Ee Recognition") which was not factored into Plaintiff's regular rate. The failure to include "Ee Recognition" wages into Plaintiff's regular rate, also was a violation of Cal. Lab code section 510. Further, Defendant underpaid Plaintiff vacation pay in his final wage statement by not including incentive compensation ("\$.00 PREM") earned in the same pay period into Plaintiff's regular rate in violation of California Labor Code section 227.3. Attached as **Exhibit #3** is a true and correct copy of Plaintiff's final wage statement dated December 6, 2024.

Defendant also failed to comply with California's paid sick leave laws with respect to Plaintiff and other Aggrieved Employees in violation of California Labor Code Section 246. Due to Defendants' policy and practice of excluding some forms of non-discretionary wages, including but not limited to Shift Differential wages (eg. "2.00 PREM") and "\$Ee Recognition", from the regular rate of pay, Plaintiff believes and alleges that Defendant underpaid sick pay at only Plaintiff's and Aggrieved Employees' base hourly rate instead of regular rate of pay.

Plaintiff was also not reimbursed for business related expenses that he incurred as a result of his job duties for Defendant in violation of Cal. Lab. Code Section 2802. For example, Plaintiff paid, but was not reimbursed for, colored markers and a clipboard. Plaintiff was provided with one colored marker but went through at least 12 markers every week which he had to pay for himself. The colored markers were needed to check off pallets that go inside mail trucks. Also, even though there was a "no cell phone" policy in the warehouse, Defendant communicated with Plaintiff via cell phone when he became a loader/forklift driver, for the purpose of instructing Plaintiff to get supplies or pull out a load (walkie-talkies were only used by supervisors). Plaintiff and other Aggrieved Employees also had to use their cell phones to download the ADP app for scheduling. Furthermore, Plaintiff was contacted on his cell phone by supervisors, such as Cristofer Granillo, about scheduling issues. Mr. Granillo contacted Plaintiff outside of

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work hours on his cell phone from time to time which resulted in additional unpaid off the clock work.

Furthermore, Defendant failed to provide Plaintiff and other Aggrieved Employees with a written description of applicable quotas and any potential adverse employment action that could result from failure to meet the quota in violation of Cal. Lab. Code Section 2100. Defendant's requirement that Plaintiff and other Aggrieved Employees meet quotas also prevented compliance with meal breaks and rest breaks, including reasonable travel time to and from bathroom facilities. For example, Plaintiff and other Aggrieved Employees were expected to ensure that all mail delivery trucks be loaded by certain times with the correct mail which, in part, involved scanning a certain number of pallet-sized cardboard boxes and making sure paperwork was done correctly. Plaintiff would be written up by his supervisors if mail trucks were not loaded and unloaded accordingly to their scheduled times, which often prevented Plaintiff from taking compliant meal and rest breaks.

Finally, as described in detail in this notice, Defendant failed to pay all wages and premiums owed to Plaintiff and Aggrieved Employees during their employment and also failed to timely pay those amounts due and earned to departing employees upon separation of employment (such as when Plaintiff's employment with Defendant ended in November of 2024) in violation of California Labor Code Sections 201-204. Defendant also failed to pay the waiting time penalties owed to Plaintiff and other Aggrieved Employees that stemmed from the non-payment of wages and premiums owed based on the allegations above. Said conduct, in addition to the foregoing, violates Labor Code §§ 201, 202, 203, 204, 210, 226(a), 226.7, 227.3, 246, 510, 512, 558(a)(1)(2), 1194, 1197, 1197.1, 1198, 2100, 2802, California Code of Regulations, Title 8, Section 11040, Subdivision 5(A)-(B), Violation of the applicable Industrial Welfare Commission Wage Order(s), and is therefore actionable under California Labor Code section 2699.3.

This notice is provided to enable Plaintiff to proceed with a Complaint against Defendant as authorized by California Labor Code section 2699, *et seq.* The lawsuit will consist of other Aggrieved Employees. As counsel, our intention is to vigorously prosecute the claims, and to procure civil penalties as provided by the Private Attorney General Statute of 2004 on behalf of Plaintiff and all Aggrieved Employees.

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If you have any questions of concerns, please do not hesitate to contact me at the above number and email address.

Respectfully,

/s/ Ricardo R. Ehmann

Ricardo R. Ehmann, Esq.

EXHIBIT 1



GLOBAL MAIL, INC
2700 SOUTH COMMERCE PKWY, STE. 300
WESTON, FL 33331
954-595-1943

Earnings Statement



Period Beginning: 09/08/2024
Period Ending: 09/21/2024
Pay Date: 09/27/2024

Filing Status:
Exemptions/Allowances:
Federal:

MANATUA P MALUIA

Social Security Number:

Earnings	rate	hours	this period	year to date
Regular	22.0100	70.55	1,552.81	27,862.28
Overtime	33.0150	4.10	135.37	2,097.09
Impnl			2.82	55.44
\$1.00PRMREG				79.04
\$1.50PREMOT				3.20
Bereavement				1,895.92
Ee Recognition				125.00
Floating Holida				1,395.20
Holiday				170.96
Sick				907.78
Vacation				1,626.43
Gross Pay			\$1,691.00	36,218.34

Net Check **\$0.00**

*** Excluded from federal taxable wages**

Your federal taxable wages this period are
\$1,412.49

**Other Benefits and
Information**

	this period	total to date
Sck Hrs Bal	3.33	
Vac Hrs Bal	9.50	
Totl Hrs Worked	74.65	

Deductions	Statutory	
Social Security Tax	-94.31	2,034.97
Medicare Tax	-22.06	475.92
CA State Income Tax	-7.09	174.47
CA SDI Tax	-16.73	361.04
Other		
Dental Prtx	-15.76*	315.20
Impnl	-2.82	55.44
Medical Prtx	-154.05*	3,081.00
401K Deduction	-108.70*	2,357.96
401K Loan 1	-29.54	590.80
Net Pay	\$1,239.94	
Checking 1	-619.97	13,163.27
Checking 2	-619.97	13,163.23

Additional Tax Withholding Information

Taxable Marital Status:
CA:
Exemptions/Allowances:
CA:

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GLOBAL MAIL, INC
2700 SOUTH COMMERCE PKWY, STE. 300
WESTON, FL 33331
954-595-1943

Advice number:
Pay date: 09/27/2024

Deposited to the account of	account number	transit ABA	amount
MANATUA P MALUIA			\$619.97
			\$619.97

NON-NEGOTIABLE



GLOBAL MAIL, INC
2700 SOUTH COMMERCE PKWY, STE. 300
WESTON, FL 33331
954-595-1943

Earnings Statement



Period Beginning: 09/22/2024
Period Ending: 10/05/2024
Pay Date: 10/11/2024

Filing Status:
Exemptions/Allowances:
Federal:

MANATUA P MALUIA

Social Security Number:

Earnings	rate	hours	this period	year to date
Regular	22.0100	76.61	1,686.19	29,548.47
Overtime	33.0150	1.17	38.63	2,135.72
Impnl			2.82	58.26
\$1.00PRMREG				79.04
\$1.50PREMOT				3.20
Bereavement				1,895.92
Ee Recognition				125.00
Floating Holida				1,395.20
Holiday				170.96
Sick				907.78
Vacation				1,626.43
				37,945.98
Gross Pay			\$1,727.64	

Net Check **\$0.00**

*** Excluded from federal taxable wages**

Your federal taxable wages this period are
\$1,439.80

**Other Benefits and
Information**

	this period	total to date
Sck Hrs Bal	6.00	
Vac Hrs Bal	12.58	
Totl Hrs Worked	77.78	

Deductions

Statutory

Social Security Tax	-96.59	2,131.56
Medicare Tax	-22.59	498.51
CA State Income Tax	-7.69	182.16
CA SDI Tax	-17.14	378.18

Other

Dental Prtx	-15.76*	330.96
Impnl	-2.82	58.26
Medical Prtx	-154.05*	3,235.05
401K Deduction	-118.03*	2,475.99
401K Loan 1	-29.54	620.34

Net Pay **\$1,263.43**

Checking 1	-631.72	13,794.99
Checking 2	-631.71	13,794.94

Additional Tax Withholding Information

Taxable Marital Status:

CA:

Exemptions/Allowances:

CA:

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GLOBAL MAIL, INC
2700 SOUTH COMMERCE PKWY, STE. 300
WESTON, FL 33331
954-595-1943

Advice number:

Pay date:

10/11/2024

Deposited to the account of

MANATUA P MALUIA

account number

transit ABA

amount

\$631.72

\$631.71

NON-NEGOTIABLE

EXHIBIT 2



GLOBAL MAIL, INC
2700 SOUTH COMMERCE PKWY, STE. 300
WESTON, FL 33331
954-595-1943

Earnings Statement



Period Beginning: 07/14/2024
Period Ending: 07/27/2024
Pay Date: 08/02/2024

Filing Status:
Exemptions/Allowances:
Federal:

MANATUA P MALUIA

Social Security Number:

Earnings	rate	hours	this period	year to date
Regular	22.0100	70.53	1,552.37	22,119.21
Overtime	33.0150	2.99	98.71	1,544.42
Impnl			2.82	44.16
Sick	22.0100	8.00	176.08	731.70
\$1.00PRMREG				79.04
\$1.50PREMOT				3.20
Bereavement				1,895.92
Ee Recognition				125.00
Floating Holida				1,153.09
Holiday				170.96
Vacation				1,164.22
Gross Pay			\$1,829.98	29,030.92

Net Check \$0.00

* Excluded from federal taxable wages

Your federal taxable wages this period are
\$1,539.18

Other Benefits and Information

	this period	total to date
Flh Hrs Bal	11.00	
Sck Hrs Bal	0.67	
Vac Hrs Bal	18.17	
Totl Hrs Worked	73.52	

Deductions	Statutory	
	Social Security Tax	-102.94
	Medicare Tax	-24.07
	CA State Income Tax	-9.87
	CA SDI Tax	-18.26
	Other	
	Dental Prtx	-15.76*
	Impnl	-2.82
	Medical Prtx	-154.05*
	401K Deduction	-120.99*
	401K Loan 1	-29.54
Net Pay	\$1,351.68	
Checking 1	-675.84	10,508.96
Checking 2	-675.84	10,508.93

Additional Tax Withholding Information

Taxable Marital Status:
CA:
Exemptions/Allowances:
CA:

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GLOBAL MAIL, INC
2700 SOUTH COMMERCE PKWY, STE. 300
WESTON, FL 33331
954-595-1943

Advice number:
Pay date: 08/02/2024

Deposited to the account of
MANATUA P MALUIA

account number	transit	ABA	amount
			\$675.84
			\$675.84

NON-NEGOTIABLE

EXHIBIT 3

Earnings Statement



GLOBAL MAIL, INC
2700 SOUTH COMMERCE PKWY, STE. 300
WESTON, FL 33331
954-595-1943

Pay Date: 12/06/2024

Filing Status: [REDACTED]

Exemptions/Allowances:

Federal: [REDACTED]

Social Security Number: [REDACTED]

MANATUA P MALUIA

Earnings	rate	hours	this period	year to date
Regular	22.0100	48.00	1,056.48	33,832.06
\$2.00 PREM	22.0100	57.92	115.84	275.84
Vac Payout	22.0100	9.92	218.34	218.34
Overtime				2,164.11
\$1.00PRMREG				79.04
\$1.50PREMOT				3.20
Bereavement				2,424.16
Ee Recognition				125.00
Floating Holida				1,395.20
Holiday				170.96
Impinl				63.90
Sick				1,083.86
Vacation				1,956.58
Gross Pay			\$1,390.66	43,792.25

Other	this period	year to date
Checking 1		15,468.68
Checking 2		15,468.62

Net Check \$1,164.58

* Excluded from federal taxable wages

Period Beginning: 11/03/2024

Period Ending: 11/16/2024

Your federal taxable wages this period are
\$1,308.60

Deductions	Statutory	
Social Security Tax	-86.22	2,472.97
Medicare Tax	-20.17	578.36
CA State Income Tax	-22.34	238.74
CA SDI Tax	-15.29	438.75
Other		
401K Deduction	-82.06*	2,867.56
Dental Prtx		362.48
Impinl		63.90
Medical Prtx		3,543.15
401K Loan 1		679.42
Net Pay		\$1,164.58

Other Benefits and Information	this period	total to date
Totl Hrs Worked	48.00	

Additional Tax Withholding Information

Taxable Marital Status:

CA: [REDACTED]

Exemptions/Allowances:

CA: [REDACTED]

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GLOBAL MAIL, INC
2700 SOUTH COMMERCE PKWY, STE. 300
WESTON, FL 33331
954-595-1943

MP2

90-477/1222

Payroll check number:

Pay date: 12/06/2024

Pay to the
order of:

MANATUA P MALUIA

This amount:

ONE THOUSAND ONE HUNDRED SIXTY FOUR AND 58/100 DOLLARS

\$1164.58

ASSISTANCE WITH VERIFICATION AVAILABLE AT 877-423-7243

VOID - NON-NEGOTIABLE

VOID AFTER 60 DAYS

Wells Fargo Bank, N.A.
5401 California Ave
Bakersfield, CA 93309

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