

BUREAU OF FIELD ENFORCEMENT

IS THIS REPORT RELATED TO COVID-19? NO ☐ YES ☐
RELATED TO PAID SICK LEAVE (PSL/SPSL)? NO ☐ YES ☐

OFFICE USE ONLY

TAKEN BY: _____ DATE FILED: _____ INDUSTRY: _____

Please print legibly or type. Fill out this form if you would like to report a widespread violation of workplace laws (e.g., wage and hour, child labor, workers' compensation, or recordkeeping laws) by an employer that affects all or a group of employees working for the employer. If you are claiming only unpaid wages on behalf of yourself and do not wish to report a widespread violation of the law by your employer that also affects other workers, then fill out the DLSE Form 1 (Initial Report or Claim) to file an individual wage claim, instead of this form.

REPORT OF LABOR LAW VIOLATION

SECTION 1. REPORTING PARTY (INDIVIDUAL OR REPRESENTATIVE)

NAME OF REPORTING PARTY: Walter Almdendarez IF INTERPRETER IS NEEDED, INDICATE LANGUAGE: _____
ADDRESS: 5857 St. Laurent Drive CITY: Palmdale STATE: CA ZIP: 93552
HOME PHONE: (661) 268-2978 CELL/OTHER PHONE: (_____) E-MAIL (if available): WalterAlmdendarez0205@gmail.com

If you are represented by a lawyer or other advocate, enter your ADVOCATE and ORGANIZATION information:

NAME: Zoe Tucker ORGANIZATION NAME: UNITE HERE Local 11
ADDRESS: 464 Lucas Ave, Ste 201 CITY: Los Angeles STATE: CA ZIP: 90017
HOME PHONE: (757) 561-4807 CELL/OTHER PHONE: (_____) E-MAIL (if available): ztucker@unitehere11.org

SECTION 2. EMPLOYER REPORTED

EMPLOYER BUSINESS NAME: Chateau Holdings, Ltd. dba Chateau Marmont
ADDRESS: 8221 Sunset Blvd, CITY: Los Angeles STATE: CA ZIP: 90046
PHONE: (323) 656-1010 TYPE OF BUSINESS: Hotel: Lodging, Food, and Beverage TOTAL EMPLOYEES: 30
ENTITY TYPE: ☐ CORPORATION ☐ INDIVIDUAL ☐ PARTNERSHIP ☐ LLC ☐ LLP ☐ OTHER (explain): _____
OWNER'S NAME: Andre Balasz NAME AND JOB TITLE OF PERSON IN CHARGE: Amanda Grandinetti, Managing Director

	ADDRESS CITY, STATE, ZIP	EMPLOYER STILL OPERATING THERE?	BUSINESS HOURS	TOTAL EMPLOYEES
EMPLOYER'S MAIN WORK LOCATION	Chateau Marmont Hotel, 8221 Sunset Blvd, Los Angeles, CA 90046	<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> UNKNOWN	24/7	est. 50
OTHER WORK LOCATION (if any, whether or not you worked there)		<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> UNKNOWN		
OTHER WORK LOCATION (if any, whether or not you worked there)		<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> UNKNOWN		

IS THE EMPLOYER COVERED BY WORKERS' COMPENSATION INSURANCE? ☐ YES ☐ NO ☐ UNKNOWN

IS THERE A UNION CONTRACT? ☐ YES ☐ NO DID YOUR JOB INVOLVE PUBLIC WORKS? ☐ YES ☐ NO

EMPLOYER'S VEHICLE LICENSE PLATE NUMBER: _____

SECTION 3. WORK HOURS AND WAGES

DO YOU OR DID YOU WORK FOR THE EMPLOYER? ☐ YES ☐ NO IF "YES":
DATE OF HIRE: ____/____/____ LAST DAY OF WORK (if applicable): ____/____/____ ☐ QUIT ☐ FIRED ☐ STILL EMPLOYED

DID THE EMPLOYER DESIGNATE WHAT TIME THE WORKDAY BEGAN FOR EMPLOYEES? ☐ YES ☐ NO ☐ DON'T KNOW IF "YES":
WHAT TIME DID THE EMPLOYER DESIGNATE? ____ ☐ AM ☐ PM

DID THE EMPLOYER DESIGNATE WHICH DAY OF THE WEEK THE WORKWEEK BEGAN? ☐ YES ☐ NO ☐ DON'T KNOW IF "YES":
WHAT DAY DID THE EMPLOYER DESIGNATE? ☐ SUNDAY ☐ MONDAY ☐ TUESDAY ☐ WEDNESDAY ☐ THURSDAY ☐ FRIDAY ☐ SATURDAY

WHAT IS THE **NORMAL OR STANDARD WORK SCHEDULE** FOR EMPLOYEES DURING THE WEEK? PROVIDE YOUR BEST ESTIMATE OF THE START AND END TIMES AND NUMBER OF HOURS WORKED FOR EACH WORK DAY. (If employees did not work standard schedules, skip to the next question.)

SUNDAY	START TIME: _____ <input type="radio"/> AM <input type="radio"/> PM	END TIME: _____ <input type="radio"/> AM <input type="radio"/> PM	HOURS WORKED: _____	TOTAL HOURS WORKED PER WEEK:
MONDAY	START TIME: _____ <input type="radio"/> AM <input type="radio"/> PM	END TIME: _____ <input type="radio"/> AM <input type="radio"/> PM	HOURS WORKED: _____	
TUESDAY	START TIME: _____ <input type="radio"/> AM <input type="radio"/> PM	END TIME: _____ <input type="radio"/> AM <input type="radio"/> PM	HOURS WORKED: _____	
WEDNESDAY	START TIME: _____ <input type="radio"/> AM <input type="radio"/> PM	END TIME: _____ <input type="radio"/> AM <input type="radio"/> PM	HOURS WORKED: _____	
THURSDAY	START TIME: _____ <input type="radio"/> AM <input type="radio"/> PM	END TIME: _____ <input type="radio"/> AM <input type="radio"/> PM	HOURS WORKED: _____	
FRIDAY	START TIME: _____ <input type="radio"/> AM <input type="radio"/> PM	END TIME: _____ <input type="radio"/> AM <input type="radio"/> PM	HOURS WORKED: _____	
SATURDAY	START TIME: _____ <input type="radio"/> AM <input type="radio"/> PM	END TIME: _____ <input type="radio"/> AM <input type="radio"/> PM	HOURS WORKED: _____	

SECTION 3. WORK HOURS AND WAGES (continued)

DO EMPLOYEES WORK DIFFERENT SCHEDULES OR IRREGULAR HOURS SO YOU CANNOT PROVIDE A STANDARD WORK SCHEDULE? ☐ YES ☐ NO

IF "YES," BRIEFLY DESCRIBE THE DIFFERENT SCHEDULES OR IRREGULAR WORK HOURS AS BEST AS YOU CAN: _____

WHEN IS THE NORMAL OR STANDARD SCHEDULED MEAL PERIOD FOR EMPLOYEES?

START TIME: _____ ☐ AM ☐ PM END TIME: _____ ☐ AM ☐ PM

☐ THERE IS NO STANDARD SCHEDULED MEAL PERIOD

WHAT IS THE AVERAGE LENGTH OF TIME FOR AN EMPLOYEE'S MEAL PERIOD? _____ ☐ MINUTES ☐ HOURS

WHO SET THE WORK SCHEDULE? (FULL NAME AND JOB TITLE/POSITION): _____

WHAT DAY IS PAY DAY? ☐ DAILY

☐ WEEKLY ON _____ ☐ BI-WEEKLY ON (Once every two weeks) _____

☐ MONTHLY ON _____ ☐ SEMI-MONTHLY ON (Twice a month) _____

WHO PAYS EMPLOYEES? (FULL NAME AND JOB TITLE/POSITION): _____

ARE EMPLOYEES PAID BY THE HOUR? ☐ YES ☐ NO IF "YES," HOW MUCH? \$ _____ PER HOUR

VARIES (EXPLAIN): _____

ARE EMPLOYEES PAID A FIXED AMOUNT OF WAGES (OR SALARY), REGARDLESS OF THE NUMBER OF HOURS WORKED? ☐ YES ☐ NO

IF "YES," HOW MUCH? \$ _____ ☐ PER DAY ☐ PER WEEK ☐ EVERY 2 WEEKS ☐ SEMI-MONTHLY ☐ MONTHLY

VARIES (EXPLAIN): _____

ARE EMPLOYEES PAID BY PIECE RATE? ☐ YES ☐ NO IF "YES," HOW MUCH? \$ _____ PER (Describe Unit) _____

PIECE RATES VARY (EXPLAIN): _____

HOW ARE EMPLOYEES PAID? ☐ CHECK ☐ CASH

☐ BOTH CHECK & CASH ☐ OTHER METHOD (EXPLAIN): _____

☐ METHOD OF PAYMENT VARIES PER EMPLOYEE OR JOB POSITION (EXPLAIN): _____

IF EMPLOYEES ARE PAID IN CASH, DOES THE EMPLOYER KEEP CASH PAYMENT RECORDS OR LOGS? ☐ YES ☐ NO ☐ DON'T KNOW

DOES THE EMPLOYER KEEP TIME RECORDS OF HOURS WORKED BY EMPLOYEES? ☐ YES ☐ NO ☐ DON'T KNOW

WHAT LANGUAGES ARE SPOKEN BY EMPLOYEES? ☐ ENGLISH ☐ SPANISH ☐ MIXTEC ☐ TRIQUE ☐ CANTONESE ☐ MANDARIN ☐ KOREAN
☐ VIETNAMESE ☐ TAGALOG ☐ CAMBODIAN ☐ HMONG ☐ THAI ☐ PUNJABI ☐ HINDI ☐ RUSSIAN ☐ OTHER: _____

SECTION 4. SUSPECTED VIOLATIONS OF EMPLOYER

The boxes below describe conduct by an employer that violates the law. Please put a check mark in the box(es) if the employer engages in, or any employee or employees have experienced, any of the following violations:

☐ **NO WORKERS' COMPENSATION INSURANCE**

☐ **CHILD LABOR VIOLATIONS:**

- ☐ No valid work permit(s)
- ☐ No valid entertainment work permit(s)
- ☐ Minor(s) work excessive or prohibited hours
- ☐ Minor(s) work in hazardous conditions

Estimated number of minors affected: _____

☐ **MINIMUM WAGE VIOLATIONS:**

- ☐ Paid below minimum wage
- ☐ Not paid at all for overtime hours worked
- ☐ Not paid for all hours worked, including unpaid travel time and try-out time
- ☐ Paycheck issued with insufficient funds
- ☐ Asked employee to pay back wages paid
- ☐ No split shift premium pay

Estimated number of employees affected: _____

☐ **OVERTIME VIOLATIONS:**

- ☐ Not paid daily overtime for hours worked over 8 hours per day (or 10 hours per day for farmworkers)
- ☐ Not paid weekly overtime for hours worked over 40 hours per week
- ☐ Not paid double time for hours worked over 12 hours per day
- ☐ Not paid overtime for working on the 7th consecutive workday in a workweek

Estimated number of employees affected: _____

SECTION 4. SUSPECTED VIOLATIONS OF EMPLOYER (continued)

☐ **OTHER UNPAID WAGES:**

- ☐ Wages are not paid at the contracted rate
- ☐ No reporting time premium pay
- ☐ No premium pay for missing meal or rest periods

Estimated number of employees affected: _____

☐ **PAY STUB VIOLATIONS:**

- ☐ Paid by check or cash without an itemized wage deduction statement
- ☐ Itemized wage deduction statement provided but not accurate and/or incomplete
- ☐ Itemized wage deduction statement not provided at least semi-monthly

Estimated number of employees affected: _____

☐ **MEAL PERIOD VIOLATIONS:**

- ☐ 30-minute off-duty meal period not provided by the end of the 5th hour of work
- ☐ Second 30-minute off-duty meal period not provided when working more than 10 hours
- ☐ Meal period provided but less than 30 minutes

Estimated number of employees affected: _____

☐ **REST BREAK VIOLATIONS:**

- ☐ For work days between 3.5 hours and up to 6 hours per day, not allowed to take a 10-minute rest break
- ☐ For work days of more than 6 hours and up to 10 hours per day, not allowed to take two 10-minute rest breaks
- ☐ For work days of more than 10 hours and up to 14 hours per day, not allowed to take three 10-minute rest breaks

Estimated number of employees affected: _____

☐ **PAY DATE VIOLATIONS:**

- ☐ No fixed pay date
- ☐ Late payment of wages

Estimated number of employees affected: _____

☐ **RECORD KEEPING VIOLATIONS:**

- ☐ Daily time records are not kept or inaccurate
- ☐ Payroll records are not kept or inaccurate
- ☐ No notice to new hires (under Labor Code Section 2810.5)

☐ **BUSINESS EXPENSE VIOLATIONS:**

- ☐ Uniforms not reimbursed or illegally charged to employees
- ☐ Tools, supplies or equipment not reimbursed or illegally charged to employees
- ☐ Illegal charges for cash shortages, breakage, or loss of equipment

Estimated number of employees affected: _____

☐ **FAILURE TO POST:**

- ☐ Applicable Industrial Welfare Commission Order not posted
- ☐ Minimum Wage Order 2001 not posted
- ☐ Pay day notice not posted
- ☐ Workers' compensation insurance notice not posted
- ☐ Rate of compensation not posted (for farmworkers only)

☐ **MISCLASSIFICATION:**

- ☐ Employees misclassified as independent contractors
- ☐ Salaried employees misclassified as exempt employees

Estimated number of employees affected: _____

☐ **LICENSING/REGISTRATION VIOLATIONS:**

- ☐ Unlicensed construction contractor
- ☐ Contracted with unlicensed construction contractor
- ☐ Unlicensed farm labor contractor
- ☐ Unregistered garment contractor or manufacturer
- ☒ Unregistered car wash

☐ **FAILURE TO PROVIDE LACTATION ACCOMMODATIONS**

Estimated number of employees affected: _____

☒ **OTHER VIOLATIONS** (briefly explain):

Recall rights not honored: AB 1074/SB 93

Estimated number of employees affected: > 10

Please provide any other information about your complaint that you believe is important for the Labor Commissioner to know:
Please see attached.

Please provide the following information for any minors under the age of 18 who work for the employer:

FULL NAME (first and last name, and any "nick" names)	AGE	JOB POSITION/ TYPE OF WORK PERFORMED	NORMAL WORK SCHEDULE	HOW WAS THE MINOR PAID (by check, in cash, both cash and check, or other method)?

MAY YOUR NAME BE USED IN AN INVESTIGATION? ☐ YES ☐ NO

DO YOU WANT DLSE TO KEEP YOUR NAME AND CONTACT INFORMATION CONFIDENTIAL? * ☒ YES ☐ NO

I HEREBY CERTIFY THAT THE INFORMATION ABOVE IS A TRUE STATEMENT TO THE BEST OF MY KNOWLEDGE.

SIGNED: Walter Almendarez

DATE: March 25, 2022

PRINT NAME: Walter Almendarez

* DLSE will maintain confidentiality as appropriate in each case and to the extent provided for under the law. Information may need to be released in some cases.

Walter Almendarez

My name is Walter Almendarez. I formerly worked at Chateau Holdings, Ltd. dba Chateau Marmont (the "Company" or "Hotel"). I began working at the hotel in 1998. I was laid off along with nearly all of my coworkers in March 2020 at the start of the pandemic. My final rate of pay was \$15.45/hour.

I believe that my recall rights under SB-93 have been violated for the following reasons:

- From approximately 2010 until I was laid off in March 2020, I worked at the Chateau Marmont in the classifications of Guest Relations (the position is commonly referred to as bellman). In this position, I was responsible for greeting guests, opening the door for them, assisting with their check-in, responding to guest questions and requests, carrying their luggage, and assisting with check-out.
- While working in Guest Relations, I was also often assigned to perform the work of Security, a position for which I received formal training in around 2018 as the direction of the Hotel. In this capacity, I would be responsible for patrolling the hotel grounds and helping to remove problematic individuals or over-stayed guests from the premises, among other duties. I was also sometimes assigned to work in Valet, in which capacity I was responsible for parking and retrieving guest vehicles. Finally, I was also sometimes assigned to work in shipping and receiving and also to run errands and deliver special requested items for guests.
- I was laid off in March 2020 at the start of the pandemic along with almost all of my coworkers. After being laid off, I played a prominent role in a campaign to win statutory recall rights in the City of Los Angeles and throughout the State of California, culminating in passage of SB-93. Below are links to three articles which recount my story in the context of describing the right-of-recall laws; the headline of the first article uses a quote from me:

'I'm very, very worried': L.A.'s laid-off workers struggle with no social safety net amid pandemic, CNN WIRE, Apr. 5, 2020, <https://ktla.com/news/local-news/im-very-very-worried-l-a-s-laid-off-workers-struggle-with-no-social-safety-net-amid-pandemic/>

Ellen Wulforst, *U.S. workers fear for future as election, COVID-19 loom*, REUTERS, Oct. 29, 2020, <https://www.reuters.com/article/us-biggerpicture-health-coronavirus-work/u-s-workers-fear-for-future-as-election-covid-19-loom-idUSKBN27E24I>

Emily Alpert Reyes, *L.A. acts to keep some laid-off workers from being replaced by newer, cheaper labor*, LA TIMES, Apr. 22, 2022, <https://www.latimes.com/california/story/2020-04-22/coronavirus-worker-retention-la-city-council>

- Shortly after SB-93 took effect on April 16, 2021, I informed the Company in writing that I wished to return to work and expected the Company to respect my right of recall as

guaranteed by the law. I sent an email to the Company to this effect on May 5, 2021, which stated in relevant part:

“As you may know, the statewide recall law—SB-93—took effect on Friday, April 16, 2021. I am available to return to work.

As required by the law, please provide me with an offer for employment whenever a position becomes available that is the same or similar to the position I previously held at the Chateau Marmont. I may also be interested in other positions.”

To ensure the Hotel was able to contact me about open positions, the letter also provided my current phone, email, and mailing address.

- Despite my stated interest in returning to work, since SB-93 took effect, the Company has arranged for multiple employees who have no prior experience at the Hotel to work at the hotel as bellmen.
- The Company has also posted a job description for the position, describing the role that I filled. The job description, which is attached, states in relevant part: "The Guest Attaché greets guest at the doorsteps of the world famous hotel. No guest request remains unanswered. The finest amenities paired with personal attention by the dedicated Chateau Marmont Guest Attaché await every guest throughout their stay." The position was posted by Robert E. Boyd, General Manager of the Chateau Marmont.
- In February 2022, I personally saw two individuals working as bellmen at the Chateau. They performed the essential duties of the role, including greeting guests, helping with luggage, etc. It is my understanding that these workers were employed through a staffing agency, though they appeared to be under the direct supervision of Chateau Marmont management and performed work identical to the work I performed. I am attaching photographs of these workers taken on February 18, 2022.


Attachments:


Job Posting
Photographs
Email to Employer


Guest Service Representative

Chateau Marmont · Los Angeles, CA (On-site) · 3 weeks ago · 37 applicants

 Full-time

 Robert E. Boyd CHE is hiring for this job

 See recent hiring trends for Chateau Marmont. [Try Premium for free](#)

 Your profile matches this job

Apply now

Save

About the job

The Chateau Marmont Cultural Attaché delivers unique services and amenities carefully tailored to each guest staying at the hotel. With the highest level of sophistication, discretion and anticipation The Guest Attaché greets every guest at the doorsteps of our world famous hotel. No guest request remains unanswered. The finest amenities paired with personal attention by a dedicated Chateau Marmont Guest Attaché await every guest throughout their stay. Traditional Cultural Attaché services are matched with the demands of today's luxury traveler to create memorable experiences.

Contact the job poster



Robert E. Boyd CHE

General Manager | Chateau Ma...
Los Angeles, California, United States

PREMIUM

[Send InMail](#)







Jeremy Blasi <jblasi@unitehere11.org>

Walter Almendarez is available to return to work

Walter Almendarez <noreply@formresponse.com>

Wed, May 5, 2021 at 6:59 PM

Reply-To: walteralmendarez0205@gmail.com

To: agrandinetti@chateaumarmont.com, rlacayo+chateau+r2r@unitehere11.org, jblasi+chateau+r2r@unitehere11.org

Dear Amanda,

As you may know, the statewide recall law—SB-93—took effect on Friday, April 16, 2021. I am available to return to work.

As required by the law, please provide me with an offer for employment whenever a position becomes available that is the same or similar to the position I previously held at the Chateau Marmont. I may also be interested in other positions.

To ensure you have the information to communicate with me, please see below my current phone number, email, and mailing address.

(661) 268-2978

walteralmendarez0205@gmail.com

Street Address: [5857 saint Laurent dr](#)

[City: Palmdale](#)

[State: California](#)

[Zip Code: 93552](#)

I look forward to hearing from you and returning to work at the Chateau.

Walter Almendarez

cc: UNITE HERE Local 11, Walter Almendarez