

IS THIS REPORT RELATED TO COVID-19? NO <input type="radio"/> YES <input type="radio"/> RELATED TO PAID SICK LEAVE (PSL/SPSL)? NO <input type="radio"/> YES <input type="radio"/>	OFFICE USE ONLY TAKEN BY: _____ DATE FILED: _____ INDUSTRY: _____
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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 Almdarez 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): WalterAlmdarez0205@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: ROC Nation LLC
 ADDRESS: 953 North Sycamore Ave CITY: Los Angeles STATE: CA ZIP: 90038
 PHONE: (212) 292-8500 TYPE OF BUSINESS: Entertainment & Hospitality TOTAL EMPLOYEES: unknown

ENTITY TYPE: CORPORATION INDIVIDUAL PARTNERSHIP LLC LLP OTHER (explain): _____
 OWNER'S NAME: Multiple Owners NAME AND JOB TITLE OF PERSON IN CHARGE: Desiree Perez (CEO); Shawn ("JAY-Z") Carter (founder)

	ADDRESS CITY, STATE, ZIP	EMPLOYER STILL OPERATING THERE?	BUSINESS HOURS	TOTAL EMPLOYEES
EMPLOYER'S MAIN WORK LOCATION	953 North Sycamore Ave, Los Angeles, CA, 90038	<input checked="" type="radio"/> YES <input type="radio"/> NO <input type="radio"/> UNKNOWN	unknown	100-250
OTHER WORK LOCATION (if any, whether or not you worked there)	Chateau Marmont Hotel, 8221 Sunset Blvd, Los Angeles, CA 90046	<input checked="" type="radio"/> YES <input type="radio"/> NO <input type="radio"/> UNKNOWN	unknown	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		

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

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 "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 by the company ROC Nation LLC, for the reasons explained below:

- From approximately 2010 until I was laid off in March 2020, I worked at the Chateau Marmont in Guest Relations. In this capacity, I was responsible for, among other duties, greeting guests, opening the door for them, and responding to guest questions and requests. During this period, 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 that 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.
- 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>

- Since I believe my right of recall under SB-93 has been violated by the Hotel through its failure to offer me employment in open positions for which I am qualified, I am concurrently filing a complaint against the Hotel. However, I also believe that my right of recall under SB-93 has or may imminently be violated by ROC Nation LLC, as well.

- These possible violations relate to ROC Nation LLC’s holding of a major “afterparty” event dubbed the “Gold Party,” which is hosted by the organization’s founder Shawn 'Jay-Z' Carter. The event is scheduled to take place after the Oscars this Sunday, March 27, 2022 at the Bar Marmont, which is part of the Hotel.
- SB-93 protects the right of workers laid off during the pandemic to return to work at jobs for which they qualified at certain types of hospitality enterprises, including hotels. The statute defines “hotels” to include “any contracted, leased, or sublet premises connected to or operated in conjunction with the building’s purpose, or providing services at the building.” Cal. Lab. Code § 2810.8(a)(9). Any business that operates a covered enterprise and which “employs or exercises control over the wages, hours, or working conditions of any employee” is a covered employer under the statute. *Id.* § 2810.8(a)(6).
- On information and belief, the Hotel has leased or otherwise contracted out use of the Bar Marmont space to ROC Nation to hold its March 27, 2022 “Gold Party.” By virtue of this arrangement, ROC Nation is a covered employer under SB-93.
- It is also my understanding that ROC Nation will employ and/or exercise control over workers to perform tasks that are the same or similar to the work that I and other workers performed at the Hotel prior to being laid off in such areas as Guest Relations, Security, and Valet.
- Nonetheless, ROC Nation has not contacted me, or to my knowledge any other laid off employee of the Hotel, to offer employment at the “Gold Party.” By failing to do so, I believe ROC Nation has denied me and my laid-off former co-workers employment opportunities in positions for which we are qualified and to which I believe we have a right under the statute. I request that the Labor Commissioner investigate this situation with respect to both me and other potentially affected laid-off employees.