

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

As a current or former IHSS homecare worker who worked in Los Angeles County, a collective action lawsuit may affect your rights.

A court authorized this notice. This is not a solicitation from a lawyer.

- A home health care worker has sued the County of Los Angeles (“Defendant”), alleging that before February 1, 2016, home health care workers who worked over 40 hours in a workweek were not paid overtime pay and that Defendant is liable.
- The Court has authorized notice of the lawsuit to be distributed to all In-Home Supportive Services (“IHSS”) homecare providers who worked in LA County from January 1, 2015 to February 1, 2016.
- The Court has not decided the merits of this case and therefore has not decided whether the Plaintiff or the Defendant is correct. There is no money available now and no guarantee there will be. However, in order for you to participate in this case, you must return the enclosed consent form by April 10, 2020.

NOTICE OF COLLECTIVE ACTION LAWSUIT

An overtime lawsuit has been filed against Defendant. The court has conditionally certified the case as a collective action on behalf of all IHSS Homecare Providers who worked in LA County who were paid for hours over forty (40) per workweek at a rate of less than 1.5 times their regular rate at any time from January 1, 2015 to February 1, 2016.

The Plaintiff in the lawsuit alleges that Defendant improperly failed to pay overtime for hours worked over 40 in a workweek. The Plaintiff contends that IHSS Homecare Providers should have been paid overtime when they worked over 40 hours in a workweek. Defendant denies the Plaintiff’s claims, denies that it has liability for any delay by the State of California in implementing new overtime pay rules, and denies that the persons receiving this notice are eligible for or entitled to receive overtime pay. You are receiving this notice because you are eligible to join this case by returning a consent form.

You are eligible to join this case even if you were told you were not entitled to overtime.

SE HABLA ESPAÑOL Las oficinas de Nichols Kaster, PLLP tienen personal bilingüe en español. Por favor llame al 612-255-3360 (ihss@nka.com).

YOUR RIGHTS AND OBLIGATIONS

The United States District Court for the Central District of California has determined that a group of similarly situated employees may exist, and that notice should be distributed to all individuals who may have potential claims. If you worked as an IHSS Homecare Provider or in another similar position in LA County from January 1, 2015 to February 1, 2016 and worked overtime hours for which you were not paid time-and-a-half, you are eligible to participate in the lawsuit. You may join the lawsuit by mailing, emailing, or faxing the enclosed Plaintiff Consent Form to:

Nichols Kaster, LLP
Attn.: Daniel S. Brome
4600 IDS Center, 80 South Eighth Street
Minneapolis, MN 55402
Telephone: (612) 255-3360 (no faxes to this number)
Fax: (612) 215-6870
Email: ihss@nka.com

You may also join the case by signing an electronic consent form, available at <http://bit.ly/IHSSConsent>. The Plaintiff Consent Form must be postmarked or returned electronically on or before April 10, 2020 in order for you to participate. If you choose to join this case by filing a Plaintiff Consent Form, your interests will be represented by Plaintiffs' counsel.

NO RETALIATION PERMITTED

The law prohibits retaliation against employees for exercising their rights to participate in a lawsuit of this nature. Defendant is prohibited from retaliating against IHSS Homecare Providers in any way (including reducing hours, reducing pay, giving an unfair performance review, etc.) because of participation in a lawsuit.

THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA, THE HONORABLE PERCY ANDERSON. THE COURT HAS MADE NO DECISION ABOUT THE MERITS OF PLAINTIFF'S CLAIMS OR DEFENDANT'S DEFENSES.

PLAINTIFF CONSENT FORM

1. I consent to make a claim under the Fair Labor Standards Act, 29 U.S.C. § 201, et seq. against the County of Los Angeles (“Defendant”) to recover overtime pay.
2. Between January 1, 2015 and January 31, 2016, there were occasions when I worked over 40 hours per workweek in L.A. County as an IHSS Homecare Provider or in a similar job title and did not receive proper compensation for my overtime hours worked.
3. If this case does not proceed collectively, then I also consent to join any subsequent action to assert these claims against Defendant.
4. I understand that I may withdraw my consent to proceed with my claims at any time by notifying the attorneys handling the matter.

Date: _____
Signature

Print Name

Information Below Will Be Redacted in Filings with the Court. Please Print or Type.

Address: _____

City, State Zip: _____

Best Phone Number(s): _____

IHSS Provider Number (if known): _____

Email: _____

**Return this form by
fax, email or mail to:**

**Nichols Kaster, PLLP, Attn: Daniel S. Brome
Fax: (612) 215-6870
Email: ihss@nka.com
Address: 4600 IDS Center, 80 S. 8th Street, Minneapolis, MN 55402
Web: www.nka.com**

Must be returned on or by: April 10, 2020