Matter Analysis: Ramirez, Daniel v. CleanMax Services, Inc.

NEW RETAINER

Case Name: Ramirez, Daniel v. CleanMax Services, Inc.

Type: LECR | ID: 204099 | File Ref:

Client Name: Daniel Ramirez

Email: daniel.ramirez@gmail.com

Address: 8932 Oakdale Ave, Los Angeles, CA 91306, US

Mobile: +1 (818) 555-1234

Matter Anlys (read only)

Client Hourly Rate: 18.50

Employment Start Date: Monday 02 August 2021

Employment End Date: 05/15/2024

Job Title: Janitorial Staff

Work Schedule (per day/week): Mon-Fri, 6:00 am to 2:30 pm

Supervisor: Carlos Mendoza

Reemployed? (Inc. date and comp): No, client is actively seeking new employment.

Misclassification: Select

Summarize Facts: 32-year-old, Hispanic, Male

Worked for CleanMax Services, Inc. for nearly 3 years as a janitor in various commercial buildings. The client was

responsible for cleaning and maintaining office spaces and restrooms. The client was paid on an hourly basis and received biweekly payments.

--meal and rest breaks

Client was frequently unable to take meal breaks due to tight schedules and high work demands.

4x per week, client missed meal breaks.

5x per week, client was unable to take rest breaks.

--wt (wrongful termination)

Client was abruptly terminated after raising concerns about unsafe working conditions, including exposure to hazardous cleaning chemicals without proper protective equipment. Client reported these conditions to the supervisor, Carlos Mendoza, who dismissed the complaints. Shortly after, client was informed of his termination without prior warning or justification. Client believes termination was in retaliation for voicing concerns about safety.

MEAL/REST BREAK Claims:

[Choose all that apply]:

Meal Break, Rest Break

Summarize Facts:

Client frequently missed legally required meal and rest breaks due to excessive workload. Client's schedule did not permit sufficient time to take these breaks.

# of Violations Per Week:

4 meal break violations per week, 5 rest break violations per week

OFF THE CLOCK: Select

Summarize Facts:

Client was required to begin work 15 minutes before the official start time each day to prepare equipment and materials,

without compensation for this additional time.

# of minutes/hours per day/week:

75 minutes of unpaid work per week

OVERTIME: Yes

Summarize Facts:

Client regularly worked 1 hour of overtime per day but was not compensated at the overtime rate.

# of overtime minutes/hours per day/week:

5 hours of overtime per week

Late Wage Payment: Select

Summarize Facts:

Client's final paycheck was issued two weeks after the official termination date, in violation of California labor laws.

HWHFA Act Claim: Select

Summarize Facts:

Client was denied the required paid sick leave when taking time off to recover from chemical burns caused by hazardous materials at work.

Kin Care Claim: Select

Summarize Facts:

Client requested time off to care for a sick family member but was denied, leading to additional stress and eventual termination.

EXPENSES: Yes

Summary of Purchases/Costs:

Client had to purchase his own gloves and masks due to the employer's failure to provide necessary safety equipment.

REPORTING TIME PAY: Select

Summarize Facts:

Client was often called in for early shifts but was sent home without pay when the office decided to close early.

# of shifts and unpaid hours:

3 shifts, 9 unpaid hours

OTHER W/H CLAIMS: (Choose All That Apply):

Select

Summarize Facts:

Client experienced harassment and discrimination based on his Hispanic ethnicity, including derogatory comments from

co-workers and being assigned more physically demanding tasks than his non-Hispanic colleagues.

WT/WTVPP/CT: WT

Summarize Facts (Incl. identifying FEHA/ADA/Statutory Violations):

The client's wrongful termination involved violations of the Fair Employment and Housing Act (FEHA), as well as

California's labor laws regarding meal and rest breaks, overtime pay, and final paycheck issuance.

COCA scheduled: Wednesday 04 September 2024

Arbitration Agreement?: No

Settlement Prediction: Select

Prediction Details:

Coaching: (No date entered)

Co-Pilot: Select