

Los Angeles Private Attorneys General Act

PAGA Claim Representation in Downtown Los Angeles

The California Private Attorneys General Act (PAGA) was introduced in 2004 and gives workers another legal option for holding employers accountable for Labor Code violations. If an employer is violating one or more labor laws, an aggrieved employee has the right to file a lawsuit against the employer on behalf of the State. This type of suit is often referred to as a PAGA claim.

PAGA lawsuits can be an important legal remedy if your employment contract forces you to arbitrate disputes and/or forbids you from participating in class actions. If your employment agreement does not restrict your right to take legal action against your employer, it may be more financially advantageous to pursue a traditional lawsuit.

At The Spivak Law Firm, we can help you explore all of your options when your rights have been violated. Our Los Angeles Private Attorney General Act lawyers have **over 25 years of experience** and are not afraid to litigate these cases. Our attorneys will work closely with you throughout the legal process, and we will do everything we can to secure a just outcome.

[Contact us online](#) or call [\(877\) 242-7034](tel:877-242-7034) to request an initial consultation. *Hablamos Español* [877-452-0078](tel:877-452-0078).

When Can I File a PAGA Lawsuit?

As an employee, you have the right to pursue a PAGA claim against your employer if you have suffered harm as a result of one or more labor law violations. **You will have up to one year from the date of the most recent violation to initiate legal action.** It does not matter if you have voluntarily waived your right to sue your employer. Any contract that explicitly prohibits an employee from filing a PAGA lawsuit is unenforceable.

In other words, no matter what your employer says, you have a right to file a PAGA lawsuit if your employer broke a labor law. If you cannot file a traditional lawsuit due to your employment agreement's restrictions, a PAGA claim may be your only legal option. Our Los Angeles Private Attorney General Act lawyers can assess your circumstances and advise whether a PAGA claim makes sense.

Examples of labor law violations that may warrant a PAGA lawsuit include:

- Failure to pay hours worked
- [Failure to pay overtime](#)
- [Failure to pay minimum wage](#)
- [Failure to reimburse work-related expenses](#)
- [Failure to provide meal periods](#)
- [Failure to authorize and permit rest breaks](#)

- Failure to pay final wages at termination of employment
- Failure to issue accurate and complete itemized wage statements (pay stubs)
- Failure to comply with safety laws

How Are PAGA Lawsuits Different from Traditional Lawsuits?

When you file a traditional lawsuit against your employer, you (with the help of legal representation) advocate for yourself and attempt to recover civil penalties for yourself, your coworkers, and the State of California. When you file a PAGA lawsuit, you represent yourself, any other aggrieved employees who experienced similar harm, and the California Labor & Workforce Development Agency (LWDA). **The primary goal of a PAGA lawsuit is to penalize your employer for wrongdoing – not recover damages.**

Before you can initiate a PAGA lawsuit, you must notify the California Labor and Workforce Development Agency of the facts and theories supporting your claim. In this notice, you must explain what happened and the laws that were violated. Your employer will be notified, but they cannot lawfully retaliate against you or wrongfully terminate you for exercising your rights under PAGA.

The LWDA will have 65 days to investigate the PAGA claim and decide whether it will take on the lawsuit. If the LWDA chooses not to take the case, you have the option of pursuing your own PAGA lawsuit. This lawsuit will be considered a “representative lawsuit,” as the filing employee will represent the State and other aggrieved employees.

If the PAGA lawsuit is successful, the filing employee can recover civil penalties for him or herself, the other aggrieved employees, and the government. 75% of the monetary penalties go to the state. The remaining 25% will be split amongst the aggrieved employees. **Keep in mind that you cannot recover compensation for unpaid wages or other types of losses in a PAGA lawsuit.**

At The Spivak Law Firm, we know how to effectively represent our clients in and out of the courtroom. Our Los Angeles lawyers are committed to fighting for Californian employees and will put our decades of litigation experience to work for you.

Call [\(877\) 242-7034](tel:877-242-7034) or [contact us online](#) if you have questions about PAGA lawsuits or your ability to take other forms of legal action.
