

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANTONIO LOERA, JR. and CHARLOTTE)
DANIELS, on behalf of themselves and all others) Case No. 4:23-cv-00792-LB
similarly situated,) **NOTICE OF COLLECTIVE ACTION**
)
Plaintiff,)
)
v.)
)
COUNTY OF ALAMEDA, a political subdivision) Honorable Laurel Beeler
of the State of California,)
)
)
Defendant.)

IMPORTANT NOTIFICATION TO POTENTIAL COLLECTIVE ACTION MEMBERS

TO: ALL INDIVIDUALS WHO HAVE BEEN EMPLOYED AS A SHERIFF’S SAFETY AIDE BY THE COUNTY OF ALAMEDA IN AND AROUND THE OAKLAND INTERNATIONAL AIRPORT AT ANY TIME IN THE LAST THREE YEARS.

Please read this entire notice carefully. Your rights may be impacted by proceedings in this Action.

You are required to respond by **December 4, 2023**, if you wish to assert federal claims, as described below. Please note the Court has not ruled on the merits of the lawsuit. The Court has only ordered that you be notified of the existence of the lawsuit so you can determine whether you wish to join.

1. Introduction

The purpose of this Notice is to inform you of a pending collective action lawsuit (the “Lawsuit”) brought against County of Alameda, claiming violations of the Fair Labor Standards Act (“FLSA”). This Notice will inform you of the procedure for participating in this suit. **You are receiving this Notice because you may be entitled to “opt in” to a federal collective action conditionally certified by the Court under the FLSA** if you are or were employed as a Sheriff’s Safety Aide by the County of Alameda in or around the Oakland International Airport at any time in the last three years.

2. Description of the Lawsuit

The Plaintiffs in this case are current and former Sheriff’s Safety Aides who brought suit on behalf of themselves and all Sheriff’s Safety Aides who were employed by the County of Alameda in or around the Oakland International Airport at any time in the last three years. Plaintiffs allege that the County of Alameda violated federal law (the FLSA) by denying putative collective action members overtime pay, because they were required to work off-the-clock before and after their scheduled shifts. In particular, during the relevant period, Plaintiffs contend that federal law required the County of Alameda to pay Sheriff’s Safety Aides for all time spent working pre-shift and post-shift, but Sheriff’s Safety Aides were not fully compensated for this time, resulting in unpaid overtime wages for those hours over 40 hours in a week. The County of Alameda denies these claims and maintains that at all times Safety Aides were paid appropriately.

3. Persons Eligible to Join the Lawsuit

To be eligible to join the Lawsuit, you must either currently be employed as a Sheriff’s Safety Aide by the County of Alameda in or around the Oakland International Airport, or have been so employed at any time in the last three years, and the County of Alameda must have failed to pay you overtime pay for any hours worked in excess of 40 per week.

4. How to Participate in the Federal Collective Action—Your Time to Join Is Limited

You will not be included in the collective action unless you complete and submit the enclosed Consent Form no later than **December 4, 2023**. By completing the enclosed Consent Form, you will be designating Plaintiffs and their attorneys to act on your behalf and to represent your interests with respect to your claims under the FLSA. If you wish to discuss this matter, including the nature of the case and the terms of the Plaintiffs’ attorneys’ representation of Plaintiffs and those who opt into this case, you may contact Plaintiffs’ attorneys at the contact information provided below in section 8. If you do not file a Consent Form and join this case, you will not receive any back wages for overtime or other relief if Plaintiffs prevail in the Lawsuit. If you do not file a Consent Form, any relief under the FLSA could be obtained by you only if you proceed to bring an independent action within the time provided by law (three years from the last date of any alleged violation) either on your own or with counsel of your choosing.

Under the FLSA, your claims for unpaid overtime may extend back three years from the date you file a Consent Form. Accordingly, if you wait to submit a Consent Form, the amount of your claim may be reduced every day you delay in submitting a Consent Form.

5. Changes of Address

If this Notice was sent to a wrong address, or if your address changes in the future, please promptly notify Plaintiffs’ Counsel of your correct address by mail, or email (see section 8 below for contact information).

6. Examination of Papers

All of the above descriptions of allegations and other matters in the Lawsuit are summaries and do not fully describe the case. The pleadings and other papers filed in this action are public records and may be accessed at the website <http://www.pacer.gov/>, where you can set up an account to view court records. In the “Civil” tab, under California-Northern, you will be prompted to enter the case number (4:23-cv-00792-LB). Alternatively, select materials filed in the Lawsuit have been posted to the website www.terplaw.com/acsolawsuit.

7. Can My Employer Retaliate Against Me for Participating?

The law does not allow employers to retaliate against employees for participating in a lawsuit against them. The County of Alameda is prohibited by law from discharging you or retaliating against you in any other manner because you choose to participate in this action. Likewise, the County of Alameda will not treat you more favorably if you decline to participate in this action.

8. Questions

If you have questions about this lawsuit or about the Notice, you may contact Plaintiffs’ Counsel:

Levy Vinick Burrell Hyams LLP
180 Grand Ave., Suite 1300
Oakland, CA 94612
info@levyvinick.com
(510) 318-7700

Terp Law
2831 Telegraph Avenue
Oakland, CA 94609
rachel@terplaw.com
(510) 550-5103

PLEASE DO NOT CONTACT THE COURT WITH QUESTIONS.

THIS NOTICE AND ITS CONTENT HAS BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA, THE HONORABLE LAUREL BEELER, UNITED STATES MAGISTRATE JUDGE