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County of Los Angeles

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Dawyn R. Harrison
County Counsel



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INTERIM EXECUTIVE OFFICER



Los Angeles County Board of Supervisors
County of Los Angeles
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Dear Supervisors:

**SETTLEMENT OF AN EMPLOYMENT MATTER
ARISING OUT OF CLASS ACTION LAWSUIT ALLEGING UNPAID
OVERTIME UNDER THE FEDERAL FAIR LABOR STANDARDS ACT
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

Recommendation to settle an employment class action lawsuit filed by In-Home Supportive Services ("IHSS") providers against the Department of Public Social Services.

RECOMMENDATION TO YOUR BOARD

1. Approve settlement in the amount of \$7,325,000 in Trina Ray, et al. v. County of Los Angeles, et al. U.S. District Court Case No. 2:17-CV-04239
2. Instruct the Auditor-Controller to draw a warrant of the settlement amount that will be sent to a third-party to distribute.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Your Board's authorization is now required to complete the proposed settlement of a pending class action filed against the County for allegedly failing to pay overtime to IHSS providers in 2015 to 2016. This settlement will result in the payment of \$7,325,000, inclusive of attorneys' fees and costs. This proposed settlement is recommended due to the risks and uncertainties of further litigation and resolution would avoid further litigation costs.

FISCAL IMPACT/FINANCING

To date, the County has incurred approximately \$3,139,534 in attorneys' fees and \$335,870 in costs. Funds will be allocated from DPSS' existing budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This is a class action lawsuit filed in federal court seeking overtime pay for IHSS workers. The County denies the allegations and any wrongdoing. The County engaged in substantial settlement negotiations and reached the proposed settlement. We recommend settling this case for \$7,325,000. Settlement is subject to your Board's approval.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

CONCLUSION

County Counsel and DPSS recommend your Board approve settlement of this matter and instruct the Auditor-Controller to draw a warrant to implement the settlement.

Respectfully submitted,



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DRH:EM:RB:gr

c: Fesia A. Davenport
Chief Executive Officer

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Jackie Contreras, Director
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