West, Danielle@Labor

From: Ray Solnik <ray.solnik@greatclips.net>
Sent: Tuesday, August 18, 2026 10:44 PM
To: West, Danielle@Labor
Subject: Small business comments for modifications to the proposed PAGA regulations

Dear Ms. West,

I am submitting these comments on behalf of my business, a northern California employer operating in the hair salon industry. These comments are in response to the LWDA's August 3, 2026 modifications to the proposed PAGA regulations.

I walk around regularly in fear of some rogue attorney looking to turn a dollar. Even with all I do to go above and beyond, my perception is a paga lawsuit case could arise for many unworthy reasons - including speculative multi-case filters who are looking more to make money than fix a possible problem and disheartened, angry employees who are using misplaced disappointment or anger, looking for revenge.

Many colleagues with solid reputations and strong operations have experienced massive losses from meritless PAGA claims. For example: a former employee terminated for cause filed a PAGA notice that ultimately cost a friend's business $150,000 in settlement and $50,000 in attorneys' fees, despite the underlying termination being fully justified. Another friend tried to respond to employee's requests to waive the meal time requirement and, I think, mostly because of his naivete, he incurred a massive unwarranted loss.

My comments below reflect my fear and understanding of unwarranted paga lawsuits.

1. Support for enhanced notice specificity. I strongly support the requirement that claimants identify the specific Labor Code sections at issue and flag Cal/OSHA allegations directly, rather than relying on vague, boilerplate language. This change will give employers a fair opportunity to evaluate real exposure early and pursue cure in good faith, rather than guessing at the scope of an ambiguous notice.

2. Support for attorney identification and high-frequency filer oversight. I support requiring claimant's counsel to disclose their name, State Bar number, and contact information, and I support widening the "high-frequency filer" threshold to capture attorneys and firms who file large volumes of notices. I would urge the LWDA to go further and ensure the "non-compliant filer" standard carries real, enforceable consequences — including mandatory additional review of notices from filers with a documented history of deficient filings — rather than a standard that is narrower in practice than the "vexatious filer" language it replaces.

3. Retaliation screening for post-termination claims. I urge the LWDA to add a mechanism requiring that any PAGA notice filed by, or on behalf of, an individual terminated for documented cause within 30 days before the notice is filed be flagged and independently evaluated for retaliatory motive against the employer before the claim is permitted to proceed. Claims filed in the immediate aftermath of a for-cause termination carry a materially higher risk of being retaliatory rather than a good-faith effort to remedy a genuine Labor Code violation, and the current framework has no mechanism to screen for that risk at the notice stage.

4. Fee-shifting for claims resulting in no confirmed violation. I urge the LWDA to adopt a rule requiring that where the cure or investigation process concludes with no Labor Code violation being substantiated, the claimant's attorney — rather than the employer — bear the employer's reasonable attorneys' fees incurred in responding to the notice. Employers currently bear the full cost of defending against notices regardless of merit, which creates a financial incentive for speculative filings. Shifting that cost when a claim proves meritless would meaningfully deter shakedown litigation while preserving full recourse for employees with legitimate claims.

5. Settlement notice provisions should be narrowed. The proposed requirement that a settling plaintiff notify all other parties with pending PAGA actions against the same employer, coupled with a 21-day comment period, will in practice increase objections from competing plaintiffs' firms, prolong resolution, and drive up defense costs without a corresponding benefit to employees. I urge the agency to narrow this requirement or impose a shorter, fixed comment window to prevent it from becoming a tool for extracting additional fees rather than protecting employee interests.

Thank you for the opportunity to comment and for taking in this issue.

Respectfully submitted,

Ray Solnik
Buena Vista Business Services
Great Clips Franchisee
908-452-9002