

<b>LABOR COMMISSIONER, STATE OF CALIFORNIA</b> <b>Department of Industrial Relations</b> <b>DIVISION OF LABOR STANDARDS ENFORCEMENT</b>		<b>DATE FILED</b>
		<b>DISTRICT OFFICE</b>
<b>COMPLAINANT</b>  <b>DEFENDANT</b>		<b>TAKEN BY</b>
<b>STATE CASE NUMBER</b>	<b>COMPLAINT</b> <b>PAYROLL CHECK OR DRAFT – PAYMENT REJECTED</b>	

Claimant and Complainant named above complains of and makes claim against Defendant named above as follows:

1. That the claimant and complainant furnished goods and/or services and/or Cash to those employee-payees listed on the attached Schedule "A", and received from the employee-payee: in exchange *and/or* in payment of same, the payroll check or draft issued by the Defendant named above, in the amount set forth opposite the name of the employee-payee; and that each employee-payee properly endorsed his/her payroll check or draft to claimant and complainant, who thereby became a holder in due course thereof.
2. That the check or draft is simultaneously being deposited by claimant and complainant with the office of the Labor Commissioner of the *State of California*, for payment and prosecution of claimant-complainant's rights thereunder, and a copy of the check is attached as Schedule "B", and incorporated for all purposes as though set forth in full;
3. That each check or draft totaling \$ \_\_\_\_\_ was presented by claimant and complainant to (name of bank) \_\_\_\_\_ the bank upon which it was drawn and was returned to claimant and complainant, unpaid and dishonored;
4. That claimant and complainant has made diligent search for the employee-payee but is still unable to return the dishonored check or draft to the employee-payee for the recovery from the employee-payee of the respective sum of the check or draft as shown on Schedule "A", paid out by claimant and complainant, and that the dishonored check or draft in the total sum of \$ \_\_\_\_\_ remains fully unpaid and unsatisfied;
5. That claimant and complainant requests the Labor Commissioner of the State of California to set the matter of this complaint for hearing; and
6. That claimant and complainant asks for Order, Decision or Award determining the claim in his favor, and more particularly, as follows:
  - a. Defendant pay to claimant--complainant the sum of \$ \_\_\_\_\_, the amount of the dishonored payroll check or draft.

Claimant and complainant certifies under penalty of perjury that the foregoing is true and correct to the best of his/her knowledge and belief.

Executed at \_\_\_\_\_, California, on \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
*Signature of Claimant--Complainant*

**COMPLAINT**  
**PAYROLL CHECK OR DRAFT – PAYMENT REJECTED**