

## N E W S R E L E A S E

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### **Labor Commissioner's Statewide Investigation of Medical Supplies Provider Results in \$260,688 Settlement**

**San Francisco**—California Labor Commissioner Julie A. Su in August reached a settlement of \$260,688 with Braden Partners, L.P., dba Pacific Pulmonary Services, which operates as a medical supplies provider in 45 locations throughout the state. On September 5, due to the settlement, 596 employees of Pacific Pulmonary Services received their full overtime premium on bonus they had earned.

The Labor Commissioner's investigation, which covered four months, was initiated by a complaint regarding the provider's overtime policy. Investigators discovered that Pacific Pulmonary Services' employees, who normally worked 10 hours per day, had not been paid additional overtime wages on their commission and bonuses earned during the years 2009 to 2013.

"The Labor Commissioner is charged with ensuring that employees are paid for all wages they are owed," said Christine Baker, Director of the Department of Industrial Relations (DIR). The Labor Commissioner's Office is a division within the DIR.

"Earned bonuses are wages under California law and must be included in calculating proper overtime," said Labor Commissioner Su. "We applaud Pacific Pulmonary Services for settling the case and urge employers to review their pay practices regularly to ensure that when earned bonuses are issued periodically, overtime rates are re-calculated at the time of payment and the extra overtime premium included with the bonus wages."

The settlement stipulated that the employer pay each of the 596 current and former California-based employees full overtime premium pay due plus interest and liquidated damages. The amount each worker received depended on the amount of bonuses earned. The State will also receive \$41,900 in penalties and attorney's fees.

The Division of Labor Standards Enforcement (DLSE), also known as the Labor Commissioner's Office, adjudicates wage claims, investigates discrimination and public works complaints and enforces state labor law. Additional information on labor laws such as overtime and other work-related topics are available [online](#), as well as on [Facebook](#) and [Twitter](#).

Employees with work-related questions or complaints may call the toll-free California Workers' Information Line at (866) 924-9757 for recorded information, in English and Spanish, on a variety of work-related topics.

For media inquiries, contact Erika Monterroza at (510) 286-1164 or Peter Melton at (510) 286-7046.

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