

**Attention Ziprealty
Real Estate Agents
5/1/06-8/31/10**

State Labor Commissioner v. Ziprealty et al.
Alameda County Superior Court

On Monday, September 26, 2011, the Division of Labor Standards Enforcement (DLSE) filed suit in the Superior Court of the State of California, County of Alameda, to collect minimum wage payments, overtime, and related remedies for workers employed as real estate agents for Ziprealty during the period May of 2006 through August of 2010.

In June of 2011 the DLSE Legal Section represented four Kern County Ziprealty employees in a consolidated trial de novo on Labor Commissioner (also known as DLSE) wage claims. The workers had been awarded a combined total of approximately \$75,000 by the Labor Commissioner. Ziprealty filed appeals which resulted in the June trial. Upon appeal, counsel for the claimants added additional claims and secured an award from the Superior Court in a combined total of approximately \$330,000.

The Kern County trial revealed systemic pay practices by Ziprealty that the Superior Court held to violate the minimum wage and overtime laws. The action filed on September 26th seeks remedies for the other similarly situated real estate agents throughout California.

The DLSE lawsuit is brought to remedy these violations of law and may result in remedies for some or all of the additional real estate agents. If the DLSE recovers wages in this suit those wages will be distributed to the affected employees. However, by litigating this case the DLSE **does not enter into an attorney/client relationship** with any of the prospective beneficiaries of this action. Any claimant is free to seek private counsel to represent them on their claims and the claimant would be responsible for any fees required by private counsel. No fees will be assessed by the DLSE against any recovery obtained by the Labor Commissioner for wages in this case.

Although DLSE will not directly be “your attorney” in this action, we will strive to obtain the best result for all prospective beneficiaries. The DLSE will need your assistance in preparing the strongest possible case. Initially you are asked to do the following:

1. Complete and return the [Ziprealty Employee Information Sheet](#) by **December 15, 2011**.
2. Collect all pay stubs, commission/bonus statements, and documentary evidence of days and hours worked.
3. Complete calendars which indicate approximately how many hours you performed work for Ziprealty each day between May 1, 2006 and August 31, 2010. Do not claim hours for unpaid holidays or

vacation that you may have taken off-only indicate hours actually worked.

[2006 Calendar](#)

[2007 Calendar](#)

[2008 Calendar](#)

[2009 Calendar](#)

[2010 Calendar](#)

4. Complete authorizations for release of records which show work that you performed for Ziprealty:

[MLS \(Rapattoni Corporation\)](#)

[DocuSign](#)

[Lockbox \(UTC Fire & Security Company\)](#)

[CAR \(Ziplogix\)](#)

[Cell phone](#)

(1 for each carrier used working for Ziprealty)

5. Return all of the above documentation by mail, addressed to:

Division of Labor Standards Enforcement
Legal Section
455 Golden Gate Ave., 9th Floor
San Francisco, CA 94102
Attn: Ziprealty Litigation

Or scan the documents and email to: Ziplitigation@dir.ca.gov

6. We will periodically update all individuals who provide us with a working e-mail account address. If you have a question please send it by e-mail.

DO NOT CALL.

Multiple phone calls will only hinder our work on the case. If you call, you will be directed to send an e-mail.

7. YOU DO NOT NEED TO FILE A WAGE CLAIM.

If you complete and return a Ziprealty Employee Information Sheet, it is not necessary for you to file an additional claim or

contact a Labor Commissioner office. If you do, you will be directed to follow the information and directions in this posting.

8. At all times during the pendency of this case keep us advised of any change in address, phone number, and/or e-mail.

All questions, comments, or information that you believe is important to the pursuit of this lawsuit should be sent by e-mail to:

Ziplitigation@dir.ca.gov

Thank you.