

1 ALBERT J. REYFF, Deputy Chief
2 DIVISION OF LABOR STANDARDS ENFORCEMENT
3 By: Carl G. Joseph
4 107 South Broadway, Room 5015
5 Los Angeles, CA 90012
6 213/620-2500

7
8 BEFORE THE LABOR COMMISSIONER
9 OF THE STATE OF CALIFORNIA

10
11 JULIE BARRETTE,

12 Petitioner,

13 vs.

14 LINDA MARIE,

15 Respondent.

) Case No. TAC 48-82

) DETERMINATION

16
17 The above-entitled controversy came on regularly for
18 hearing before the Labor Commissioner, Division of Labor Standards
19 Enforcement, Department of Industrial Relations, State of
20 California, by CARL G. JOSEPH, Attorney for the Division of Labor
21 Standards Enforcement, serving as Special Hearing Officer under
22 the provisions of Section 1700.44 of the Labor Code of the State
23 of California, JULIE BARRETTE, Petitioner in Propria Persona, and
24 LINDA MARIE, Respondent in Propria Persona, both oral and
25 documentary evidence having been introduced, and the matter having
26 been submitted for decision.

27 ///

DISCUSSION AND FINDINGS

The facts are without dispute. Throughout all relevant times herein, respondent LINDA MARIE operated and conducted a model agency. Part of petitioner's business involved the procurement and solicitation of employment for several models whom she represented. On or about February, 1982, respondent contacted the petitioner, JULIE BARRETTE, concerning employment as a modeling and fashion display person. Subsequently, petitioner accepted and performed modeling services for a company known only as "California Pacific" (no further information). Although there were several days in which the petitioner performed services, she was never compensated by either respondent or California Pacific. The evidence establishes and demonstrates that respondent failed to take prudent and necessary steps to safeguard petitioner's earnings, and as a result of these failures, petitioner was not compensated.

It is the determination of the Labor Commissioner:

1. That during the time in question, respondent did act as a talent agent as that term is defined in Labor Code Section 1700.4.
2. That the petitioner is entitled to the total sum of \$699.00 from respondent.

DATED: 2/25/83

ADOPTED: _____

DATED: _____

CARL G. JOSEPH
Special Hearing Officer

[Signature]
ALBERT J. REYES
Deputy Chief