

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,) Case No. TAC 48-82
12) Petitioner,) DETERMINATION
13 vs.)
14 LINDA MARIE,)
15) Respondent.)
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

1
2
3 The facts are without dispute. Throughout all relevant
4 times herein, respondent LINDA MARIE operated and conducted a
5 model agency. Part of petitioner's business involved the
6 procurement and solicitation of employment for several models whom
7 she represented. On or about February, 1982, respondent contac-
8 ted the petitioner, JULIE BARRETTE, concerning employment as a
9 modeling and fashion display^{person}. Subsequently, petitioner accepted
10 and performed modeling services for a company known only as
11 "California Pacific" (no further information). Although there
12 were several days in which the petitioner performed services, she
13 was never compensated by either respondent or California Pacific.
14 The evidence establishes and demonstrates that respondent failed
15 to take prudent and necessary steps to safeguard petitioner's
16 earnings, and as a result of these failures, petitioner was not
17 compensated.

18 It is the determination of the Labor Commissioner:

- 19 1. That during the time in question, respondent did act as
20 a talent agent as that term is defined in Labor Code Section
21 1700.4.
22 2. That the petitioner is entitled to the total sum of
23 \$699.00 from respondent.

24 DATED: 2/25/82

25 ADOPTED: _____

26 DATED: _____

27

CARL G. JOSEPH
Special Hearing Officer

ALBERT J. REYER
Deputy Chief