

1 DAVID G. SPIVAK (SBN 179684)
2 david@spivaklaw.com
3 CHRISTINA PREJEAN (SBN 314772)
4 christina@spivaklaw.com
5 THE SPIVAK LAW FIRM
6 8605 Santa Monica Blvd., PMB 42554
7 West Hollywood, CA 90069
8 Telephone: (213) 725-9094
9 Facsimile: (213) 634-2485

6 WALTER L. HAINES (SBN 71075)
7 whaines@uelglaw.com
8 UNITED EMPLOYEES LAW GROUP, P.C.
9 4276 Katella Ave., #301
10 Los Alamitos, CA 90720
11 Telephone (562) 256-1047
12 Facsimile (562) 256-1006

11 Attorneys for Plaintiff JENNIFER WISE, as an individual and behalf of all others similarly
12 situated

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **THE COUNTY OF RIVERSIDE**

15 JENNIFER WISE, as an individual and
16 behalf of all others similarly situated,

17 Plaintiff,

18 v.

19 SPRINGS CHARTER SCHOOLS, INC., a
20 California corporation; RIVER SPRINGS
21 CHARTER SCHOOL, INC., an individual and
22 DOES 1 through 50, inclusive,

23 Defendants.

Case No: RIC2002359

CLASS ACTION

Assigned for all purposes to:
Hon. Craig Riemer
Dept: 1

DECLARATION OF JOAN GRAFF

1 I, Joan Graff, declare as follows:

- 2 1. The facts set forth in this declaration are true and correct and are known to me personally
3 except those matters stated on information and belief. If called as a witness, I could and
4 would testify competently thereto under oath.
- 5 2. I am an attorney licensed to practice before the courts of the State of California.
- 6 3. Since 1981, I have served as President of Legal Aid at Work (“LAAW”), formerly known
7 as the Legal Aid Society-Employment Law Center, whose primary mission is to provide
8 job-related legal assistance to low-wage workers throughout the state.
- 9 4. LAAW was founded in 1916 and is a nonprofit organization providing civil legal services
10 to the indigent consistent with California Code of Civil Procedure section 384. For over
11 100 years, LAAW has provided continuous service with the aim of offering free and high-
12 quality legal assistance to those who are unable to afford legal representation. For more
13 than four decades, LAAW has primarily devoted its resources to protecting the workplace
14 rights of California’s low-wage workers. LAAW’s nonprofit status and work providing
15 services to the indigent make it an appropriate designee of cy pres funds. LAAW is a CCP
16 § 384 organization as described more specifically below.
- 17 5. LAAW addresses the full range of employment issues that low-wage workers confront
18 through the following seven programs: (a) Community Legal Services; (b) Disability
19 Rights; (c) Gender and LGBT Equity; (d) National Origin and Immigrants’ Rights; (e)
20 Racial Economic Equity; (f) Wage Protection; and (g) Work and Family.
- 21 6. The core of LAAW’s work is providing free legal services to low-wage workers with
22 employment law claims. It litigates cases that address an array of issues important to low-
23 wage workers, including (a) violations of wage-and-hour laws; (b) workplace retaliation;
24 (c) discrimination on account of race, national origin, disability, sex, gender identity, sexual
25 orientation, immigration status and language proficiency; (d) harassment; and (e) failure to
26 comply with equal pay laws and family medical leave laws. Whether in state or federal
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28

1 court, at the trial level or on appeal, nearly all of LAAW's cases impact the law and industry
2 practices, raise community awareness, and change the course the clients' lives.

3 7. Since 1970, LAAW has defined its mission and devoted its practice to representing low-
4 wage workers in enforcing the full range of their employment rights. I am informed and
5 believe that LAAW is one of very few legal services nonprofits in the country that has this
6 singular purpose.

7 8. Although LAAW does not limit its services to only those clients living in Riverside County,
8 it has provided (and continues to provide) significant services to workers in this County.

9 9. Legal Aid at Work operates a statewide network of clinics and helplines that provide job-
10 related legal advice and counsel to low-income Californians throughout the state. Two of
11 our in-person Workers' Rights Clinics are located in the nearby cities of Ontario and San
12 Bernardino, through which we serve many clients who live or work in Riverside County.
13 We operate those clinics in partnership with the Warehouse Worker Resource Center and
14 the Legal Aid Society of San Bernardino, respectively, and normally hold 22 clinics each
15 year collectively at those locations.
16

17 10. We also provide clinic services to clients in Riverside County "virtually" through helplines
18 and videoconferencing, and have increasingly done so to serve clients in the County during
19 the pandemic.

20 11. Collectively, and as documented in our case management system, since 2016 LAAW's
21 network of in-person and virtual clinics and helplines have provided legal advice and
22 counsel to at least 176 clients who live or work in Riverside County.

23 12. In addition to the advice-and-counsel sessions that we offer through our clinics and
24 helplines, we have also taken on several extended and full-scope representation matters for
25 clients in Riverside County. For example, we have recently undertaken the following
26 matters in Riverside County:

- 27 a. We represented a Latina woman who worked in a retail store in Riverside County
28 and was sexually harassed on the job by her supervisor, who was a repeat offender.

1 The EEOC issued a rare “cause” determination in that case (showing that the case
2 had significant merit), which ultimately helped us resolve the matter through a
3 confidential settlement.

4 b. We secured a pre-litigation settlement with a large nationwide retailer on behalf of
5 nine deaf workers, two of whom were from Riverside County. The retailer agreed,
6 among other things, to provide sign language interpreters, training, a contact-person
7 for accommodations and emergency and evacuation notification. We later provided
8 follow-up assistance on behalf of one of the Riverside clients who was still
9 experiencing problems at work.

10 c. We represented a woman who lives in Palm Desert who was a witness in a criminal
11 wage-theft (misclassification) case brought by several different prosecutors’
12 offices. We represented the client during her deposition by the company/defendant.

13 d. We represented a single mother of three children in Riverside County who was
14 terminated from her job at a luxury retail store for attempting to take leave protected
15 by the Family Medical Leave Act (FMLA) and the California Family Rights Act
16 (CFRA). We helped write the client a demand letter, records request and submit a
17 complaint before the Department of Fair Employment and Housing (DFEH),
18 alleging pregnancy, sex, and disability discrimination.

19
20 13. In addition to directly providing legal services, we have also helped educate advocates and
21 workers in Riverside County about their job-related legal rights.

22 a. As part of our efforts to protect and expand the rights of persons in Riverside
23 County with arrest or conviction histories, we have partnered closely with the
24 Inland Empire Fair Chance Coalition, serving Riverside and San Bernardino
25 counties. As part of that partnership, we have:

26 i. Provided technical assistance to the coalition to help them file and resolve
27 DFEH charges.
28

1 ii. Conducted a pilot program that aims to test whether employers posting for
2 jobs in the Inland Empire are illegally screening applicants based on their
3 criminal history.

4 iii. Hosted virtual trainings with the coalition. To date, 200 attendees have
5 attended the trainings. (An example of one of these trainings is featured on
6 the Inland Empire Fair Chance Coalition’s website
7 <https://www.iefcc.com/trainings.html>.)

8 iv. Hosted “train the trainer” events for the coalition members on how to
9 conduct “Know Your Rights” trainings on the Fair Chance Act. These
10 trainings have led the coalition to conduct five additional trainings with over
11 250 attendees.

12 b. We have collaborated with the Inland Empire Health Plan (IEHP), which is the
13 largest not-for-profit Medi-Cal and Medicare health plan in Riverside and San
14 Bernardino Counties providing low-income families with information about their
15 rights to paid and job-protected leave when they need time off of work to care for
16 themselves, a loved one, or to bond with a new baby. Specifically, we worked with
17 their staff to review and update worker-facing educational materials that are
18 designed to advise families about their rights and benefits under unemployment
19 insurance, paid family leave, state disability insurance, and job-protected family
20 medical leave programs, and how to access them-all presented in a culturally and
21 linguistically appropriate way. We are also exploring a partnership with IEHP on a
22 grant aimed at determining the extent to which workers who obtain legal assistance
23 about their family medical leave rights obtain better health outcomes.

24 14. We are committed to continue serving those who work or reside in Riverside County
25 through our clinics, hotlines, and partnerships, and anticipate that our services to Riverside
26 County in the coming years will grow along with the accelerated expansion of our work in
27 Southern California and the scope and depth of our partnerships in the area.

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15. Finally, in addition to direct services, we engage in litigation and policy advocacy that results in statewide, systemic change that leads to positive change for our clients and their communities living and working in Riverside County. For example, in 2020, we successfully championed legislation (SB 1383) which gives six million more Californians who work for small and mid-sized employers the right to take job-protected family medical leave. The newly eligible workers who benefit from this law are disproportionately low-wage workers and workers of color across the state. In 2021, we also helped secure passage of SB 95, a law that gives eligible California employees 2 weeks of paid sick leave when they cannot work for reasons related to COVID-19. The rights created by these laws will have a significant impact on the financial stability of workers throughout the state, including those who live or work in Riverside County.

16. I am not aware of any conflict of interest among Legal Aid at Work and any of the parties or attorneys involved in this matter. I am also informed and believe that none of the parties or attorneys in this action have ever served on LAAW’s Board, nor have they been hired or retained by LAAW for any purpose, including to serve as co-counsel.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct. Executed on this 25th day of July, 2022 at San Francisco, California.


