

Pacific 9 Transportation - Facing \$6 Million in claims for Wage Theft

#30

15-0002-5106

RECEIVED
 OCT 30 2015
 By MV.



Pacific 9 Transportation, Inc.
 2045 E Carson Street
 Carson, CA 90810
 Fax:
 Tel:

Settlement Statement

Settlement Statement: 51815
 Week No: 29-2014

Settlement Date: 07/23/2014
 Week From: 07/12/2014

Settled Amount: \$50.54
 Week To: 07/18/2014

Settlement Summary

Revenue	\$1,008.54
Reimbursements	\$0.00
Deductions	\$-958.00
Check#	76976
Total Settlement Pay	\$50.54

Settlement Statement: 51817
 Week No: 29-2014

Settlement Date: 07/23/2014
 Week From: 07/12/2014

Pacific 9 Transportation, Inc.
 2045 E Carson Street
 Carson, CA 90810
 Fax:
 Tel:

Revenue
 Reimbursements
 Deductions
 Check#
 Total Settlement Pay
 YTD

Settlement Summary

Settled Amount: \$89.90
 Week To: 07/18/2014

Revenue	\$1,215.04
Reimbursements	\$0.00
Deductions	\$-1,125.14
Check#	77030
Total Settlement Pay	\$89.90
YTD	\$31,206.77

Settlement Statement



Pacific 9 Transportation, Inc.
 2045 E Carson Street
 Carson, CA 90810
 Fax:
 Tel:

Settlement Statement: 51771
 Week No: 29-2014

Settlement Date: 07/22/2014
 Week From: 07/12/2014

Settled Amount: \$-617.06
 Week To: 07/18/2014

Settlement Summary

Revenue	\$1,023.65
Reimbursements	\$0.00
Deductions	\$-1,640.71
Check#	
Total Settlement Pay	\$-617.06
YTD	\$38,612.41

Pac 9 Key Customers:
 Walmart, Costco, Foot Locker, Microsoft, Hewlett Packard,

Settlement Code	Adjustment Schedule	Invoice #	Quantity	Rate	Amount
Period Ending: 3/10/2015 12:00:00AM					
Tractor 20C045					
3/4/2015					
Move ID: 12905842-A Trip: 0002110713 Unit ID: PACU887096					
Origin: UP CITY OF INDUSTRY CITY OF INDUSTRY,CA					
Destination: WALMART DC 7033T FOR P&G APPLE VALLEY, CA 70.00 Miles (Loaded)					
	100 - Truck Linehaul		1.000	100.00	\$100.00
	128 - Fuel Surcharge		1.000	27.72	\$27.72
	ARSCAL - Scale Stop Char		1.000	25.00	\$25.00
Total for Move 12905842-A:					\$152.72
Move ID: 12913348-A Trip: 0002112519 Unit ID: UMXU630572					
Origin: SIMPLEHUMAN COMPTON,CA					
Destination: UP LATC LOS ANGELES, CA 18.00 Miles (Loaded)					
	100 - Truck Linehaul		1.000	56.00	\$56.00
	128 - Fuel Surcharge		1.000	7.13	\$7.13
Total for Move 12913348-A:					\$63.13
Move ID: 12922314-A Trip: 0002112916 Unit ID:					
Origin: UP LATC LOS ANGELES,CA					
Destination: UP CITY OF INDUSTRY CITY OF INDUSTRY, CA 29.00 Miles (Bobtail)					
	100 - Truck Linehaul		1.000	22.00	\$22.00
	128 - Fuel Surcharge		1.000	11.48	\$11.48
Total for Move 12922314-A:					\$33.48
Move ID: 12925430-A Trip: 0002115065 Unit ID: PACU880223					
Origin: WALMART DC 7033T FOR P&G APPLE VALLEY,CA					
Destination: PACER CARTAGE LOS ANGELES LOS ANGELES, CA 90.00 Miles (Empty)					
	100 - Truck Linehaul		1.000	93.00	\$93.00
	128 - Fuel Surcharge		1.000	35.64	\$35.64
Total for Move 12925430-A:					\$128.64
3/5/2015					
Move ID: 12909733-A Trip: 0002113330 Unit ID: PACU888430					
Origin: UP CITY OF INDUSTRY CITY OF INDUSTRY,CA					
Destination: US MERCHANTS % SCJ ONTARIO, CA 15.00 Miles (Loaded)					
	100 - Truck Linehaul		1.000	56.00	\$56.00
	128 - Fuel Surcharge		1.000	5.94	\$5.94
Total for Move 12909733-A:					\$61.94
Move ID: 12911727-A Trip: 0002115236 Unit ID: UMXU257167					
Origin: UPLA LOS ANGELES,CA					
Destination: PACER CARTAGE LOS ANGELES LOS ANGELES, CA 1.00 Miles (Loaded)					
	100 - Truck Linehaul		1.000	52.00	\$52.00
	128 - Fuel Surcharge		1.000	0.40	\$0.40
Total for Move 12911727-A:					\$52.40
Move ID: 12925736-A Trip: 0002115237 Unit ID:					
Origin: PACER CARTAGE LOS ANGELES LOS ANGELES,CA					
Destination: UP CITY OF INDUSTRY CITY OF INDUSTRY, CA 25.00 Miles (Bobtail)					
	100 - Truck Linehaul		1.000	22.00	\$22.00
	128 - Fuel Surcharge		1.000	9.90	\$9.90
Total for Move 12925736-A:					\$31.90
Move ID: 12925737-A Trip: 0002113330 Unit ID: PACU888430					
Origin: US MERCHANTS % SCJ ONTARIO,CA					
Destination: UP CITY OF INDUSTRY CITY OF INDUSTRY, CA 15.00 Miles (Empty)					
	100 - Truck Linehaul		1.000	41.00	\$41.00
	128 - Fuel Surcharge		1.000	5.94	\$5.94
Total for Move 12925737-A:					\$46.94
Move ID: 12927331-A Trip: 0002116238 Unit ID:					
Origin: UP CITY OF INDUSTRY CITY OF INDUSTRY,CA					
Destination: UPLA LOS ANGELES, CA 26.00 Miles (Bobtail)					
	100 - Truck Linehaul		1.000	22.00	\$22.00
	128 - Fuel Surcharge		1.000	10.30	\$10.30
Total for Move 12927331-A:					\$32.30

	<u>Settlement Code</u>	<u>Adjustment Schedule</u>	<u>Invoice #</u>	<u>Quantity</u>	<u>Rate</u>	<u>Amount</u>
3/10/2015						
Move ID:	12935612-A Trip: 0002121874 Unit ID: PACU898904					
Origin:	PACER CARTAGE LOS ANGELES LOS ANGELES, CA					
Destination:	SEARS C/O CAL CARTAGE WILMINGTON, CA			17.00 Miles (Empty)		
	100 - Truck Linehaul			1.000	41.00	\$41.00
	128 - Fuel Surcharge			1.000	6.73	\$6.73
Total for Move 12935612-A:						\$47.73
Move ID:	12935613-A Trip: 0002121874 Unit ID: PACU880019					
Origin:	SEARS C/O CAL CARTAGE WILMINGTON, CA					
Destination:	UP CITY OF INDUSTRY CITY OF INDUSTRY, CA			38.00 Miles (Loaded)		
	100 - Truck Linehaul			1.000	72.00	\$72.00
	128 - Fuel Surcharge			1.000	15.05	\$15.05
Total for Move 12935613-A:						\$87.05
Move ID:	12937084-A Trip: 0002122958 Unit ID: PACU894120					
Origin:	PACER CARTAGE LOS ANGELES LOS ANGELES, CA					
Destination:	LOWES C/O CAL CARTAGE WILMINGTON, CA			17.00 Miles (Empty)		
	100 - Truck Linehaul			1.000	41.00	\$41.00
	128 - Fuel Surcharge			1.000	6.73	\$6.73
Total for Move 12937084-A:						\$47.73
Move ID:	12937085-A Trip: 0002122958 Unit ID: PACU892627					
Origin:	LOWES C/O CAL CARTAGE WILMINGTON, CA					
Destination:	UPLA LOS ANGELES, CA			19.00 Miles (Loaded)		
	100 - Truck Linehaul			1.000	56.00	\$56.00
	128 - Fuel Surcharge			1.000	7.52	\$7.52
Total for Move 12937085-A:						\$63.52
Move ID:	12938686-A Trip: 0002124042 Unit ID:					
Origin:	UPLA LOS ANGELES, CA					
Destination:	PACER CARTAGE LOS ANGELES LOS ANGELES, CA			1.00 Miles (Bobtail)		
	128 - Fuel Surcharge			1.000	0.40	\$0.40
Total for Move 12938686-A:						\$0.40
Total for Tractor 20C045:						\$849.88
No Associated Tractor						
3/10/2015						
Move ID:	- Trip: Unit ID:					
Origin:						
Destination:	<u>Miles ()</u>					
	APDSUP - CHILD SUPPOR	351579-CSE Case#		1.000	-138.92	(\$138.92)
	APDCTP - CTP Licensing F	200000001521971 Court Case# BL074997 Order dated 01/01/15 347353-2015 California BMV License Fee & 2015/2016 Fiscal Year Highway Heavy Usage Tax (HHUT). Truck: 20C045		1.000	-61.22	(\$61.22)
	APDCTS - CTP Lease Ded.	352765-2015 CTP Lease Deduction - Truck #20C045		1.000	-130.70	(\$130.70)
	APDPD - Physical Damage	199380-Truck: 20C045 Value \$ 66,364.11		1.000	-12.04	(\$12.04)
	APDINS - TRUCK LIABILIT	120158-Truck: 20C045		1.000	-100.00	(\$100.00)
	99998 - Comdata Fuel Purc	362667-1651454425; 03/04/15; 60468957; 20136		1.000	-407.00	(\$407.00)
Total for Move -:						(\$849.88)
Total for No Associated Tractor:						(\$849.88)
Period Ending: 3/10/2015 12:00:00AM						\$0.00
VANHUM - HUMBERTO CANALES, Total:						\$0.00

5 AM -
7-8 PM

48 hours
of work
(4 days)

Settlement Statement

NO CHEKE

559
 807 1/2 E. 23RD STREET
 LOS ANGELES
 CA 90011



Pacific 9 Transportation, Inc.
 2045 E Carson Street
 Carson, CA 90810
 Fax:
 Tel:

Settlement Statement: 61811
 Week No: 15-2015

Settlement Date: 04/14/2015
 Week From: 04/04/2015

Settled Amount: \$-14.06
 Week To: 04/10/2015

Pro #	TP	Ship Dtd	Truck	Container	Pay Code	Site	From	To	Qty	Rate	Total
ID0365157/002	E	04/08/15	559	CBHU 593504-5	AP-LONPOR	001	SASSLONG	COSCO	9.98	5.01	50.00
ID0365157/002	E	04/08/15	559	CBHU 593504-5	AP-FSC	001	SASSLONG	COSCO	9.98	0.60	6.00
ID0366290/001	E	04/08/15	559	CBHU 611875-4	AP-LONPOR	001	SASSLONG	COSCO	7.60	6.58	50.00
ID0366290/001	E	04/08/15	559	CBHU 611875-4	AP-FSC	001	SASSLONG	COSCO	7.60	0.79	6.00
ID0365837/001	L	04/09/15	559	DRYU 986035-1	AP-PORLON	001	YUSYARDS	SASSLONG	13.96	3.58	50.00
ID0365837/001	L	04/09/15	559	DRYU 986035-1	AP-FSC	001	YUSYARDS	SASSLONG	13.96	0.43	6.00
ID0365864/001	L	04/10/15	559	DFSU 431420-9	AP-PORLON	001	NYK	SASSLONG	0.67	74.63	50.00
ID0365864/001	L	04/10/15	559	DFSU 431420-9	AP-FSC	001	NYK	SASSLONG	14.50	0.41	6.00
ID0365864/001	L	04/10/15	559	DFSU 431420-9	AP-CFNYK	001	NYK	SASSLONG	14.50	2.76	40.00
ID0365889/001	L	04/11/15	559	TCNU 584078-7	AP-PORLON	001	KLINE	SASSLONG	0.27	185.19	50.00
ID0365889/001	L	04/11/15	559	TCNU 584078-7	AP-FSC	001	KLINE	SASSLONG	15.50	0.39	6.00
ID0365889/001	L	04/11/15	559	TCNU 584078-7	AP-CFKLINE	001	KLINE	SASSLONG	15.50	2.58	40.00
ID0367217/002	L	04/16/15	559	OOLU 833214-3	AP-PORTPORT	001	A10	ALA9\$	0.37	122.86	45.48
ID0367217/002	L	04/16/15	559	OOLU 833214-3	AP-CFA10	001	A10	ALA9\$	20.30	1.97	40.00
ID0367217/002	L	04/16/15	559	OOLU 833214-3	AP-FSC	001	A10	ALA9\$	20.30	0.27	5.46

Total Trip Gross: \$450.92

Deductions:

	L	04/10/2015	DD-Ins Cargo	001	\$-25.00
	L	04/10/2015	DD-DTR FEES	001	\$-3.85
040815-MF	L	04/08/2015	DD-Fuel Deduction	001	\$-33.27
041015-CE	L	04/10/2015	DD-Fuel Deduction	001	\$-71.41
040815-MF	L	04/08/2015	DD-Fuel Deduction	001	\$-76.45
	L	04/10/2015	DD-Ins Auto & Occ Acc	001	\$-95.00
	L	04/10/2015	DD-Truck Lease	001	\$-50.00
	L	04/10/2015	DD-Parking	001	\$-10.00
	L	04/10/2015	DD-Ins PD	001	\$-50.00
	L	04/10/2015	DD-Permit & License Fees	001	\$-50.00

Net Amount: \$-14.06

Settlement Summary

Revenue
 Reimbursements
 Deductions
 Check#
 Total Settlement Pay
 YTD

\$450.92
 \$0.00
 \$-464.98
 \$-14.06
 \$13,411.19

Deductions Statement:

Description
 * Legend: L = Loaded E = Empty

Terms	Target Balance	Deducted This Pay	Deducted Previously	Actual Balance
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4/17/15



1901 Raymer Ave
 Fullerton, CA 92833
 Phone: (714) 388-3500
 Fax: (714) 388-3445

INDEPENDENT CONTRACTOR SETTLEMENT
 STATEMENT DATE: 11/17/2014
 STATEMENT NUMBER: 6660

DRIVER: VELASQUEZ, WILLIAM (3423)

PAYMENT DETAILS

DATE	TRIP	FB #	CONTAINER	PAY DESCRIPTION	PAY AMOUNT
10/16/2014	49950			HAZARDOUS FEE	\$30.00
10/31/2014	50252	H0048777		BALDWIN PARK, CA to PORT TI B88 - Miller	\$65.00
10/31/2014	50252	H0048777		BALDWIN PARK, CA to PORT TI B88 - Fuel Surcharge	\$13.00
10/31/2014	50252	H0048777		BALDWIN PARK, CA to PORT TI B88 - CTF Export	\$30.00
10/31/2014	51348	H0049819	MSCU948651	HARBOR DIVISION to PORT TI B88 - RPM Tariff	\$40.00
10/31/2014	51348	H0049819	MSCU948651	HARBOR DIVISION to PORT TI B88 - Fuel Surcharge	\$8.00
10/31/2014	51348	H0049819	MSCU948651	HARBOR DIVISION to PORT TI B88 - CTF Export	\$30.00
10/31/2014	51185	H0049663-E		PORT LB B60 to ONTARIO, CA - RPM Tariff	\$87.50
10/31/2014	51185	H0049663-E		PORT LB B60 to ONTARIO, CA - Fuel Surcharge	\$17.50
10/31/2014	51185	H0049663		ONTARIO, CA to PORT LB B60 - Fuel Surcharge	\$17.50
10/31/2014	51185	H0049663		ONTARIO, CA to PORT LB B60 - CTF Export	\$30.00
10/31/2014	51185	H0049663		ONTARIO, CA to PORT LB B60 - RPM Tariff	\$87.50
PAYMENT TOTALS:					<u>\$456.00</u>

BALANCE OWING FROM PREVIOUS STATEMENTS

TOTAL PAYMENTS:	\$2,061.75
TOTAL DEDUCTIONS:	<u>-\$2,199.20</u>
OWING FROM PREV STMT:	-\$137.45

NET PAY

TOTAL PAYMENTS:	<u>\$2,517.75</u>
TOTAL DEDUCTIONS:	<u>-\$2,199.20</u>
NET PAY: \$USD	\$318.55





MISCLASSIFICATION & WAGE THEFT SCORECARD

Port truck drivers in Los Angeles and Long Beach are challenging **illegal misclassification** and organizing to improve their lives. In addition to disruptive work stoppages, port drivers are engaging in large-scale, collective use of legal remedies to **secure their rights as employees**. They are petitioning federal, state, and local agencies to remedy their misclassification, in addition to filing numerous private wage and hour lawsuits. Many agencies have concluded in different instances that port trucking companies have illegally misclassified their drivers as independent contractors. Including:

- Internal Revenue Service (IRS)
- U.S. Department of Labor (USDOL)
- National Labor Relations Board (NLRB)
- CA Employment Development Department (EDD)
- CA Division of Labor Standards Enforcement (DLSE)



Highlights (through 7/15)

- California DLSE:
 - o 705 wage and hour claims filed with DLSE.
 - o 155 orders, decisions, or awards (ODA) in such claims.
 - Of these, all unappealed claims readily available (113 of the 155 ODAs) were deemed misclassified by the DLSE, which ordered a combined total of \$12 million in back wages and penalties.
 - o Average award per driver: \$110,000.
 - o Estimated potential liability: \$60+ million for the 550 pending claims.
- 21+ pending class action lawsuits covering 3,000 current and former misclassified port truck drivers.
- The U.S. Department of Labor and the California Attorney General have filed misclassification lawsuits against major California port trucking companies.

New Claims Announced Today (10/30)

- **\$3.5 Million in new claims for 14 drivers**
 - o RPM Transportation: \$450,000 (1 driver)
 - o K&R (California Cartage): \$130,000 (1 driver)
 - o Gold Point Transportation: \$2.5 Million (9 drivers)
 - o XPO Logistics: \$450,000 (3 drivers)
- **+19 additional DLSE claims** from drivers at XPO, Gold Point, and Container Intermodal Transportation (CIT) are in the process of being completed and filed.

**Total annual industry liability in California alone:
\$780 million to \$998 million** (Source: NELP)



TRUCKING COMPANY

BOSSES:

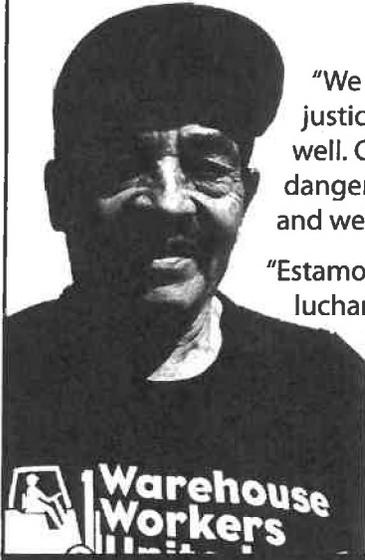
STOP

BREAKING

THE LAW!

WE ARE ON STRIKE!

NOSOTROS ¡ESTÁMOS EN HUELGA!



"We stand with drivers fighting for justice and we ask that you support us as well. Conditions in the warehouse are dangerous. We are treated with disrespect, and we are standing up for our rights."

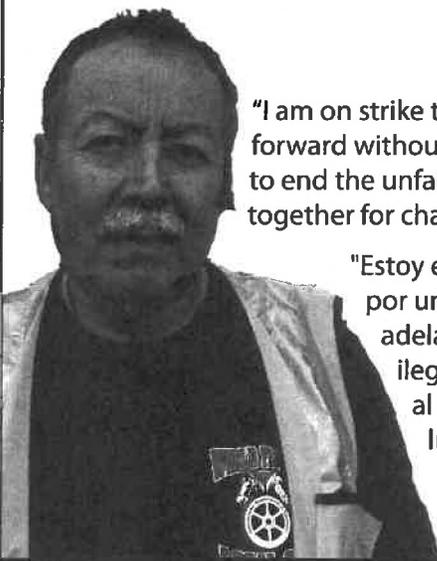
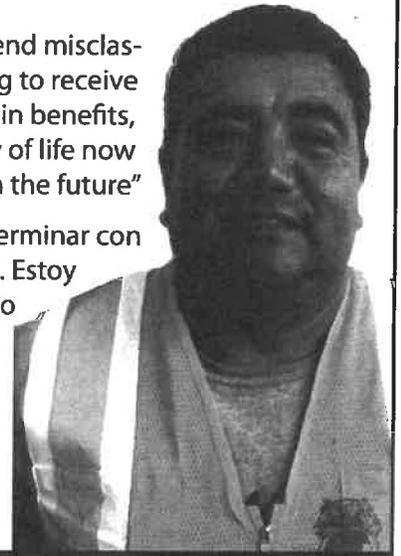
"Estamos con los choferes que estan luchando por justicia y pedimos que nos apoyen. Condiciones en la bodega de Cal Cartage son peligrosas. Nos tratan sin respeto, y estamos luchando por nuestros derechos."

- Jose Rodriguez, Cal Cartage Warehouse Worker

"I am on strike to end misclassification. I am fighting to receive a livable wage, to obtain benefits, and have a better quality of life now and in the future"

"Estoy en huelga para terminar con la mala clasificacion. Estoy luchando para un salario que me sostenga, para obtener beneficios, y tener una mejor calidad de vida ahora y en el futuro."

- Jose Portillo, IBT Driver



"I am on strike to fight for a new way forward without illegal deductions and to end the unfair treatment. Let's fight together for change!"

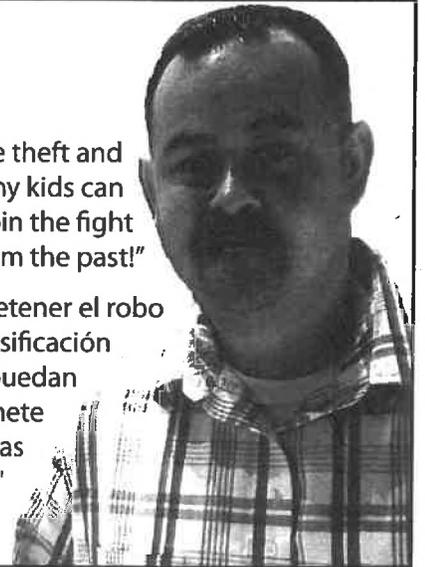
"Estoy en huelga para luchar por un nuevo camino hacia adelante sin deducciones ilegales y para poner un fin al trato injusto. Vamos a luchar juntos por el cambio!"

- Benjamin Alfaro, XPO

"I'm fighting to stop wage theft and misclassification so my kids can have a better future. Join the fight and break the chains from the past!"

"Estoy luchando para detener el robo de salarios y la mala clasificación para que mis hijos puedan tener un futuro mejor. Únete a la lucha y rompe las cadenas del pasado!"

- Carlos Quintero, Pac 9



PUT THIS IN YOUR TRUCK WINDOW!
¡PONGA ESTO EN LA VENTANA DE SU CAMION!



**Warehouse
Worker
Resource
Center**

(562) 888-1011

Find us on:
facebook.

Choferes del Puerto y Riel en la Lucha por el Cambio