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Elevance Faces Wage Theft Class- Action Lawsuit In California

Hourly customer service employees allege the payer did not allow them work breaks, or pay them for tasks related to starting their workdays

By Ron Shiffrman | January 17, 2024

A former Elevance Health customer service representative in California has sued the insurer, alleging it engaged in wage theft by not paying for certain work-related tasks and not allowing appropriate meal and work breaks.

Leticia Gonzalez filed the potential class-action lawsuit in Imperial County Superior Court in November, and last week Elevance moved the case to federal court, records show.

According to the suit, Gonzalez was employed by Elevance between July 2021 and November 2022 as a customer service representative and was paid an hourly wage.

The suit contends that Gonzalez and many of her colleagues were not given 30-minute breaks for meals as mandated under California labor laws, as well as rest breaks – even on days when they worked 10 hours or more. The suit also alleges that customer service employees had to boot up their computers and log on to various systems before they could begin their workday, a time-consuming task for which they were not paid.

The lawsuit seeks back wages and interest for alleged missed work breaks and damages for a number of charges, including failure to pay timely wages and violations of California's labor and business and profession codes, as well as its privacy laws for allegedly obtaining credit reports as a condition of employment.

The suit is also seeking class-action status for all Elevance employees in California situated similarly to Gonzalez who are or were working for the insurer in the four years prior to the lawsuit being filed.

The allegations in the suit are similar to those made by customer service employees in numerous places of litigation filed against property and casualty insurers.

Elevance has not yet formally responded to the lawsuit, court records show.

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