

# California PAGA Cases Can't Be Dismissed Due to Unmanageability

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Brett C. Greving was quoted in a SHRM article discussing a new ruling that prevents trial courts in California from dismissing lawsuits brought under the state's Private Attorneys General Act (PAGA) due to perceived unmanageability. Brett states that the ruling "essentially removes what was a potent defense for employers in PAGA cases."

In *Estrada v. Royalty Carpet Mills*, employees sued the carpet manufacturer in California for allegedly not providing required meal breaks. The employer argued that dismissing the case was necessary to preserve judicial resources; however, the state supreme court disagreed, stating that dismissal is only permitted when the plaintiff has failed to prosecute diligently or lacks a valid cause of action.

Brett explains that this decision "makes PAGA cases easier to try from an employee's perspective, so that may lead to more PAGA cases being filed." In a PAGA class action, the definition of "aggrieved employee" determines the class size eligible to bring a claim, allowing judges to restrict the scope and evidence presented for manageability. Courts may narrow the class by limiting it to employees under a specific manager or with a certain job title, providing employers a way to balance manageability.

To read more, [click here](#).

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