On May 22 and 23, 2008, LLNS laid off approximately 440 employees, the vast majority of whom were the Lab's most senior, experienced employees. California law prohibits discrimination in the workplace against any employee who is over the age of 40 years old, based upon that employee's age. 130 of those employees have retained Gwilliam, Ivary, Chiosso, Cavalli & Brewer to challenge the layoffs. These former Lab employees include administrative assistants, maintenance workers, engineers and senior scientists. The 130 employees filed one lawsuit, but are seeking damages based upon their individual circumstances. These are consolidated cases; it is not a class action lawsuit.

The former employees contend that they were selected by the Lab to lose their jobs because they were older workers (over 40) who were approaching retirement age. They were more likely to be let go because they were older workers (over 40) who were approaching retirement age. The laid off workers contend that the Layoff selection process utilized by the Lab was illegal. The former employees contend that the Lab did not follow Federal Law by seeking voluntary separations to eliminate the need for any forced, premature "retirement."

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Furthermore, approximately 94% of those laid off were over the age of 40, making them "protected employees" pursuant to California's anti-age discrimination laws. The Lab ignored its own policies to target these older workers because of their advanced salaries and approaching retirements.

According to J. Gary Gwilliam, lead counsel for the former employees, "It's unfortunate that the Lawrence Livermore Lab, the University of California and Bechtel Corporation would treat their employees in a discriminatory manner. I don't think the Department of Energy, with whom they contract, would approve of such conduct. These entities should be setting the highest standards of fairness in the workplace, not the lowest. We are confident the Court will correct this obvious injustice."

In addition, several different plaintiffs allege different kinds of discrimination including race, gender, disability, family leave rights and the breach of the covenant of good faith and fair dealing.

CONTACTS: For more information and a copy of the complaint please contact J. Gary Gwilliam, Esq., Randall E. Strauss, Esq., Jane Felice Gorelick Gwilliam, Ivy, Chiosso, Cavalli & Brewer, A Prof Corp. 1999 Harrison Street, Oakland, California (510) 832-5411

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