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September 30, 2020

**NOTICE OF LABOR CODE VIOLATIONS PURSUANT TO
LABOR CODE SECTION 2699.3**

To: California Labor and Workforce Development Agency
Attn. PAGA Administrator
1515 Clay Street, Suite 801
Oakland, California 94612
Via Online Submission Only

VOCATIONAL INNOVATIONS, INC.
c/o Michael Carras
335 N. Puente Street, Suite A
Brea, California 92821
Certified Mail Number: 7019-0140-0000-6435-4860

VOCATIONAL INNOVATIONS, INC.
1532 E. San Bernardino Avenue B1-B5
Pomona, California 91767
Certified Mail Number: 7019-0140-0000-6435-48777

VOCATIONAL INNOVATIONS SOUTH
c/o Michael Carras
335 N. Puente Street, Suite A
Brea, California 92821
Certified Mail Number: 7019-0140-0000-6435-4884

VOCATIONAL INNOVATIONS SOUTH
1532 E. San Bernardino Avenue B1-B5
Pomona, California 91767
Certified Mail Number: 7019-0140-0000-6435-4891

VOCATIONAL INNOVATIONS WEST INC.
c/o Michael Carras
335 N. Puente Street, Suite A
Brea, California 92821
Certified Mail Number: 7019-0140-0000-6435-4907

VOCATIONAL INNOVATIONS WEST INC.
1532 E. San Bernardino Avenue B1-B5
Pomona, California 91767
Certified Mail Number: **7019-0140-0000-6435-4914**

From: DAVID BAYLESS, on behalf of himself and all other current and former aggrieved California-based hourly non-exempt employees of VOCATIONAL INNOVATIONS, INC.; VOCATIONAL INNOVATIONS SOUTH; and VOCATIONAL INNOVATIONS WEST INC.

c/o Joseph Lavi, Esq.

Email: jlavi@lelawfirm.com

Vincent C. Granberry, Esq.

Email: vgranberry@lelawfirm.com

Courtney M. Miller, Esq.

Email: cmiller@lelawfirm.com

LAVI & EBRAHIMIAN, LLP

8889 W. Olympic Boulevard, Suite 200

Beverly Hills, California 90211

My firm has been retained by aggrieved employee DAVID BAYLESS concerning a representative action pursuant to the Private Attorneys General Act of 2004, Labor Code sections 2698, *et seq.* ("PAGA") against his employers, VOCATIONAL INNOVATIONS, INC.; VOCATIONAL INNOVATIONS SOUTH; and VOCATIONAL INNOVATIONS WEST INC.

I am filing this written notice with the Labor and Workforce Development Agency ("LWDA") pursuant to the provisions of the California Labor Code sections 2699, 2699.3, and 2698, *et seq.* The purpose of this letter is to inquire whether LWDA intends to investigate and seek civil penalties associated with my client's allegations of violations of the Labor Code by his Employers. In addition to submitting this letter and paying the \$75.00 filing fee via the online PAGA filing system, I am causing a copy of this letter to be sent by certified mail to the opposing parties listed above.

FACTUAL STATEMENT AND THEORIES OF LABOR CODE VIOLATIONS

Aggrieved employee DAVID BAYLESS ("Employee") has been employed by VOCATIONAL INNOVATIONS, INC.; VOCATIONAL INNOVATIONS SOUTH; and VOCATIONAL INNOVATIONS WEST INC. (collectively "Employers") as an hourly non-exempt employee in the one (1) year preceding this letter.

1. ***Failure to Indemnify for Employment-Related Expenditures in Violation of Labor Code Section 2802***

Employee alleges that during his employment, Employers failed to indemnify him and other current and former California-based employees for all necessary expenditures or losses incurred by them in the discharge of their duties. Labor Code § 2802(a) states, "An employer shall

indemnify his or her employee for all necessary expenditures or losses incurred by the employee in direct consequence of the discharge of his or her duties, or of his or her obedience to the directions of the employer...”

Employee alleges that during his employment, Employers failed to indemnify him and other current and former California-based employees for all necessary expenditures or losses incurred by them in the discharge of their duties due to Employers’ policies, practices, and/or procedures including, but not limited to, the following:

- Employers’ policy, practice, and/or procedure of requiring Employee and other current and former aggrieved California-based hourly non-exempt employees to use their personal cell telephones, including but not limited to the use of telephone calls and/or cellular data, for work-related purposes - without reimbursing employees for such use.

Employer’s aforementioned policies, practices, and/or procedures resulted in Employee and other current and former aggrieved California-based employees not receiving indemnification for employment-related expenditures in violation of Labor Code section 2802.

Based on this violation, Employee will seek both restitution for himself and other current and former aggrieved California-based employees for Employers’ violations of Labor Code section 2802 and will seek civil penalties under PAGA, Labor Code sections 2698, *et seq.*, on behalf of the LWDA against Employers if authorized to file a representative action on behalf of the State of California.

2. Employers’ Other Violations of the California Labor Code

Finally, pursuant to *Huff v. Securitas Security Services USA, Inc.* (2018) 25 Cal.App.5th 745 (“*Huff*”), as an aggrieved employee, Employee has standing, and intends, on behalf of LWDA, to pursue civil penalties against Employers for any and all other Labor Code violations committed by Employers. In *Huff*, the California Court of Appeals held that an employee alleging a single violation of the Labor Code under PAGA may also bring PAGA claims against the employer for all other alleged Labor Code violations, even those suffered by other employees of the same employer. According to the *Huff* decision, Employee, as an “aggrieved” employee affected by at least one Labor Code violation may, and hereby does, pursue penalties on behalf of LWDA for unrelated Labor Code violations by Employers.

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Labor & Workforce Development Agency
Re: *Bayless v. Vocational Innovations, Inc., et al.*
September 30, 2020
Page 4 of 4

CONCLUSION

My client intends to file a representative action pursuant to PAGA concerning his wage claims as warranted by Employers' violations of Labor Code section 2802. This letter is being sent to you as an inquiry into whether LWDA wishes to investigate my client's claims for civil penalties associated with Employers' violations of the Labor Code, as alleged herein. Thank you for your assistance and cooperation in this matter. If you have any questions or concerns, please contact me at the above-listed information.

Very truly yours,
LAVI & EBRAHIMIAN, LLP

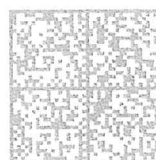


Courtney M. Miller, Esq.

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Bayless vs. Vocational Innovations Page 1/1/22

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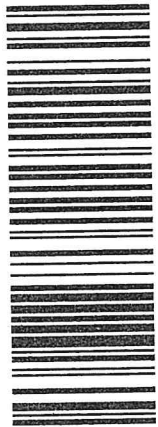
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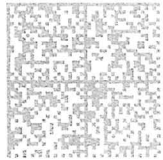
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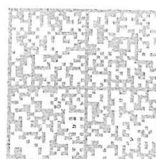
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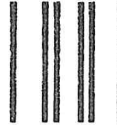
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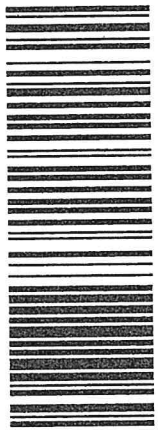
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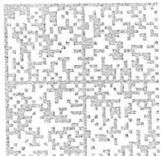
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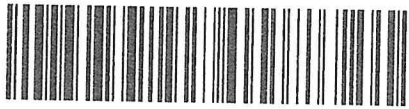
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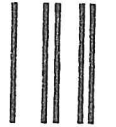
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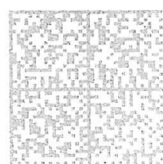
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1. Article Addressed to: VOCATIONAL INNOVATIONS WEST INC. 1532 E. San Bernardino Avenue B1-B5 Pomona, California 91767	B. Received by (<i>Printed Name</i>) C. Date of Delivery
2. Article Number (<i>Transfer from service label</i>) 7019 0140 0000 6435 4914	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
 9590 9402 5541 9249 4038 37	3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☒ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery Mail Restrict

COMPLETE THIS SECTION ON DELIVERY

A. Signature		☐ Agent
X		☐ Addressee
B. Received by (<i>Printed Name</i>)	C. Date of Delivery	

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☒ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

4. Mail Restricted Delivery (00)

☐ Priority Mail Express®

☐ Registered Mail™

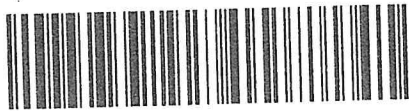
☐ Registered Mail Restricted Delivery

☒ Return Receipt for Merchandise

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

USPS TRACKING#



9590 9402 5541 9249 4038 37

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

LAVI & EBRAHIMIAN, LLP
8889 W. Olympic Blvd., Suite 200
Beverly Hills, CA 90211

Payless vs. Vocational Innovations - Page MC/RR

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1. Article Addressed to:

VOCATIONAL INNOVATIONS WEST INC.
1532 E. San Bernardino Avenue B1-B5
Pomona, California 91767



9590 9402 5541 9249 4038 37

2. Article Number (Transfer from service label)

7019 0140 0000 6435 4914

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

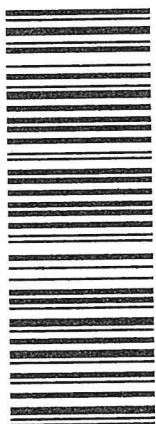
3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- Mail
Restricted Delivery
(00)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

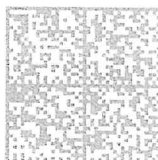
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LAVI & EBRAHIMIAN, LLP
8889 W. OLYMPIC BLVD., SUITE 200
BEVERLY HILLS, CALIFORNIA 90211

CERTIFIED MAIL®



FIRST-CLASS

7019 0140 0000 6435 4914



*** PITNEY BOWES ***
02 1P
000121 7907
\$007.05⁰
US POSTAGE
MAILED FROM ZIP CODE 90211

VOCATIONAL INNOVATIONS WEST INC.
1532 E. San Bernardino Avenue B1-B5
Pomona, California 91767

7019 0140 0000 6435 4907

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$ _____
- ☐ Return Receipt (electronic) \$ _____
- ☐ Certified Mail Restricted Delivery \$ _____
- ☐ Adult Signature Required \$ _____
- ☐ Adult Signature Restricted Delivery \$ _____

Postmark
Here

Postage

\$

Total Postage

VOCATIONAL INNOVATIONS WEST INC.

c/o Michael Carras

335 N. Puente Street, Suite A

Brea, California 92821

\$

Sent To

Street and

City, State,

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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1. Article Addressed to:

VOCATIONAL INNOVATIONS WEST INC.
c/o Michael Carras
335 N. Puente Street, Suite A
Brea, California 92821



9590 9402 5541 9249 4038 44

2. Article Number (Transfer from service label)

7019 0140 0000 6435 4907

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

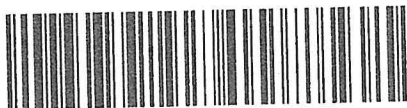
C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
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- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

USPS TRACKING#



9590 9402 5541 9249 4038 44



First-Class Mail
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Bayless vs. Vocational Innovations - Page 11/22

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9590 9402 5541 9249 4038 44

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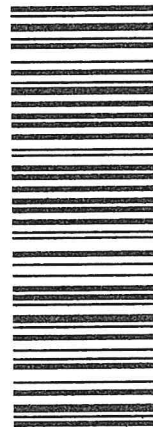
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- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery
- ☐ Priority Mail Express®

- ☐ Return Receipt for Merchandise

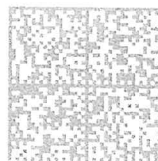
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BEVERLY HILLS, CALIFORNIA 90211



7019 0140 0000 6435 4907

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US POSTAGE

\$ 007.05⁰

02 1P
0001217907

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VOCATIONAL INNOVATIONS WEST INC.
c/o Michael Carras
335 N. Puente Street, Suite A
Brea, California 92821