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FILED
Superior Court of California
County of Los Angeles
10/26/2026
David W. Slayton, Executive Officer / Clerk of Court
By: J. Briggs Deputy

Electronically Received 10/26/2026 12:00 AM

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

RANDALL LEE JOHNSON SR. and DENICE TURNER,

Plaintiffs,

v.

STUDENT TRANSPORTATION OF AMERICA, INC.; and DOES 1 through 50, inclusive,

Defendants.

Case No. 26AVCV01308

FIRST AMENDED COMPLAINT FOR DAMAGES, STATUTORY RELIEF, AND CIVIL PENALTIES

(1) LABOR CODE § 1102.5;
(2) LABOR CODE § 6310;
(3) LABOR CODE § 98.6;
(4) WRONGFUL TERMINATION IN VIOLATION OF PUBLIC POLICY;
(5) FAILURE TO PAY WAGES (LABOR CODE §§ 1194, 1197, 1198);
(6) REST-PERIOD PREMIUMS (LABOR CODE § 226.7);
(7) ITEMIZED WAGE STATEMENTS (LABOR CODE § 226); AND
(8) CIVIL PENALTIES (LABOR CODE § 2699 et seq.)

UNLIMITED CIVIL CASE

DEMAND FOR JURY TRIAL

Plaintiffs Randall Lee Johnson Sr. ("Johnson") and Denice Turner ("Turner"), for their First Amended Complaint against Student Transportation of America, Inc. ("STA") and DOES 1 through 50, allege as follows:

I. INTRODUCTION

1. This action arises from STA's treatment of school-bus drivers who reported unsafe heat conditions and who were required to perform work off the clock and without compliant paid rest periods. Johnson brings the individual retaliation and constructive-discharge claims pleaded in the original complaint. Turner joins as an individual plaintiff to assert her own retaliation and wage-and-hour claims, and as an aggrieved employee seeking civil penalties under the Labor Code Private Attorneys General Act of 2004 ("PAGA"), Labor Code section 2698 et seq.

2. The original complaint, filed September 2, 2026, was intentionally limited to Johnson's individual claims. This First Amended Complaint supersedes it and adds Turner's claims. It does not seek relief for any separate workers' compensation matter.

3. Plaintiffs seek all available individual relief, including unpaid wages, statutory premiums and penalties, economic and noneconomic damages where authorized, attorneys' fees, costs, and appropriate PAGA civil penalties. The PAGA claim is pleaded only for the wage-and-hour violations identified below; no PAGA safety claim is asserted in this pleading.

II. JURISDICTION AND VENUE

4. This Court has subject-matter jurisdiction under article VI, section 10 of the California Constitution. Plaintiffs seek relief in an amount exceeding the jurisdictional minimum for an unlimited civil case.

5. Venue is proper in Los Angeles County under Code of Civil Procedure section 395 because a substantial part of the events and omissions occurred in Los Angeles County, including STA's Palmdale-area operations.

6. All conditions precedent have been satisfied, excused, or are otherwise inapplicable. No exhaustion under Labor Code sections 98.7 or 6312 is required for Plaintiffs' private retaliation claims.

III. PARTIES

7. Johnson is a California resident. He worked for STA as a school-bus driver in the Palmdale area from approximately December 14, 2022 through September 2, 2025.

8. Turner is a California resident. She worked for STA as a school-bus driver in the Palmdale area from approximately September 19, 2024, after working as a school-bus driver since approximately 1996. She began operating solo routes in or about February 2025.

9. STA is a Delaware corporation doing business in California, including Los Angeles County. At all relevant times, STA employed Plaintiffs and controlled their compensation, schedules, bus assignments, work rules, and working conditions.

10. Plaintiffs are ignorant of the true names and capacities of DOES 1 through 50 and sue them by fictitious names. Plaintiffs will amend to allege their true names and capacities when ascertained. Each DOE was STA's agent, employee, representative, officer, managing agent, partner, joint venturer, or person acting on STA's behalf, and acted within the course and scope of that relationship.

IV. FACTUAL ALLEGATIONS

A. Johnson's Safety Reports and Constructive Discharge

11. Johnson drove school-bus routes in the Palmdale area. STA's on-site manager was Carol Morris ("Morris"). During the summer of 2025, Johnson repeatedly reported that the driver-area air conditioning on assigned buses was unreliable or nonfunctioning and that the resulting heat created unsafe working conditions.

12. On or about July 10, 2025, Johnson reported heat and A/C concerns. In the weeks that followed, he continued to report unsafe heat conditions, including the lack of reliable front driver-area A/C.

13. On or about August 22, 2025, Johnson measured and reported extreme temperatures inside buses, including readings in the approximate range of 118 to 123 degrees. Rather than meaningfully correct the condition, STA, acting through management, dismissed or mocked the complaints and continued assigning buses with unreliable or nonfunctioning driver-area A/C.

14. Johnson's reports concerned conditions he reasonably believed violated workplace-safety laws and regulations. STA's conduct materially worsened his working conditions and ultimately compelled his resignation on or about September 2, 2025.

B. Turner's Protected Reports, Off-the-Clock Work, and Rest-Period Violations

15. Turner was assigned to STA's Palmdale/Yellen School operations. In or about March and April 2025, after she became certified to operate larger buses, Turner asked Morris to permit an earlier clock-in time so that she could complete required pre-trip and post-trip safety inspections on the clock.

16. STA refused Turner's request for adequate paid time to perform the required inspection work, limiting the paid inspection time to approximately twenty minutes. As a result, Turner was required or suffered and permitted to perform pre-trip and post-trip work off the clock, without receiving all wages due.

17. STA also required or permitted Turner to clock out for rest periods and failed to authorize and permit her to take compliant, duty-free paid rest periods. On other occasions, Turner worked through or forewent rest periods because of STA's practices and route demands.

18. Turner reported these wage-and-hour practices to management, including the lack of paid time for inspections and the rest-period practices. She also joined in raising safety concerns about extreme bus heat and defective driver-area A/C.

19. On or about July 10, 2025, Turner was assigned bus 5-16, whose A/C was defective or inadequate. When she raised the heat condition, management responded dismissively, including by suggesting that she use a wet rag or frozen water bottle and by making age-related comments. Turner reasonably believed the heat conditions jeopardized her health and safety.

20. On or about July 11, 2025, during high heat, Turner again experienced unsafe heat conditions while performing her assigned work. She reported symptoms consistent with heat exhaustion after working in the heat and after cleaning the bus. Turner continued to report the unsafe condition and sought relief from management.

21. On or about August 22, 2025, Turner and Johnson again reported dangerously hot bus conditions. Management's response was dismissive rather than corrective. Turner thereafter went on leave in or about August 2025. This pleading does not seek benefits or relief arising from any workers' compensation claim.

22. Turner's complaints about unpaid inspection work, rest periods, and safety conditions were protected activity. STA subjected her to materially adverse treatment, including refusal to provide adequate paid inspection time, adverse and demeaning responses to her reports, and continuation of the conditions she reported.

C. PAGA Notice and Administrative Prerequisites

23. On November 4, 2025, Plaintiffs submitted a written PAGA notice through the LWDA PAGA portal and served a copy on STA by certified mail. The notice identified, among other matters, off-the-clock pre-trip and post-trip inspection work, paid-rest-period violations, related unpaid-wage practices, and the facts and theories supporting those violations.

24. More than 65 calendar days have elapsed since the PAGA notice. To Plaintiffs' knowledge after reasonable inquiry, no agency citation or investigation precludes this PAGA action on the wage-and-hour violations pleaded here. All other PAGA prerequisites have been satisfied, excused, or are inapplicable.

25. Turner is an aggrieved employee within the meaning of Labor Code section 2699. Plaintiffs seek PAGA civil penalties only for the wage-and-hour violations specifically alleged in this First Amended Complaint and covered by the November 4, 2025 notice.

V. FIRST CAUSE OF ACTION
Violation of Labor Code § 1102.5
(By Johnson Against STA and DOES 1–50)

26. Johnson realleges and incorporates paragraphs 1 through 25.

27. Johnson disclosed and reported information that he reasonably believed showed violations of workplace-safety statutes, regulations, and rules, including unsafe heat conditions and unreliable driver-area A/C on buses used for his routes.

28. STA retaliated against Johnson by dismissing and mocking his reports, continuing to assign unsafe buses, and maintaining working conditions that compelled his resignation.

29. Johnson's protected reports were a contributing factor in STA's adverse conduct. STA cannot establish by clear and convincing evidence that it would have taken the same actions for legitimate, independent reasons.

30. Johnson seeks all relief available under Labor Code section 1102.5, including damages, statutory penalties, attorneys' fees, costs, interest, and appropriate equitable relief.

VI. SECOND CAUSE OF ACTION
Violation of Labor Code § 6310
(By Johnson Against STA and DOES 1–50)

31. Johnson realleges and incorporates paragraphs 1 through 30.

32. Johnson made bona fide oral and written complaints about unsafe workplace conditions and exercised rights protected by Division 5 of the Labor Code.

33. STA discriminated and retaliated against Johnson for those complaints and actions, causing harm including his constructive discharge.

34. Johnson seeks reinstatement or front pay as appropriate, lost earnings and benefits, civil penalties, attorneys' fees, costs, interest, and all other available relief.

VII. THIRD CAUSE OF ACTION
Violation of Labor Code § 98.6
(By Johnson Against STA and DOES 1–50)

35. Johnson realleges and incorporates paragraphs 1 through 34.

36. Johnson complained that STA was violating laws and regulations governing safe working conditions.

37. STA retaliated against Johnson for making those complaints, including through the conduct described above.

38. Johnson seeks the remedies available under Labor Code section 98.6, including penalties, damages, fees, costs, interest, and equitable relief.

VIII. FOURTH CAUSE OF ACTION
Wrongful Termination in Violation of Public Policy
(By Johnson Against STA and DOES 1–50)

39. Johnson realleges and incorporates paragraphs 1 through 38.

40. California's public policies favor reporting workplace hazards and prohibit retaliation for safety complaints. Those policies are embodied in, among other provisions, Labor Code sections 6310 and 6400 through 6403.

41. STA's retaliatory conduct created working conditions so intolerable that a reasonable employee in Johnson's position would have felt compelled to resign. Johnson was constructively discharged on or about September 2, 2025.

42. STA's conduct was a substantial factor in causing Johnson's damages. Johnson seeks damages, including past and future lost earnings and benefits, emotional-distress damages, punitive damages as permitted by law, costs, interest, and other appropriate relief.

IX. FIFTH CAUSE OF ACTION
Violation of Labor Code § 1102.5
(By Turner Against STA and DOES 1–50)

43. Turner realleges and incorporates paragraphs 1 through 25.

44. Turner reported information that she reasonably believed showed violations of wage-and-hour and workplace-safety laws, including uncompensated required inspection work, noncompliant rest-period practices, extreme heat, and defective driver-area A/C.

45. STA retaliated against Turner by refusing to provide sufficient paid inspection time, responding adversely and demeaningly to her protected reports, and continuing the unsafe conditions and practices reported.

46. Turner's protected activity was a contributing factor in STA's conduct.

47. Turner seeks damages, statutory penalties, attorneys' fees, costs, interest, and appropriate equitable relief under Labor Code section 1102.5.

X. SIXTH CAUSE OF ACTION
Violation of Labor Code § 6310
(By Turner Against STA and DOES 1–50)

48. Turner realleges and incorporates paragraphs 1 through 47.

49. Turner made bona fide complaints about unsafe heat conditions, defective A/C, and other conditions affecting her health and safety.

50. STA discriminated and retaliated against Turner for making those complaints and exercising rights protected by Division 5 of the Labor Code.

51. Turner seeks all relief available under Labor Code section 6310, including lost wages and benefits where applicable, civil penalties, fees, costs, interest, and equitable relief.

XI. SEVENTH CAUSE OF ACTION
Violation of Labor Code § 98.6
(By Turner Against STA and DOES 1–50)

52. Turner realleges and incorporates paragraphs 1 through 51.

53. Turner complained that STA was violating Labor Code provisions governing wages, breaks, and safe working conditions.

54. STA retaliated against Turner for those complaints through the conduct alleged above.

55. Turner seeks statutory penalties, damages, fees, costs, interest, and all other relief authorized by Labor Code section 98.6.

XII. EIGHTH CAUSE OF ACTION
Failure to Pay All Wages Due
(Labor Code §§ 1194, 1197, 1198; IWC Wage Order No. 9)
(By Turner Against STA and DOES 1–50)

56. Turner realleges and incorporates paragraphs 1 through 55.

57. STA required or suffered and permitted Turner to perform compensable pre-trip and post-trip inspection work without recording or paying for all time worked.

58. STA failed to pay Turner all minimum wages and, to the extent applicable, overtime compensation due for that work.

59. Turner seeks unpaid wages, interest, statutory remedies, attorneys' fees, costs, and other available relief.

XIII. NINTH CAUSE OF ACTION
Failure to Provide Compliant Rest Periods
(Labor Code § 226.7; IWC Wage Order No. 9)
(By Turner Against STA and DOES 1–50)

60. Turner realleges and incorporates paragraphs 1 through 59.

61. STA failed to authorize and permit Turner to take compliant, duty-free paid rest periods and, at times, required or permitted her to clock out for rest periods.

62. For each workday on which STA failed to provide a compliant rest period, Turner is entitled to the premium compensation and other relief provided by Labor Code section 226.7 and the applicable Wage Order.

63. Turner seeks premium wages, interest, fees and costs where permitted, and other appropriate relief.

XIV. TENTH CAUSE OF ACTION
Noncompliant Itemized Wage Statements
(Labor Code § 226)
(By Turner Against STA and DOES 1–50)

64. Turner realleges and incorporates paragraphs 1 through 63.

65. Because STA failed to record and pay all time Turner worked and failed to include applicable rest-period premiums, STA knowingly and intentionally provided wage statements that failed accurately to state gross wages earned, total hours worked, and all applicable rates and amounts as required by Labor Code section 226.

66. Turner suffered injury because the wage statements did not accurately disclose the wages and hours required by law.

67. Turner seeks statutory damages, penalties, costs, interest, and other available relief under Labor Code section 226.

XV. ELEVENTH CAUSE OF ACTION
Civil Penalties Under PAGA
(Labor Code §§ 2698–2699.5)
(By Turner on Behalf of the State of California and Other Aggrieved Employees Against STA and DOES 1–50)

68. Turner realleges and incorporates paragraphs 1 through 67.

69. Turner is an aggrieved employee. STA committed the wage-and-hour violations alleged above against Turner and, on information and belief, against other current and former nonexempt employees in California during the applicable limitations period.

70. The PAGA notice provided STA and the LWDA with notice of the Labor Code provisions, facts, and theories underlying the PAGA claim. The notice and the passage of the applicable statutory period satisfy the administrative prerequisites for this action.

71. STA's failure to pay all wages for required inspection work and its failure to provide compliant rest periods violated Labor Code sections 1194, 1197, 1198, and 226.7 and IWC Wage Order No. 9. To the extent these provisions do not independently prescribe a civil penalty, civil penalties are available under Labor Code section 2699(f).

72. Turner seeks PAGA civil penalties for the foregoing wage-and-hour violations on behalf of the State of California and all aggrieved employees, together with reasonable attorneys' fees and costs. Penalties shall be allocated as required by law.

73. This cause of action does not seek PAGA penalties for workplace-safety violations; those allegations are pleaded solely as factual support for Plaintiffs' individual retaliation claims.

XVI. PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for judgment against Defendants, and each of them, as follows:

1. For general, special, economic, and noneconomic damages according to proof;
2. For unpaid wages, premium wages, statutory damages, penalties, and interest as permitted by law;
3. For PAGA civil penalties on behalf of the State of California and aggrieved employees, allocated as required by law;
4. For restitution, injunctive or other equitable relief where authorized;
5. For reasonable attorneys' fees and costs where authorized;
6. For pre- and post-judgment interest; and
7. For such other and further relief as the Court deems just and proper.

XVII. DEMAND FOR JURY TRIAL

Plaintiffs demand trial by jury on all causes of action and issues so triable.

Dated: October 23, 2026

DEREK SMITH LAW GROUP, LLP

By: _____
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