

Adam Rose (210880)
adam@frontierlawcenter.com
Manny Starr (319778)
manny@frontierlawcenter.com
Frontier Law Center
23901 Calabasas Road, #2074
Calabasas, CA 91302
Telephone: (818) 914-3433
Facsimile: (818) 914-3433

Attorney for Plaintiff
Lisa Morones

SUPERIOR COURT OF CALIFORNIA
COUNTY OF VENTURA

LISA MORONES, individually and on behalf of all aggrieved employees,	)	CASE NO. 2023CUOE009002
	)	
Plaintiffs,	)	FIRST AMENDED COMPLAINT FOR
	)	PAGA PENALTIES
v.	)	
	)	
JSL TECHNOLOGIES, INC., and DOES 1 to 100,	)	
	)	
Defendants.	)	

PRELIMINARY ALLEGATIONS

1. Plaintiff Lisa Morones is a resident of Ventura County.
2. Defendant JSL Technologies, Inc. is a corporation that is based in Ventura County.
3. Plaintiff does not know the true names and capacities of Does 1 to 100 and therefore uses fictitious names. Plaintiff will amend the complaint pursuant to Code of Civil Procedure section 474 to allege the true names and capacities when ascertained.
4. Plaintiff is informed and believes that each of the Defendant was the agent or employee of the other defendants and acted in the scope of agency or employment.
5. Plaintiff worked for JSL Technologies, Inc. from June 8, 2021 to February 17, 2023.

1 6. Defendants employed Plaintiff and the aggrieved employees as nonexempt administrative-
2 type workers, such as secretaries.

3 7. Since Plaintiffs and the aggrieved employees provide work as secretaries, Industrial
4 Welfare Commission Occupational Wage Order 4 applies.

5 8. Plaintiff and the aggrieved employees were not exempt since they did not customarily and
6 regularly exercise discretion and independent judgment.

7 9. Throughout Plaintiff's and the aggrieved employees' employment, they did not receive sick
8 time at the correct regular rate of pay.

9 10. Plaintiff and the aggrieved employees received health and welfare payments that should
10 have been included in the regular rate of pay. (*Flores v. City of San Gabriel* (9th Cir. 2016) 824
11 F.3d 890, 898.

12 11. Sick pay must be paid at the regular rate of pay, but it was not paid at the correct regular
13 rate here. (Lab. Code, § 246(l).)

14 12. Sick pay is a type of wage. (Lab. Code, §§ 200, 218.5.)

15 13. Therefore, Plaintiff and the aggrieved employees are owed wages for the unpaid sick time.

16 14. On May 2, 2023 Plaintiff sent a certified PAGA letter to JSL Technologies, Inc. and
17 uploaded the letter to the LWDA website. Since it has been more than 65 days, Plaintiff may now
18 request PAGA penalties.

19
20 FIRST CAUSE OF ACTION

21 PAGA Penalties

22 Against All Defendants

23 15. Plaintiff incorporates by reference paragraphs 1 to 14 of the first amended complaint.

24 16. Sick pay accrues for employees pursuant to Labor Code section 246.5.

25 17. Sick pay is a type of wage pursuant to Labor Cod sections 200 and 218.5.

26 18. Defendants did not pay sick pay at the correct regular necessitated by Labor Code 246(l).

27 19. Based on that, Plaintiff and the aggrieved employees are entitled to PAGA penalties under
28 Labor Code section 2699.

20. Also, since wages were willfully not paid to Plaintiff and the aggrieved employees when they stopped Defendants, they should have received waiting time penalties but did not. PAGA penalties apply to this also.

PRAYER

First Cause of Action

1. All applicable PAGA penalties
2. Attorney fees and costs
3. Other relief the court deems proper

Date: July 6, 2023

FRONTIER LAW CENTER

/s/ Adam Rose
Attorney for Plaintiff
Lisa Morones