

1 Alex Asil Mashiri, Esq. (SBN 283798)
alex@mashirilawfirm.com
2 **MASHIRI LAW FIRM, APC**
11251 Rancho Carmel Drive #500694
3 San Diego, CA 92150
Tel: (858) 348-4938
4 Fax: (858) 348-4939

5 Tamim Jami, Esq. (SBN 311351)
tamim@jamilaw.com
6 **THE JAMI LAW FIRM P.C.**
3525 Del Mar Heights Rd #941
7 San Diego, CA 92130
Tel: (858) 284-0248
8 Fax: (858) 284-0977

9 Attorneys for Plaintiff
10 BRITTANY ALLEN-ROBERTSON

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **COUNTY OF SAN DIEGO**

13 BRITTANY ALLEN-ROBERTSON, an
14 individual, for the real party in interest, the State
of California,

15
16 Plaintiff,

17 vs.

18 LL FLOORING INC.; and DOES 1 through 50,

19 Defendants.
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ELECTRONICALLY FILED
Superior Court of California,
County of San Diego

12/14/2023 at 07:19:40 PM

Clerk of the Superior Court
By Isaiah Irizarry, Deputy Clerk

Case No. 37-2023-00054313-CU-OE-CTL

REPRESENTATIVE ACTION

**COMPLAINT FOR VIOLATIONS OF THE
PRIVATE ATTORNEYS GENERAL ACT
(Labor Code Section 2698 *et seq.*)**

1 Plaintiff BRITTANY ALLEN-ROBERTSON (“Plaintiff”), in her capacity as the State of
2 California’s designated proxy under the Private Attorneys General Act (“PAGA”), and on behalf of
3 other current and former California non-exempt employees alleges the following:

4 **NATURE OF THE ACTION**

5 1. Pursuant to the PAGA, incorporated in Labor Code sections 2698, 2699 *et seq.*,
6 Plaintiff brings this representative action against Defendants LL FLOORING INC. (“LL”) and DOES
7 1 through 50 (all defendants are hereinafter collectively referred to as “Defendants”) for wage and
8 hour violations of the California Labor Code and the applicable Industrial Welfare Commission Wage
9 Order (the “IWC Wage Order”).

10 2. Pursuant to Labor Code section 2699 *et seq.*, any provision of the Labor Code that
11 provides for a civil penalty to be assessed and collected by the Labor and Workforce Development
12 Agency (“LWDA”) or any of its departments, divisions, commissions, boards, agencies or employees
13 for violation of the code may, as an alternative, be recovered through a civil action brought by an
14 aggrieved employee on behalf of himself or herself and other current or former employees pursuant
15 to the procedures specified in Labor Code section 2699.3.

16 3. Through this representative action, Plaintiff seeks to recover civil penalties under the
17 PAGA. No class certification is required. (*Arias v. Superior Court* (2009) 46 Cal.4th 969.)

18 **JURISDICTION AND VENUE**

19 4. Pursuant to Article VI, section 10 of the California Constitution, subject matter
20 jurisdiction is proper in the Superior Court of California, County of San Diego, State of California
21 because Plaintiff alleges claims arising under California law.

22 5. This Court has jurisdiction over Defendants because each is believed to be an
23 association, corporation, business entity, or individual that conducts substantial business in the State
24 of California, County of San Diego.

25 6. This Court has jurisdiction over Plaintiff’s claim for civil penalties under the PAGA.

26 7. Pursuant to California Code of Civil Procedure section 395, venue is proper in the
27 Superior Court of California for the County of San Diego because this is where the wrongful
28 misconduct alleged herein occurred.

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9. Plaintiff worked for Defendants during which time she was paid hourly and was considered non-exempt.

11. The true names and capacities, whether individual, corporate, associate or otherwise of the Defendant named herein as DOES 1 through 50, are unknown to Plaintiff at this time. Plaintiff therefore sues said Defendants by such fictitious names pursuant to California Code of Civil Procedure section 474. Plaintiff will seek leave to amend the operative complaint (“Complaint”) to allege the true names and capacities of DOES 1 through 50 when their names are ascertained. Plaintiff is informed and believes, and based thereon allege, that each of the DOE Defendants is in some manner liable to Plaintiff for the events and actions alleged herein.

13. At all material times, Defendants were and/or are employers or persons acting on behalf of employers, under California law, the IWC Wage Order, and the Labor Code, including Labor Code sections 558 and 558.1 and thus are jointly and severally liable for the violations alleged herein and any amounts awarded and/or recoverable as a result of this action.

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22. Defendants paid sick leave to Plaintiff and other employees at the incorrect rate of pay resulting in the underpayment of wages. By way of one example, Defendants failed to appropriately factor in additional payments and compensation for purposes of computing the appropriate rate of pay for sick leave wages as required by Labor Code sections 246 and 246(l).

23. The PAGA imposes upon Defendants, and each of them, civil penalties for violating Labor Code sections 246 and 246(l).

24. Aggrieved Employees are permitted to use the PAGA to enforce California's Healthy
Workplaces Healthy Families Act. (*Wood v. Kaiser Found. Hosps.* (2023) 88 Cal.App.5th 742, 748.)

25. Labor Code section 2699(f) imposes upon Defendants, and each of them, civil penalties of one hundred dollars (\$100) per pay period, per aggrieved employee for initial violations, and two hundred dollars (\$200) per pay period, per aggrieved employee for subsequent violations for all Labor Code provisions for which a civil penalty is not specifically provided.

26. Plaintiff is seeking civil penalties against Defendants under Labor Code section 2699(f) and/or any other applicable statute allowing recovery of civil penalties under the PAGA in an amount to be shown according to proof.

27. Pursuant to Labor Code section 248.5, if applicable herein, Plaintiff seeks to recover attorneys' fees, costs, equitable relief in the form of civil penalties, in an amount to be shown according to proof.

28. Pursuant to the PAGA, Labor Code section 2699(g), or any other applicable statute, Plaintiff seeks to recover reasonable attorneys' fees, costs, and filing fees paid to the LWDA in an amount to be shown according to proof.

SECOND CAUSE OF ACTION

**(Representative Claim for Civil Penalties Under the PAGA for violations of Labor Code
Section 1197 against all Defendants)**

29. Plaintiff re-alleges and incorporates by reference the foregoing allegations as though set forth herein.

30. Under Labor Code section 1197, an employer is required to pay its employees the proper minimum wages for all hours worked.

31. Defendants failed to provide Plaintiff and other employees with minimum wages for all hours worked. By way of example, Plaintiff and other employees would work many hours without getting compensated for the hours worked and/or not paid the correct minimum wages for all hours worked in violation of Labor Code section 1197.

32. The PAGA imposes upon Defendants, and each of them, civil penalties for violating Labor Code section 1197.

33. Labor Code section 2699(f) imposes upon Defendants, and each of them, civil penalties of one hundred dollars (\$100) per pay period, per aggrieved employee for initial violations, and two hundred dollars (\$200) per pay period, per aggrieved employee for subsequent violations for all Labor Code provisions for which a civil penalty is not specifically provided.

34. Plaintiff is seeking civil penalties against Defendants under Labor Code section 2699(f) and/or any other applicable statute allowing recovery of civil penalties under the PAGA as alleged herein in an amount to be shown according to proof.

35. Pursuant to the PAGA, or Labor Code section 2699(g), Plaintiff seeks to recover reasonable attorneys' fees, costs, and filing fees paid to the LWDA in an amount to be shown according to proof.

THIRD CAUSE OF ACTION

**(Representative Claim for Civil Penalties Under the PAGA for Violations of Labor Code
Sections 512 and 226.7(b) against all Defendants)**

36. Plaintiff re-alleges and incorporates by reference the foregoing allegations as though set forth herein.

37. Under Labor Code section 512, an employer must provide a meal period of at least thirty minutes if the employee works more than five hours. California Labor Code section 512 “requires a first meal period no later than the end of an employee’s fifth hour of work [...]” (*Brinker Rest. Corp. v. Super. Ct.* (2012) 53 Cal.4th 1004.)

38. Labor Code section 226.7(b) prohibits an employer from requiring an employee to work during a meal period.

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39. During all times relevant to this action, Defendants failed to provide Plaintiff and other employees with compliant meal periods in violation of Labor Code sections 512, 226.7(b), and the IWC Wage Order.

40. The PAGA imposes upon Defendants, and each of them, civil penalties for violating Labor Code sections 512 and 226.7(b) and the IWC Wage Order.

41. Labor Code section 558 imposes upon Defendants, and each of them, civil penalties of fifty dollars (\$50) per pay period, per aggrieved employee for initial violations, and one hundred dollars (\$100) per pay period, per aggrieved employee for subsequent violations.

42. Labor Code section 2699(f) imposes upon Defendants, and each of them, civil penalties of one hundred dollars (\$100) per pay period, per aggrieved employee for initial violations, and two hundred dollars (\$200) per pay period, per aggrieved employee for subsequent violations for all Labor Code provisions for which a civil penalty is not specifically provided.

43. Plaintiff is seeking civil penalties against Defendants under Labor Code sections 2699(f), 558, the IWC Wage Order, and/or any other applicable statute allowing recovery of civil penalties under the PAGA as alleged herein in an amount to be shown according to proof.

44. Pursuant to the PAGA, or Labor Code section 2699(g), Plaintiff seeks to recover reasonable attorneys' fees, costs, and filing fees paid to the LWDA in an amount to be shown according to proof.

FOURTH CAUSE OF ACTION

**(Representative Claim for Civil Penalties Under the PAGA for Violations of Labor Code
Section 226.7(b) against all Defendants)**

45. Plaintiff re-alleges and incorporates by reference the foregoing allegations as though set forth herein.

46. Rest periods under California labor law are required for non-exempt employees who work three and a half (3 1/2) or more hours in a day. Employees are entitled to ten (10) minutes of rest period for each four (4) hours, or a substantial fraction thereof, that they work in a day.

47. Labor Code section 226.7(b) prohibits an employer to require an employee to work during a rest period and provides that an employee must be paid a wage for doing so.

48. Defendants failed to provide Plaintiff and other employees with proper rest periods in violation of Labor Code section 226.7(b) and the IWC Wage Order.

49. The PAGA imposes upon Defendants, and each of them, civil penalties for violating the rest break provision in Labor Code section 226.7(b) and the IWC Wage Order.

50. Labor Code section 2699(f) imposes upon Defendants, and each of them, civil penalties of one hundred dollars (\$100) per pay period, per aggrieved employee for initial violations, and two hundred dollars (\$200) per pay period, per aggrieved employee for subsequent violations for all Labor Code provisions for which a civil penalty is not specifically provided.

51. Plaintiff is seeking civil penalties against Defendants under Labor Code section 2699(f), the IWC Wage Order, and/or any other applicable statute allowing recovery of civil penalties under the PAGA as alleged herein in an amount to be shown according to proof.

52. Pursuant to the PAGA, or Labor Code section 2699(g), Plaintiff seeks to recover reasonable attorneys' fees, costs, and filing fees paid to the LWDA in an amount to be shown according to proof.

FIFTH CAUSE OF ACTION

Representative Claim for Civil Penalties Under the PAGA for Violations of Labor Code

Section 226.7(c) against all Defendants

53. Plaintiff re-alleges and incorporates by reference the foregoing allegations as though set forth herein.

54. Under Labor Code section 226.7(c), if an employer fails to provide an employee with a proper meal or rest period, the employer shall pay the employee one hour of pay at the employee's regular rate of compensation for each workday that the meal/rest period is not provided.

55. Defendants failed to issue Plaintiff and other employees meal and/or rest premiums at the regular rate of pay in violation of Labor Code section 226.7(c). By way of example, Defendants failed to retroactively adjust the premiums it issued once incentive/bonuses were later determined and paid during the same period wherein the premiums were issued.

56. PAGA imposes upon Defendants, and each of them, penalties for violating Labor Code section 226.7(c) and the IWC Wage Order.

57. Labor Code section 2699(f) imposes upon Defendants, and each of them, civil penalties of one hundred dollars (\$100) per pay period, per aggrieved employee for initial violations, and two hundred dollars (\$200) per pay period, per aggrieved employee for subsequent violations for all Labor Code provisions for which a civil penalty is not specifically provided.

58. Plaintiff is seeking civil penalties against Defendants under Labor Code section 2699(f), the IWC Wage Order, and/or any other applicable statute allowing recovery of civil penalties under the PAGA as alleged herein in an amount to be shown according to proof.

59. Pursuant to the PAGA, or Labor Code section 2699(g), Plaintiff seeks to recover reasonable attorneys' fees, costs, and filing fees paid to the LWDA in an amount to be shown according to proof.

SIXTH CAUSE OF ACTION

**(Representative Claim for Civil Penalties Under the PAGA for Violations of Labor Code
Sections 510 and 1198 against all Defendants)**

60. Plaintiff re-alleges and incorporate by reference the foregoing allegations as though set forth herein.

61. Eight hours of labor constitutes a day's work, and any work in excess of 8 hours in 1 workday, any work in excess of 40 hours in any one workweek, and for the first 8 hours worked on the 7th consecutive day of work in a workweek, shall be compensated at the rate of no less than one-and one-half times the regular rate of pay for an employee. Any work in excess of 12 hours in one day shall be compensated at the rate of no less than twice the regular rate of pay for an employee. (Labor Code § 510 and IWC Wage Order.)

62. Plaintiff and other employees were not paid for all overtime and/or double time hours that they worked for Defendant. By way of example, Defendants failed to properly provide Plaintiff and other employees with overtime pay for hours worked in excess of eight hours in one workday and/or hours worked in excess of 40 hours in one workweek.

63. By way of another example, Defendants failed to timely true up all overtime pay as soon as incentive/bonus earnings were calculable. Instead, Defendants would delay issuing the retroactive overtime true up until two pay periods after the incentive/bonus was calculable.

1 64. Defendants failed to provide Plaintiff and other employees with overtime pay at the
2 regular rate of pay. By way of one example, Defendants failed to include all compensation Plaintiff
3 and other employees earned (e.g., bonuses) during a given period when determining the regular rate
4 of pay, thereby resulting in the underpayment of overtime wages.

5 65. The PAGA imposes upon Defendants, and each of them, civil penalties for violating
6 Labor Code sections 510, 1198, and the IWC Wage Order.

7 66. Labor Code section 2699(f) imposes upon Defendants, and each of them, civil
8 penalties of one hundred dollars (\$100) per pay period, per aggrieved employee for initial violations,
9 and two hundred dollars (\$200) per pay period, per aggrieved employee for subsequent violations for
10 all Labor Code provisions for which a civil penalty is not specifically provided.

11 67. Pursuant to Labor Code section 558, any employer or other person acting on behalf of
12 an employer who violates, or causes to be violated, Labor Code sections 500 to 558.1 or any provision
13 regulating hours and days of work in any order of the Industrial Welfare Commission shall be subject
14 to a civil penalty. Specifically, Labor Code section 558 imposes upon Defendants, and each of them,
15 penalties of fifty hundred dollars (\$50) per pay period, per aggrieved employee for initial violations,
16 and one hundred dollars (\$100) per pay period, per aggrieved employee for subsequent violations.

17 68. Plaintiff is seeking civil penalties against Defendants under Labor Code sections
18 2699(f), 558, and/or any other applicable statute allowing recovery of civil penalties under the PAGA
19 in an amount to be shown according to proof.

20 69. Pursuant to the PAGA, and/or Labor Code section 2699(g), Plaintiff seeks to recover
21 reasonable attorneys' fees, costs, and filing fees paid to the LWDA in an amount to be shown
22 according to proof.

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SEVENTH CAUSE OF ACTION

(Representative Claim for Civil Penalties Under the PAGA for Violations of Labor Code

Section 226(a)(1) against all Defendants)

70. Plaintiff re-alleges and incorporate by reference the foregoing allegations as though set forth herein.

71. Labor Code section 226(a)(1) requires wage statements that an employer issues to its employees accurately state the gross wages earned.

72. Defendants failed to accurately state the gross wages on the wage statements it issued to Plaintiff and other employees in violation of Labor Code section 226(a)(1). By way of one example, the wage statements Defendants issued to Plaintiff and other employees failed to include the accurate amount of gross wages because they failed to include the proper amount of wages, including, but not limited to, sick pay wages, meal/rest premium wages, and regular and/or overtime wages.

73. The PAGA imposes upon Defendants, and each of them, civil penalties for violating Labor Code section 226(a)(1).

74. Labor Code section 2699(f) imposes upon Defendants, and each of them, civil penalties of one hundred dollars (\$100) per pay period, per aggrieved employee for initial violations, and two hundred dollars (\$200) per pay period, per aggrieved employee for subsequent violations for all Labor Code provisions for which a civil penalty is not specifically provided.

75. Plaintiff is seeking civil penalties against Defendants under Labor Code sections 2699(f), 226.3, and/or any other applicable statute allowing recovery of civil penalties under the PAGA in an amount to be shown according to proof..

76. Pursuant to the PAGA, and/or Labor Code section 2699(g), Plaintiff seeks to recover reasonable attorneys' fees, costs, and filing fees paid to the LWDA in an amount to be shown according to proof.

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1 **EIGHTH CAUSE OF ACTION**

2 **(Representative Claim for Civil Penalties Under the PAGA for Violations of Labor Code**

3 **Section 226(a)(2) against all Defendants)**

4 77. Plaintiff re-alleges and incorporates by reference the foregoing allegations as though
5 set forth herein.

6 78. Labor Code section 226(a)(2) requires wage statements that an employer issues to its
7 employees accurately state the total hours worked.

8 79. The wage statements Defendants issued to Plaintiff and other employees failed to
9 accurately state the total hours worked in violation of Labor Code section 226(a)(2). By way of one
10 example, Defendants excluded the hours employees worked off the clock.

11 80. The PAGA imposes upon Defendants, and each of them, civil penalties for violating
12 Labor Code section 226(a)(2).

13 81. Labor Code section 2699(f) imposes upon Defendants, and each of them, civil
14 penalties of one hundred dollars (\$100) per pay period, per aggrieved employee for initial violations,
15 and two hundred dollars (\$200) per pay period, per aggrieved employee for subsequent violations for
16 all Labor Code provisions for which a civil penalty is not specifically provided.

17 82. Plaintiff is seeking civil penalties against Defendants under Labor Code sections
18 2699(f), 226.3, and/or any other applicable statute allowing recovery of civil penalties under the
19 PAGA in an amount to be shown according to proof.

20 83. Pursuant to the PAGA, and/or Labor Code section 2699(g), Plaintiff seeks to recover
21 reasonable attorneys' fees, costs, and filing fees paid to the LWDA in an amount to be shown
22 according to proof.

23 **NINTH CAUSE OF ACTION**

24 **(Representative Claim for Civil Penalties Under the PAGA for Violations of Labor Code**

25 **Section 226(a)(5) against all Defendants)**

26 84. Plaintiff re-alleges and incorporates by reference the foregoing allegations as though
27 set forth herein.

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85. Labor Code section 226(a)(5) requires wage statements that an employer issues to its employees accurately state the net wages earned.

86. Defendants failed to accurately state the net wages on the wage statements it issued to Plaintiff and other employees in violation of Labor Code section 226(a)(5). By way of one example, the wage statements Defendants issued to Plaintiff and other employees failed to include the accurate amount of net wages because they failed to include the proper amount of wages, including, but not limited to, sick pay wages, meal/rest premium wages, and regular and/or overtime wages.

87. The PAGA imposes upon Defendants, and each of them, civil penalties for violating Labor Code section 226(a)(5).

88. Labor Code section 2699(f) imposes upon Defendants, and each of them, civil penalties of one hundred dollars (\$100) per pay period, per aggrieved employee for initial violations, and two hundred dollars (\$200) per pay period, per aggrieved employee for subsequent violations for all Labor Code provisions for which a civil penalty is not specifically provided.

89. Plaintiff is seeking civil penalties against Defendants under Labor Code sections 2699(f), 226.3, and/or any other applicable statute allowing recovery of civil penalties under the PAGA in an amount to be shown according to proof.

90. Pursuant to the PAGA, and/or Labor Code section 2699(g), Plaintiff seeks to recover reasonable attorneys' fees, costs, and filing fees paid to the LWDA in an amount to be shown according to proof.

TENTH CAUSE OF ACTION

**(Representative Claim for Civil Penalties Under the PAGA for Violations of Labor Code
Section 226(a)(9) against all Defendants)**

91. Plaintiff re-alleges and incorporates by reference the foregoing allegations as though set forth herein.

92. Labor Code section 226(a)(9) requires wage statements that an employer issues to its employees accurately state all applicable hourly rates in effect during the pay period and the corresponding number of hours worked at each hourly rate by the employee.

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93. Defendants failed to provide Plaintiff and other employees the applicable hourly rates in effect during the pay period and the corresponding number of hours worked at each hourly rate by the employee in violation of Labor Code section 226(a)(9). By way of one example, the rates/hours for sick pay wages, meal/rest premiums, regular time, and overtime are inaccurately itemized on the wage statement Defendants issued to Plaintiff and other employees.

94. The PAGA imposes upon Defendants, and each of them, civil penalties for violating Labor Code section 226(a)(9).

95. Labor Code section 2699(f) imposes upon Defendants, and each of them, civil penalties of one hundred dollars (\$100) per pay period, per aggrieved employee for initial violations, and two hundred dollars (\$200) per pay period, per aggrieved employee for subsequent violations for all Labor Code provisions for which a civil penalty is not specifically provided.

96. Plaintiff is seeking civil penalties against Defendants under Labor Code sections 2699(f), 226.3, and/or any other applicable statute allowing recovery of civil penalties under the PAGA in an amount to be shown according to proof.

97. Pursuant to the PAGA, and/or Labor Code section 2699(g), Plaintiff seeks to recover reasonable attorneys' fees, costs, and filing fees paid to the LWDA in an amount to be shown according to proof.

ELEVENTH CAUSE OF ACTION

**(Representative Claim for Civil Penalties Under the PAGA for Violations of Labor Code
Section 226(a) against all Defendants)**

98. Plaintiff re-alleges and incorporates by reference the foregoing allegations as though set forth herein.

99. Under Labor Code section 226(a) an employer must either keep a duplicate of the wage statement provided to an employee or a computer-generated record that accurately shows all of the information required under 226(a)(1) through (a)(9).

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1 108. By way of another example, Defendants failed to timely true up all overtime and sick
2 leave pay as soon as incentive/bonus earnings were calculable. Instead, Defendants would delay
3 issuing the incentive/bonus and retroactive overtime and sick leave payments until two pay periods
4 after the incentive/bonus was calculable.

5 109. The PAGA imposes upon Defendants, and each of them, civil penalties for violating
6 Labor Code section 204.

7 110. Labor Code section 210 imposes upon Defendants, and each of them, civil penalties of
8 one hundred dollars (\$100) per pay period, per aggrieved employee for initial violations, and two
9 hundred dollars (\$200) per pay period, per aggrieved employee for subsequent violations.

10 111. Labor Code section 2699(f) imposes upon Defendants, and each of them, civil
11 penalties of one hundred dollars (\$100) per pay period, per aggrieved employee for initial violations,
12 and two hundred dollars (\$200) per pay period, per aggrieved employee for subsequent violations for
13 all Labor Code provisions for which a civil penalty is not specifically provided.

14 112. Plaintiff is seeking civil penalties against Defendants under Labor Code sections 210,
15 2699(f), and/or any other applicable statute allowing recovery of civil penalties under the PAGA in
16 an amount to be shown according to proof.

17 113. Pursuant to the PAGA, and/or Labor Code section 2699(g), Plaintiff seeks to recover
18 reasonable attorneys' fees, costs, and filing fees paid to the LWDA in an amount to be shown
19 according to proof.

20 **THIRTEENTH CAUSE OF ACTION**

21 **(Representative Claim for Civil Penalties Under the PAGA for Violations of Labor Code** 22 **Sections 201, 202, and 203 against all Defendants)**

23 114. Plaintiff re-alleges and incorporates by reference the foregoing allegations as though
24 set forth herein.

25 115. Under Labor Code section 201, if an employee is discharged by his/her employer, the
26 wages earned and unpaid at the time of discharge are due and payable immediately.

27 116. Under Labor Code section 202, if on the other hand, "an employee not having a written
28 contract for a definite period quits his or her employment, his or her wages shall become due and

1 payable not later than 72 hours thereafter, unless the employee has given 72 hours previous notice of
2 his or her intention to quit, in which case the employee is entitled to his or her wages at the time of
3 quitting.”

4 117. Labor Code section 203 provides, in pertinent part: “If an employer willfully fails to
5 pay, without abatement or reduction, ... any wages of an employee who is discharged or who quits,
6 the wages of the employee shall continue as a penalty from the due date thereof at the same rate until
7 paid or until an action therefore is commenced; but the wages shall not continue for more than 30
8 days. ...”

9 118. Defendants’ employees did not receive all wages upon termination or separation of
10 employment. By way of one example, employees were owed wages, including, but not limited to,
11 sick pay wages, meal/rest premium wages, and regular/overtime wages. To this date, Defendants have
12 not paid employees all wages due to them upon their termination of or separation from employment.

13 119. The PAGA imposes upon Defendants, and each of them, civil penalties for violating
14 Labor Code sections 201, 202, and 203.

15 120. Labor Code section 2699(f) imposes upon Defendants, and each of them, civil
16 penalties of one hundred dollars (\$100) per pay period, per aggrieved employee for initial violations,
17 and two hundred dollars (\$200) per pay period, per aggrieved employee for subsequent violations for
18 all Labor Code provisions for which a civil penalty is not specifically provided.

19 121. Plaintiff is seeking civil penalties against Defendants under Labor Code section
20 2699(f) and/or any other applicable statute allowing recovery of civil penalties under the PAGA in an
21 amount to be shown according to proof.

22 122. Pursuant to the PAGA, and/or Labor Code section 2699(g), Plaintiff seeks to recover
23 reasonable attorneys’ fees, costs, and filing fees paid to the LWDA in an amount to be shown
24 according to proof.

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