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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SONOMA

RAQUEL LOPEZ OROZCO, MARIA ISABEL LOPEZ OROZCO, ORALIA FARIAS PIMENTEL, and JOSE SANTOS LOPEZ MENDOZA,

Plaintiffs

v.

PETALUMA FARMS, INC., a corporation; STEVE MAHRT, an individual; JORDAN MAHRT, an individual; JUSTIN MAHRT, an individual; RMC, LLC, a limited liability company; REYNALDO MUNOZ, an individual; CYNTHIA CRUZ FALCON, an individual; and DOES 1-10, inclusive,

Defendants.

Case No.:

COMPLAINT FOR DAMAGES, PENALTIES, AND INJUCTIVE RELIEF

REPRESENATATIVE ACTION PURSUANT TO THE PRIVATE ATTORNEYS GENERAL ACT [Lab. Code, § 2698 et seq.]

JURY TRIAL DEMANDED

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Plaintiffs RAQUEL LOPEZ OROZCO, MARIA ISABEL LOPEZ OROZCO, ORALIA FARIAS PIMENTEL and JOSE SANTOS LOPEZ MENDOZA (collectively, "Plaintiffs") allege their Complaint against Defendants PETALUMA FARMS, INC. ("PETALUMA FARMS"), STEVE MAHRT, an individual, JORDAN MAHRT, an individual, JUSTIN MAHRT, an individual, RMC, LLC ("RMC"), REYNALDO MUNOZ, an individual, CYNTHIA CRUZ FALCON, an individual, and DOES 1-10 ("Doe Defendants"), (collectively, "Defendants"), as follows:

NATURE OF THE CASE

1. Plaintiffs are former employees of Defendants PETALUMA FARMS, STEVE MAHRT, JORDAN MAHRT, JUSTIN MAHRT, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants. Plaintiffs bring this action to recover amounts due to them based on Defendants' violations of their rights under California law and civil penalties resulting from these violations.

2. In addition, Plaintiffs bring this action on behalf of themselves, approximately 100 similarly situated aggrieved employees employed by Defendants between approximately October 2025 and January 2026 ("Relevant Time Period"), and the People of the State of California to recover amounts due to them based on Defendants' violations of Plaintiffs' and other aggrieved employees' rights under California law and civil penalties resulting from these violations.

3. Plaintiffs filed exhaustion letters with the California Labor and Workforce Development Agency ("LWDA") and the California Division of Occupational Safety and Health ("Cal/OSHA") providing notice of their intent to bring a private attorneys general action for recovery of penalties under the Private Attorneys General Act ("PAGA"; Lab. Code, § 2698 *et seq.*). The LWDA and Cal/OSHA have not investigated the violations alleged herein within the time set forth by statute and Plaintiffs are now authorized to bring the present action.

PARTIES

Plaintiffs

4. Plaintiffs and other aggrieved employees are individuals who were employed by Defendants to perform animal culling and cleaning services at PETALUMA FARMS' poultry farm at 700 Cavanaugh Lane, Petaluma, CA 94952.

5. Plaintiff RAQUEL LOPEZ OROZCO lives in Sonoma County, California. She worked for Defendants performing culling services at PETALUMA FARMS' poultry farm on October 29, 2025 from approximately 6:00 a.m. to 8:00 a.m.

6. Plaintiff MARIA ISABEL LOPEZ OROZCO lives in Sonoma County, California. She worked for Defendants performing culling services at PETALUMA FARMS' poultry farm on October 29, 2025 from approximately 6:00 a.m. to 9:00 a.m.

7. Plaintiff ORALIA FARIAS PIMENTEL lives in Sonoma County, California. She worked for Defendants performing culling and cleaning services at PETALUMA FARMS' poultry farm from October 29, 2025 to October 31, 2025.

8. Plaintiff JOSE SANTOS LOPEZ MENDOZA lives in Sonoma County, California. He worked for Defendants performing cleaning services at PETALUMA FARMS' poultry farm from November 2, 2025 to November 12, 2025.

Defendants

9. On information and belief, Defendant PETALUMA FARMS is a California Corporation with its principal offices located at 700 Cavanaugh Lane, Petaluma, CA 94952. Defendant PETALUMA FARMS is engaged in the business of producing and selling eggs. On information and belief, at all times relevant to this action, Defendant PETALUMA FARMS had 26 or more employees.

10. On information and belief, at all times relevant to this action, Defendant RMC was an Iowa Limited Liability Company with its principal offices located at 1111 2nd Ave. NE, Clarion, IA 50525.

11. On information and belief, Defendant REYNALDO MUNOZ, an individual, is an owner and operator of RMC. On information and belief, Defendant CYNTHIA CRUZ FALCON, an individual, is an associate, agent and/or employee of RMC and/or REYNALDO MUNOZ. Defendants REYNALDO MUNOZ and CYNTHIA CRUZ FALCON were personally involved in the violations of the California Labor Code committed against Plaintiffs and other aggrieved employees.

12. On information and belief, at all times relevant to this action, Defendants RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants operated individually

or together as a "labor contractor" as defined by Labor Code section 2810.3(a)(3), and Defendant PETALUMA FARMS was the "client employer" of Plaintiffs and other aggrieved employees as defined under that provision.

13. On information and belief, Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants directly or indirectly, or through an agent or any other person, employed and/or exercised control over the wages, hours and/or working conditions of Plaintiffs and other aggrieved employees, and each was an employer of Plaintiffs and other aggrieved employees.

14. Defendant STEVE MAHRT is the Chief Executive Officer of PETALUMA FARMS.

15. Defendant JORDAN MAHRT is the Secretary of PETALUMA FARMS.

16. Defendant JUSTIN MAHRT is the Chief Financial Officer of PETALUMA FARMS.

17. Plaintiffs are unaware of the true names and capacities of the Defendants sued herein under the fictitious names DOES 1 through 10, inclusive. Plaintiffs will seek leave to amend this complaint to allege the true names and capacities of said DOES when ascertained. Plaintiffs are informed and believe and thereon allege that each of the Doe Defendants was responsible in some manner for the occurrences and injuries alleged in this Complaint.

JURISDICTION AND VENUE

18. This Court has jurisdiction over this action pursuant to the California Code of Civil Procedure section 410.10. Plaintiffs bring this action to recover damages and to seek restitution and other relief available at law or in equity on their own behalf and on behalf of other aggrieved employees defined herein. All of the acts and omissions complained of in this action took place in Sonoma County in the State of California. Plaintiffs assert no claims under federal law.

19. Furthermore, on information and belief, Defendant PETALUMA FARMS also employs other individuals in Sonoma County and regularly conducts business in Sonoma County. On information and belief, Defendants RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants employed Plaintiffs and other aggrieved employees in Sonoma

County and entered into and performed services and/or work pursuant to contracts in Sonoma County.

20. Venue is proper in this Court pursuant to the Code of Civil Procedure sections 395 and 395.5 because the injuries to the persons complained of herein occurred in Sonoma County and because the course of conduct, breaches, violations and unlawful patterns and practices alleged herein occurred in Sonoma County or were directed by Defendants in Sonoma County.

FACTUAL ALLEGATIONS

21. Between approximately October 2025 and January 2026, Defendants hired Plaintiffs and other aggrieved employees to cull thousands of hens and/or clean up the worksite at PETALUMA FARMS' poultry farm located at 700 Cavanaugh Lane, Petaluma, CA 94952.

22. On information and belief, in or around October 2025, the hens culled were exposed to and/or infected with the H5N1 strain of highly pathogenic avian influenza virus.

23. The H5N1 virus, more commonly known as avian flu or bird flu, is a viral infection that primarily affects birds, but can infect mammals, including dairy cows and humans. (Governor's Proclamation of a State of Emergency, Avian Influenza A (H5N1) (Governor Gavin Newsom, Dec. 18, 2024).) People who work with poultry, waterfowl and dairy cows are especially at risk of contracting avian flu through close contact with infected animals, their waste or respiratory droplets. Human cases of avian flu can lead to serious complications, hospitalization and death.

24. On information and belief, around 100 workers culled the exposed and/or infected hens over the course of a few weeks in October 2025. By the end of this period, workers estimate they had culled thousands of PETALUMA FARMS hens.

25. On information and belief, following the culling, from approximately November 2025 to January 2026, a smaller group of workers either continued working or were newly hired by Defendants to clean up the work site at PETALUMA FARMS where the culling had taken place. Towards the end of the year, on information and belief, "regular" PETALUMA FARMS employees and supervisors worked with the temporary workers to help operate the farm's forklifts and bobcats.

26. On information and belief, PETALUMA FARMS continued to operate its regular course of business in neighboring poultry housing and egg production structures onsite while Plaintiffs and other aggrieved employees performed culling and cleanup services.

27. Throughout this period, Plaintiffs and other aggrieved employees experienced a long list of violations of their rights under California law related to health, safety, wages and retaliation.

Health and Safety Violations

28. Defendants instructed Plaintiffs and other aggrieved employees to kill the hens by hand, either by wringing the hens' necks or snapping them by twirling them at high speeds.

29. Defendants told Plaintiffs and other aggrieved employees that the hens were sick with a cold, and that workers might also get sick but that it would be just a cold and nothing to worry about.

30. Defendants failed to provide Plaintiffs and other aggrieved employees with any training or instruction prior to commencing work, regarding safety precautions or otherwise. Defendants did not provide information about, copies of, or training related to any existing Injury and Illness Prevention Plan.

31. Defendants failed to provide Plaintiffs and other aggrieved employees sufficient or adequate personal protective equipment ("PPE") as required under general health and safety regulations as well as regulations specific to limiting exposure to avian flu:

a. Defendants did not provide Plaintiffs and other aggrieved employees with eye protective equipment.

b. Defendants failed to provide Plaintiffs and other aggrieved employees with adequate respiratory protection, as is required when working in enclosed and contaminated areas.

c. Defendants failed to provide some Plaintiffs and other aggrieved employees with gloves. These workers were forced to cull or dispose of infected and/or rotting dead hens without any gloves.

d. Plaintiffs and other aggrieved employees who did receive gloves were given disposable or cloth gloves that had been previously used by other workers.

Defendants told these workers to reuse these gloves or to turn them inside out, though they were covered in animal refuse and blood. Some of the gloves provided were too thin and ripped when workers handled the hens' tough feathers and skin.

e. Other Plaintiffs and other aggrieved employees brought their own gloves from home, either because they were not given gloves or because they did not want to re-use old gloves. Defendants did not reimburse Plaintiffs and other aggrieved employees the cost of these gloves.

f. Defendants provided Plaintiffs and other aggrieved employees with coveralls and booties that were too thin to withstand the workers' activity and often ripped. Defendants failed to provide new coveralls and booties each time a pair was used or ripped.

g. Defendants provided PPE that was heat-trapping. Plaintiffs and other aggrieved employees sweat excessively and felt faint while wearing it, especially as Defendants provided them with no ventilation in their workplaces or cool-down break areas.

h. Due to Defendants' failure to provide PPE instruction or training, Plaintiffs and other aggrieved employees were repeatedly forced to reuse PPE, including while using the restroom, contaminating their clothes and bodies with animal refuse and blood.

i. On October 29, 2025, Defendants instructed Plaintiff MARIA ISABEL LOPEZ OROZCO to put back on her used PPE, contaminating her clothes and body underneath with animal refuse and blood.

32. Defendants failed to provide Plaintiffs and other aggrieved employees with any training or instruction regarding how to safely use, don, doff and dispose of the limited PPE that was provided. In lieu of PPE training, Plaintiffs and other aggrieved employees were simply handed the noncompliant PPE and told to put it on before beginning work. As a result, Plaintiffs and other aggrieved employees were dangerously exposed to the H5N1 virus.

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33. Perhaps most egregiously, Defendants refused to remove dead hens until the entire flock was slaughtered, forcing Plaintiffs and other aggrieved employees to walk among or on top of mounds of potentially infected hens that had been rotting for days, if not weeks.

34. Defendants failed to provide Plaintiffs and other aggrieved employees with sufficient and readily accessible drinking water.

35. Defendants failed to provide sufficient bathrooms given the size of the workforce; Plaintiffs and other aggrieved employees had access to no more than two portable toilets during the Relevant Time Period. Further, Defendants failed to provide clean bathrooms by forcing Plaintiffs and other aggrieved employees to use portable toilets in their contaminated PPE and continue using that contaminated PPE after using the facilities.

36. Defendants failed to provide adequate hand-washing facilities.

37. Defendants failed to ensure that Plaintiffs and other aggrieved employees were properly decontaminated when leaving the work site. Defendants failed to provide proper decontamination facilities, such as changing rooms and showers. Defendants failed to properly dispose of dirty, used and/or contaminated PPE, instructing Plaintiffs and other aggrieved employees to throw their used PPE into an open trash bin.

38. Defendants failed to provide Plaintiffs and other aggrieved employees with any natural or artificial means of cooling, or any cool-down break area. On information and belief, the indoor temperature in the worksites Plaintiffs and other aggrieved employees labored in exceeded 82 degrees Fahrenheit throughout the Relevant Time Period. On October 29, 2025, Defendants instructed Plaintiffs RAQUEL LOPEZ OROZCO, MARIA ISABEL LOPEZ OROZCO, ORALIA FARIAS PIMENTEL and other aggrieved employees to remove their sweatshirts because “they would not be able to withstand the heat inside.” Defendants failed to monitor or observe Plaintiffs and other aggrieved employees to prevent heat-related illness at any time during their employment. Defendants failed to allow or encourage Plaintiffs and other aggrieved employees to take any additional rest breaks to protect themselves from overheating.

39. Defendants failed to provide Plaintiffs and other aggrieved employees with a safe and healthy area to consume food and beverages by forcing some workers to eat near the contaminated worksite, and at times on the ground.

40. Defendants failed to provide Plaintiffs and other aggrieved employees with any medical services, including medical consultations prior to beginning work and medical evaluations after their work ended. On October 29, 2025, Defendants failed to provide medical services to Plaintiff ORALIA FARIAS PIMENTEL after she fainted on her way to the bathroom.

41. On information and belief, Defendants failed to record and report the Cal/OSHA any of the symptoms, illness or injury experienced by Plaintiffs and other aggrieved employees during the Relevant Time Period.

42. Defendants failed to inform Plaintiffs and other aggrieved employees of any emergency response procedures effective during their time of employment.

43. On information and belief, the majority of the workers hired by Defendants, including Plaintiffs RAQUEL LOPEZ OROZCO, MARIA ISABEL LOPEZ OROZCO, ORALIA FARIAS PIMENTEL and other aggrieved employees, did not last more than a few hours before being forced to leave their employment due to the horrendous and hazardous workplace conditions detailed above.

Intimidation and Retaliation

44. Defendants forbade Plaintiffs and other aggrieved employees from using their phones or taking pictures during working hours or while at the worksite.

45. Defendants forbade Plaintiffs and other aggrieved employees from discussing the work they performed with the media or authorities.

46. Defendants forbade Plaintiffs and other aggrieved employees from sharing the location of the work site with other individuals.

47. Defendants told Plaintiffs and other aggrieved employees that they understood some workers had lawful immigration status and some did not. Defendants then warned Plaintiffs and other aggrieved employees against the risk of potential contact with immigration authorities should they disobey Defendants' orders.

48. On October 29, 2025, Defendants told Plaintiff ORALIA FARIAS PIMENTEL and other aggrieved employees that they needed to stay quiet, not go outside and keep themselves hidden because there were government officials at the farm.

49. Defendants told workers who complained about the atrocious conditions they could go home.

50. In at least one instance, Defendants fired one aggrieved employee, despite his working at the job site for over a month, because he kept asking for water and a face mask.

Wage Violations

51. Defendants promised Plaintiffs and other aggrieved employees $18.00 per hour for their work.

52. Defendants did not pay Plaintiffs and, on information and belief, other aggrieved employees their promised wages. On information and belief, Defendants told other aggrieved employees they did not receive their promised wages because the wages were used to reimburse the company for the PPE they provided or to pay for cashing their checks to receive cash payment.

53. On information and belief, Defendants did not pay other aggrieved employees any wages at all.

54. Defendants did not pay Plaintiffs RAQUEL LOPEZ OROZCO and MARIA ISABEL LOPEZ OROZCO and, on information and belief, other aggrieved employees minimum wages.

55. Defendants did not pay Plaintiffs ORALIA FARIAS PIMENTEL and JOSE SANTOS LOPEZ OROZCO and, on information and belief, other aggrieved employees overtime wages.

56. Defendants did not provide Plaintiffs ORALIA FARIAS PIMENTEL and JOSE SANTOS LOPEZ OROZCO and, on information and belief, other aggrieved employees compliant rest or meal periods.

57. Defendants paid Plaintiffs and, on information and belief, other aggrieved employees in cash in an envelope with their name and the total amount paid written on top.

58. Defendants failed to provide Plaintiffs and, on information and belief, other aggrieved employees itemized wage information.

59. Plaintiff RAQUEL LOPEZ OROZCO worked for Defendants performing culling services at PETALUMA FARMS' poultry farm on October 29, 2025 from approximately 6:00 a.m.

to 8:00 a.m., when she was constructively discharged. Defendants only paid Plaintiff RAQUEL LOPEZ OROZCO approximately $25.00 in total wages, paid in cash.

60. Plaintiff MARIA ISABEL LOPEZ OROZCO worked for Defendants performing culling services at PETALUMA FARMS' poultry farm on October 29, 2025 from approximately 6:00 a.m. to 9:00 a.m., when she was constructively discharged. Defendants only paid Plaintiff MARIA ISABEL LOPEZ OROZCO approximately $45.00 in total wages, paid in cash.

61. Plaintiff ORALIA FARIAS PIMENTEL worked for Defendants performing culling and cleaning services at PETALUMA FARMS' poultry farm from October 29, 2025 to October 31, 2025, when she was constructively discharged. She worked from approximately 6:00 a.m. to 5:00 p.m. each day. Each day, she was only permitted two rest breaks, one in the morning and another in the afternoon, and one meal break at approximately 12:00 p.m. Defendants only paid Plaintiff ORALIA FARIAS PIMENTEL approximately $565.00 in total wages, paid in cash.

62. Plaintiff JOSE SANTOS LOPEZ MENDOZA worked for Defendants performing cleaning services at PETALUMA FARMS' poultry farm from November 2, 2025 to November 12, 2025. He worked from approximately 7:00 a.m. to 6:00 p.m. each day. Each day, he was only permitted two rest breaks, one in the morning and another in the afternoon, and one meal break at approximately 11:30 a.m. Defendants only paid Plaintiff JOSE SANTOS LOPEZ MENDOZA approximately $1,100.00 in total wages, paid in cash.

63. On August 24, 2026, counsel for Plaintiffs sent Defendant PETALUMA FARMS a written request for personnel records and other employment records pursuant to Labor Code Section 226(c). On September 21, 2026, in response to that records request, Defendant PETALUMA FARMS, via its agent Defendant JUSTIN MAHRT, refused to produce any records, denying that Plaintiffs were their employees and stating the Plaintiffs "only performed limited emergency services on behalf of a labor contractor under the supervision, recommendation, and guidance of the United States Department of Agriculture (USDA) and California Department of Food and Agriculture (CDFA)."

64. On September 22, 2026, Plaintiffs reissued their request for records and specifically asked for a copy of PETALUMA FARMS' Injury and Illness Prevention Program. In response, on September 24, 2026, PETALUMA FARMS again refused to produce any records, stating: "The

employees described in the notice were never our employees. As such, we do not have any information to share with them." To date, Defendant PETALUMA FARMS has not provided records pursuant to Section 226(c) for Plaintiffs.

65. On August 24, 2026, Plaintiffs sent Defendants RMC, REYNALDO MUNOZ and CYNTHIA CRUZ FALCON a request for personnel records and other employment records pursuant to Section 226(c). To date, they have not provided Plaintiffs any responsive records pursuant to this provision.

Resulting Physical and Emotional Harm

66. Plaintiffs and other aggrieved employees experienced flu-like symptoms either during their employment or shortly after their employment by Defendants. Plaintiffs and other aggrieved employees experienced symptoms including body aches, eye discharge, eye discomfort, headaches, dizziness, nausea and/or fever.

67. Plaintiffs witnessed other employees vomit at the work site during their time of employment.

68. On October 29, 2025, Plaintiff ORALIA FARIAS PIMENTEL fainted outside a bathroom at the worksite. She felt dizzy and feverish. A supervisor encountered her lying on the floor, and only instructed her to drink something. Defendants failed to provide her with medical attention or investigate the cause of her illness.

69. As a result of Defendants' wage, health and safety violations, Plaintiffs suffered emotional distress and financial loss. The sight and smell of the mounds of dead, rotting hens; the feel of the putrid hens slipping between their fingers; the horrible conditions at the farm; and the inhumane manner in which the hens were killed has been seared into their memories. In addition, Plaintiffs were unable to find alternative employment for weeks, if not months, later. The unexpected loss of income put Plaintiffs' and their families at risk of falling behind on their rent and bills.

LIABILITY OF PETALUMA FARMS

70. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein, and further allege, and, to the extent necessary, plead in the alternative, that:

71. Defendant PETALUMA FARMS is a California corporation engaged in the business of producing and selling organic eggs.

72. At all times relevant to Plaintiffs' claims, PETALUMA FARMS had a workforce of 26 or more employees.

73. On its website, PETALUMA FARMS represents itself as "proud pioneers in farming natural, free range, and organic eggs in California." PETALUMA FARMS states: "Today, our farm continues to run as a true family operation with all of us participating in the daily functions of the farm while employing dozens wonderful, hard working locals from Marin and Sonoma County." It also states that the business values are to "[t]reat our team, hens, and customers the way we want to be treated."

74. PETALUMA FARMS is and/or was the employer of Plaintiffs and other aggrieved employees.

75. PETALUMA FARMS is and/or was the joint employer of Plaintiffs and other aggrieved employees.

76. PETALUMA FARMS is and/or was the employer of RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON, and/or Doe Defendants.

77. During the Relevant Time Period, PETALUMA FARMS had the power to control, either directly or indirectly, the work of Plaintiffs and other aggrieved employees.

78. On information and belief, during the Relevant Time Period, PETALUMA FARMS exercised control over RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON, and Doe Defendants as to directly or indirectly dictate the wages, hours or working conditions of Plaintiffs and other aggrieved employees.

79. PETALUMA FARMS was the client employer of Plaintiffs and other aggrieved employees under Labor Code section 2810.3.

80. Defendants RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants functioned as labor contractors with respect to PETALUMA FARMS in that they employed workers to render personal services—specifically, poultry labor—in connection with the production of eggs for PETALUMA FARMS.

81. The work performed for PETALUMA FARMS by Plaintiffs and other aggrieved employees, namely culling hens and cleaning the farm, was an integral part of PETALUMA FARMS' overall business operation of producing and selling organic eggs and within PETALUMA FARMS' usual course of business of producing and selling eggs.

LIABILITY OF RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON AND DOE DEFENDANTS

82. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege, and, to the extent necessary, plead in the alternative, that:

83. On information and belief, Defendants RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants were the employers of Plaintiffs and other aggrieved employees.

84. On information and belief, Defendants RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants were the joint employers of Plaintiffs and other aggrieved employees.

85. On information and belief, Defendants RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants exercised control over the wages, hours and/or working conditions of Plaintiffs and other aggrieved employees during the Relevant Time Period.

86. On information and belief, Defendants RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants were the "labor contractors" of Plaintiffs and other aggrieved employees under Labor Code section 2810.3.

87. On information and belief, Defendants RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and/or Doe Defendants are and/or were employees of PETALUMA FARMS.

LIABILITY OF INDIVIDUAL DEFENDANTS UNDER LABOR CODE §§ 558.1 and 1197.1

88. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege, and, to the extent necessary, plead in the alternative, that:

89. Defendants STEVE MAHRT, JORDAN MAHRT and JUSTIN MAHRT, are owners, directors officers and/or managing agents of Defendant PETALUMA FARMS.

90. On information and belief, STEVE MAHRT, JORDAN MAHRT and JUSTIN MAHRT manage and oversee PETALUMA FARMS' labor force and day to day operations of the worksites, and did so during the Relevant Time Period. On information and belief, STEVE MAHRT, JORDAN MAHRT and JUSTIN MAHRT enforce and oversee PETALUMA FARMS' wage, hour, health and safety policies and practices described herein, including Plaintiffs' wage rates, hours worked, job responsibilities and health and safety workplace protections, and did so during the Relevant Time Period. On information and belief, STEVE MAHRT, JORDAN MAHRT and JUSTIN MAHRT violated or caused to be violated provisions regulating record-keeping, minimum wages, hours and days of work in Industrial Welfare Commission Wage Order 14-2001 ("Wage Order 14") and the Labor Code described herein during the Relevant Time Period and are therefore liable under Labor Code sections 558.1 and 1197.1.

91. On information and belief, Defendants REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants are owners, directors, officers and/or managing agents of Defendant RMC, and were so during the Relevant Time Period.

92. On information and belief, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants manage and oversee RMC's labor force and day to day operations of the worksites, and did so during the Relevant Time Period. On information and belief, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants enforced RMC' wage, hour, health and safety policies and practices described herein, including Plaintiffs' and other aggrieved employees' wage rates, hours worked, job responsibilities and health and safety workplace protections, and did so during the Relevant Time Period. On information and belief, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants violated or caused to be violated regulating record-keeping, minimum wages, hours and days of work in Wage Order 14 and the Labor Code described herein during the Relevant Time Period and are therefore liable under Labor Code sections 558.1 and 1197.1.

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ADMINISTRATIVE HISTORY

93. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

94. On August 24, 2026, Plaintiffs filed a PAGA notice to the LWDA and Cal/OSHA via the LWDA's online filing system and via certified mail to Defendants PETALUMA FARMS, STEVE MAHRT, JORDAN MAHRT, JUSTIN MAHRT, RMC, REYNALDO MUNOZ and CYNTHIA CRUZ FALCON regarding the specific provisions of the Labor Code alleged to have been violated by Defendants, including the facts and theories to support the alleged violations.

95. On September 8, 2026, Plaintiffs filed a second PAGA notice via the LWDA's online filing system and via certified mail to these Defendants.

96. Attached hereto as Exhibit 1 and Exhibit 2 are copies of the letters submitted to the LWDA and Cal/OSHA.

97. The LWDA and Cal/OSHA did not investigate these actions within the time set forth by statute. The LWDA and Cal/OSHA have not notified Plaintiffs that Defendants have submitted a proposal to cure these violations alleged in Plaintiffs' notice.

98. On October 2, 2026 and October 5, 2026, Plaintiffs submitted individual wage claims to the Division of Labor Standards Enforcement ("DLSE"), asserting all claims against Defendants that fall under the jurisdiction of the DLSE.

99. On October 9, 2026 and October 13, 2026, Plaintiffs submitted individual retaliation claims to the Retaliation Complaint Investigation Unit ("RCI") of the DLSE, asserting all claims against Defendants that fall specifically under the jurisdiction of the RCI.

FIRST CAUSE OF ACTION
Breach of Contract
Plaintiffs Against All Defendants

100. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

101. Plaintiffs bring this count against Defendants for breaching the employment contract between them.

102. During the Relevant Time Period during which Plaintiffs performed work for Defendants, Plaintiffs were promised $18.00 per hour in wages.

103. Plaintiffs performed their contractual obligations by performing work for Defendants from approximately October 2025 to January 2026.

104. Defendants breached the employment contract with Plaintiffs by failing to compensate Plaintiffs and, on information and belief, other aggrieved employees at the contractually promised rates in violation of Labor Code sections 223 and 1696. As a direct and proximate result of these failures, Plaintiffs have been deprived of contractual wages due and are entitled to recover the amounts due.

105. Plaintiffs are entitled to and request restitution and damages arising out of Defendants' breach of contract in amount of the unpaid contractual wages due to them, in addition to other relief requested below.

SECOND CAUSE OF ACTION
Failure to Pay Minimum Wage
Lab. Code, §§ 1194, 1197; Cal. Code Reg., tit. 8, § 11140 *et seq.*; Wage Order 14
Minimum Wage Plaintiffs Against All Defendants

106. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

107. Plaintiffs RAQUEL LOPEZ OROZCO and MARIA ISABEL LOPEZ OROZCO (collectively, "Minimum Wage Plaintiffs") bring this count against Defendants for their failure to pay minimum wage for all compensable hours. Pursuant to Wage Order 14 and Labor Code sections 1194 and 1197, employers must pay their employees at least the minimum wage for all hours worked. In 2025, the California minimum wage was $16.50 per hour.

108. During the Relevant Time Period, Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to pay Minimum Wage Plaintiffs and, on information and belief, other aggrieved employees the minimum wage for each hour worked in violation of Labor Code sections 1194 and 1197, Wage Order 14 and Title 8 of the California Code of Regulations section 11140 *et seq*.

109. Defendants STEVE MAHRT, JORDAN MAHRT, JUSTIN MAHRT, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants are each liable in their respective

individual capacities under Labor Code sections 558.1 and 1197.1 for violations of Labor Code sections 1194 and 1197, Wage Order 14 and Title 8 of the California Code of Regulations section 11140 *et seq*. Defendants STEVE MAHRT, JORDAN MAHRT and JUSTIN MAHRT are managing agents, owners and/or officers of PETALUMA FARMS in charge of PETALUMA FARMS' labor force and finances. On information and belief, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and/or Doe Defendants are similarly in charge of RMC's labor force and finances. Each of these Defendants failed to pay minimum wages to Minimum Wage Plaintiffs and, on information and belief, other aggrieved employees.

110. As a direct and proximate result of Defendants' acts and/or omissions, Minimum Wage Plaintiffs and, on information and belief, other aggrieved employees were deprived of minimum wages due in amounts to be determined at trial.

111. Minimum Wage Plaintiffs and other aggrieved employees are entitled to recover and request the unpaid balance of the full amount of such wages, interest thereon, attorneys' fees and the costs of suit.

112. Minimum Wage Plaintiffs and other aggrieved employees are also entitled to recover and request liquidated damages in an amount equal to the minimum wages unlawfully unpaid and interest thereon pursuant to Labor Code sections 203, 1194.2 and 1197.1, in addition to other relief requested below. The exact amount of liquidated damages owed will be determined at trial.

THIRD CAUSE OF ACTION
Failure To Pay Overtime Wages
Lab. Code, §§ 510, 1194; Cal. Code Reg., tit. 8, § 11140 *et seq.*; Wage Order 14
Overtime Plaintiffs Against All Defendants

113. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

114. Plaintiffs ORALIA FARIAS PIMENTEL and JOSE SANTOS LOPEZ OROZCO (collectively, "Overtime Plaintiffs") assert this count against Defendants for violation of Labor Code sections 510 and 1194.

115. Overtime Plaintiffs seek unpaid overtime premium wages against Defendants for all uncompensated overtime hours worked. During the Relevant Time Period, Defendants

PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to pay Overtime Plaintiffs and, on information and belief, other aggrieved employees overtime wages in the amount of one and a half times the regular rate for all hours worked in each workday in excess of eight (8) hours and all hours worked in each workweek in excess of forty (40) hours as required by Labor Code sections 510 and 1194, Wage Order 14 and Title 8 of the California Code of Regulations section 11140 *et seq*.

116. Overtime Plaintiffs and, on information and belief, other aggrieved employees worked over forty (40) hours in a week and/or over eight (8) hours in a day. Overtime Plaintiffs and, on information and belief, other aggrieved employees did not receive overtime premium pay for all overtime hours worked.

117. Defendants STEVE MAHRT, JORDAN MAHRT, JUSTIN MAHRT, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants are each liable in their respective individual capacities under Labor Code section 558.1 for violations of Labor Code sections 510 and 1194, Wage Order 14 and Title 8 of the California Code of Regulations section 11140 *et seq*. Each of these Defendants failed to pay overtime wages to Overtime Plaintiffs and, on information and belief, other aggrieved employees.

118. As a direct and proximate result of the acts and/or omissions of Defendants, Overtime Plaintiffs and, on information and belief, other aggrieved employees have been deprived of overtime wages due and are entitled to recover those amounts.

119. Overtime Plaintiffs and other aggrieved employees are entitled to and request relief in the amount equal to unpaid overtime hours (at the premium rate) as well as pre- and post-judgment interest, in addition to other relief requested below.

FOURTH CAUSE OF ACTION
Failure to Adequately Compensate Meal Periods
Lab. Code, §§ 226.7, 512; Cal. Code Reg., tit. 8, § 11140 *et seq.*; Wage Order 14
Meal Period Compensation Plaintiffs Against All Defendants

120. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

121. Plaintiffs ORALIA FARIAS PIMENTEL and JOSE SANTOS LOPEZ OROZCO (collectively, "Meal Period Compensation Plaintiffs") assert this count against Defendants for

violation of Labor Code sections 226.7 and 512, Title 8 of the California Code of Regulations § 11140 *et seq.* and Wage Order 14.

122. Labor Code sections 226.7 and 512 and Wage Order 14 require employers to provide all employees with a duty-free 30-minute meal period when working more than five hours in a day, or two such periods when working more than ten hours in a day. The first meal period must begin no later than the end of an employee's fifth hour of work. (*Brinker Restaurant Corp. v. Superior Court* (2012) 53 Cal.4th 1004, 1041-42.)

123. The penalty for failure to provide lawful meal periods is one hour of pay at the regular rate for each day a violation occurs.

124. During the Relevant Time Period, Meal Period Compensation Plaintiffs and, on information and belief, other aggrieved employees performed work in excess of ten hours per day but were not provided with their entitled two meal periods.

125. In addition, Plaintiff ORALIA FARIAS PIMENTEL and, on information and belief, other aggrieved employees began work at 6:00 a.m. but were not permitted their first meal period until 12:00 p.m. every day. Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants were required to provide them with their entitled meal period beginning at 11:00 a.m., as required under Labor Code sections 226.7 and 512, Title 8 of the California Code of Regulations section 11140 *et seq*. and Wage Order 14.

126. Defendants STEVE MAHRT, JORDAN MAHRT, JUSTIN MAHRT, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants are each liable in their respective individual capacities under Labor Code section 558.1 for violations of Labor Code sections 226.7 and 512, Wage Order 14 and Title 8 of the California Code of Regulations section 11140 *et seq*. Each of these Defendants failed to provide Meal Period Compensation Plaintiffs and, on information and belief, other aggrieved employees compliant meal periods during the Relevant Time Period.

127. As a direct and proximate result of the acts and/or omissions of Defendants, Meal Period Compensation Plaintiffs and, on information and belief, other aggrieved employees have been deprived of their meal period compensation due and are entitled to recover those amounts.

128. Meal Period Compensation Plaintiffs and other aggrieved employees are entitled to and request relief in the amount equal to unpaid meal period premiums as well as pre- and post-judgment interest, in addition to other relief requested below.

FIFTH CAUSE OF ACTION
Failure to Adequately Compensate Rest Periods
Lab. Code, § 226.7; Cal. Code Reg., tit. 8, § 11140 *et seq.*; Wage Order 14
Rest Period Compensation Plaintiffs Against All Defendants

129. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

130. Plaintiffs ORALIA FARIAS PIMENTEL and JOSE SANTOS LOPEZ OROZCO (collectively, "Rest Period Compensation Plaintiffs") assert this count against Defendants for violation of Labor Code section 226.7, Title 8 of the California Code of Regulations section 11140 *et seq*. and Wage Order 14.

131. Labor Code section 226.7 and Wage Order 14 require employers to authorize and permit one 10-minute paid rest periods if work is between 3.5 and 6 hours, two 10-minute paid rest periods if work is between 6 and 10 hours, and three 10-minute paid rest periods if work is between 10 and 14 hours.

132. The penalty for failure to provide lawful rest periods is one hour of pay at the regular rate for each day a violation occurs.

133. During the Relevant Time Period, Rest Period Compensation Plaintiffs and, on information and belief, other aggrieved employees performed work in excess of ten hours per day but only received a maximum of two rest breaks per day throughout their time of employment. Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to provide Rest Period Compensation Plaintiffs with sufficient compensated rest breaks as required by Labor Code section 226.7, Title 8 of the California Code of Regulations section 11140 *et seq.* and Wage Order 14.

134. Defendants STEVE MAHRT, JORDAN MAHRT, JUSTIN MAHRT, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants are each liable in their respective individual capacities under Labor Code section 558.1 for violations of Labor Code section 226.7, Wage Order 14 and Title 8 of the California Code of Regulations section 11140 *et seq*. Each of

these Defendants failed to provide Rest Period Compensation Plaintiffs and, on information and belief, other aggrieved employees compliant rest periods during the Relevant Time Period.

135. As a direct and proximate result of the acts and/or omissions of Defendants, Rest Period Compensation Plaintiffs and, on information and belief, other aggrieved employees have been deprived of their rest period compensation due and are entitled to recover those amounts.

136. Rest Period Compensation Plaintiffs and other aggrieved employees are entitled to and request relief in the amount equal to unpaid rest period premiums as well as pre- and post-judgment interest, in addition to other relief requested below.

SIXTH CAUSE OF ACTION
Failure to Adequately Compensate Denied Recovery Periods
Lab. Code, § 226.7; Cal. Code Reg., tit. 8, § 3396
Plaintiffs Against All Defendants

137. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

138. Plaintiffs and other aggrieved employees assert this count against Defendants for violation of Labor Code section 226.7 and Title 8 of the California Code of Regulations section 3396.

139. Labor Code section 226.7, subdivision (c) provides: "If an employer fails to provide an employee a meal or rest or recovery period in accordance with a state law … the employer shall pay the employee one additional hour of pay at the employee's regular rate of compensation for each workday that the … recovery period is not provided."

140. Labor Code section 226.7, subdivision (a) defines "recovery period" as "a cooldown period afforded an employee to prevent heat illness."

141. Labor Code section 226.7, subdivision (b) empowers, *inter alia*, "the Occupational Safety and Health Standards Board [OSHAB]" and "the Division of Occupational Safety and Health [Cal/OSHA]" to define and mandate via an "applicable regulation, standard, or order" what constitutes a "recovery period" for purposes of assessing premium wages owed under that section.

142. Title 8 of the California Code of Regulations section 3396, subdivision (d)(2)—promulgated by OSHAB in July 2024, in consultation with Cal/OSHA—provides, in pertinent part: "Employers shall allow and encourage employees to take a preventative cool-down rest in a

cool-down area when employees feel the need to do so to protect themselves from overheating. Such access to cool-down areas shall be permitted at all times … .”

143. Title 8 of the California Code of Regulations section 3396, subdivision (d)(3) further provides, in pertinent part: “For purposes of this section, preventative cool-down rest period has the same meaning as ‘recovery period’ in Labor Code subsection 226.7(a).”

144. Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants did not maintain or provide access to a cool-down area, as defined in Title 8 of the California Code of Regulations section 3396, subdivision (d)(1), to Plaintiffs and, on information and belief, other aggrieved employees at any point during their employment.

145. Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants did not allow or encourage Plaintiffs and, on information and belief, other aggrieved employees to take a preventative cool-down rest as needed to protect themselves from overheating at any point during their employment.

146. Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants committed the foregoing acts and omissions while, on information and belief, the indoor worksite temperatures Plaintiffs and other aggrieved employees labored in equaled and exceeded 82 degrees Fahrenheit while Plaintiffs and other aggrieved employees were required to wear clothing which restricted heat removal. (Cal. Code Reg., tit. 8, § 3396, subd. (a)(2).)

147. Plaintiffs and other aggrieved employees are therefore entitled to recovery period premium wages equal to one hour of additional pay at their regular rate of compensation for each workday they labored in such hot conditions without being provided with access to a compliant cool-down area or being allowed or encouraged to take preventative cool-down rests as needed to prevent overheating.

148. Defendants STEVE MAHRT, JORDAN MAHRT, JUSTIN MAHRT, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants are each liable in their respective individual capacities under Labor Code section 558.1 for violation of Labor Code section 226.7 and Title 8 of the California Code of Regulations section 3396. Each of these Defendants failed to

provide Plaintiffs and, on information and belief, other access to a compliant cool-down area or preventative cool-down rests during the Relevant Time Period.

149. As a direct and proximate result of the acts and/or omissions of Defendants, Plaintiffs and, on information and belief, other aggrieved employees have been deprived of their recovery period compensation due and are entitled to recover those amounts.

150. Plaintiffs and other aggrieved employees are entitled to and request relief in the amount equal to unpaid recovery period premiums as well as pre- and post-judgment interest, in addition to other relief requested below.

SEVENTH CAUSE OF ACTION
Failure To Furnish Accurate Wage Statements
Lab. Code, §§ 226, 226.3
Plaintiffs Against All Defendants

151. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

152. Plaintiffs assert this count against Defendants for their failure to furnish Plaintiffs accurate wage statements.

153. Pursuant to Labor Code sections 226 and 226.3, employers must provide employees with itemized wage information each pay period.

154. Labor Code section 226, subdivision (e)(1) further provides that if an employer knowingly and intentionally fails to provide such an itemized statement, then the employee is entitled to recover the greater of all actual damages or fifty dollars ($50) for the initial violation and one hundred dollars ($100) for each subsequent violation, up to four thousand dollars ($4,000).

155. Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants knowingly and intentionally failed to furnish Plaintiffs and, on information and belief, other aggrieved employees itemized wage statements that included all required information, such as all hours worked and all regular rates of pay. Plaintiffs and, on information and belief, other aggrieved employees have suffered injury as a result.

156. Defendants STEVE MAHRT, JORDAN MAHRT, JUSTIN MAHRT, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants are each liable in their respective

individual capacities under Labor Code section 558.1 for violation of Labor Code section 226. Each of these Defendants knowingly and intentionally failed to provide Plaintiffs and, on information and belief, compliant itemized wage statements.

157. Defendants are liable to Plaintiffs for the amounts provided by Labor Code section 226, subdivision (e).

158. Plaintiffs and other aggrieved employees are entitled to and request the applicable penalties in an amount to be determined at trial but not to exceed $4,000 each and injunctive relief available pursuant to Labor Code section 226, subdivision (h), in addition to other relief requested below.

EIGHTH CAUSE OF ACTION
Untimely Payment of Wages
Lab. Code, §§ 204, 205.5, 210
Plaintiffs Against Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants

159. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

160. Plaintiffs assert this count against Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants for their untimely payment of wages.

161. Labor Code section 204 generally requires that all wages, except those specified in this section, must be regularly paid twice during each calendar month as regular paydays.

162. Labor Code section 205.5 provides special rules requiring agricultural employers to pay all wages earned two times during each calendar month on designated regular paydays.

163. Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to timely pay all compensation and wages due, including but not limited to contract wages, minimum wages, overtime wages, rest period compensation and meal period compensation, to Plaintiffs and, on information and belief, other aggrieved employees within the periods set forth above. Accordingly, these Defendants are liable to Plaintiffs and, on information and belief, other aggrieved employees for penalties under Labor Code section 210.

164. Plaintiffs and other aggrieved employees are entitled to and request the applicable penalties in an amount to be determined at trial pursuant to Labor Code section 210, in addition to other relief requested below.

NINTH CAUSE OF ACTION
Waiting Time Penalties
Lab. Code, §§ 201-203
Plaintiffs Against All Defendants

165. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

166. Plaintiffs assert this count against Defendants for their failure to pay Plaintiffs all wages due at separation from employment.

167. Pursuant to Labor Code sections 201 through 203, an employer is required to promptly pay all compensation due to an employee upon their separation from employment and, upon failure to fully remit payment, the employer is liable for waiting time penalties in the form of a daily penalty up to a maximum of thirty (30) days.

168. Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants willfully failed to timely pay all compensation and wages due, including but not limited to contract wages, minimum wages, overtime wages, rest period compensation and meal period compensation, to Plaintiffs and, on information and belief, other aggrieved employees upon separation from their employment.

169. Defendants STEVE MAHRT, JORDAN MAHRT, JUSTIN MAHRT, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants are each liable in their respective individual capacities under Labor Code section 558.1 for violation of Labor Code section 203. Each of these Defendants willfully failed to timely pay all compensation and wages due to Plaintiffs and, on information and belief, other aggrieved employees.

170. As a result, Defendants are liable to Plaintiffs and, on information and belief, other aggrieved employees for waiting time penalties under Labor Code section 203.

171. Pursuant to Labor Code section 203, subdivision (a), Plaintiffs and other aggrieved employees request and are entitled to penalties equal to their daily wages calculated using their

contractually mandated hourly wage for each day their wages remained unpaid, up to 30 days, in addition to other relief requested below.

TENTH CAUSE OF ACTION
Failure to Reimburse Reasonable Business Expenses
Lab. Code, § 2802
Business Expense Reimbursement Plaintiffs Against All Defendants

172. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

173. Plaintiffs ORALIA FARIAS PIMENTEL and JOSE SANTOS LOPEZ MENDOZA (collectively, "Business Expense Reimbursement Plaintiffs") bring this count against Defendants for their failure to reimburse reasonable business expenses.

174. Labor Code section 2802 requires employers to reimburse employees for expenditures and costs employees must incur to discharge their duties, or that are made because of the employer's instructions.

175. In order to discharge their duties while working, Business Expense Reimbursement Plaintiffs and, on information and belief, other aggrieved employees were forced to bring their own gloves to sufficiently protect themselves from the hazardous conditions in which they worked. Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants did not reimburse Business Expense Reimbursement Plaintiffs and, on information and belief, other aggrieved employees for these reasonable and necessary expenses.

176. Defendants STEVE MAHRT, JORDAN MAHRT, JUSTIN MAHRT, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants are each liable in their respective individual capacities under Labor Code section 558.1 for violation of Labor Code section 2802. Each of these Defendants failed to reimburse reasonable business expenses to Business Expense Reimbursement Plaintiffs and, on information and belief, other aggrieved employees.

177. Business Expense Reimbursement Plaintiffs and other aggrieved employees request all damages and remedies available to them under Labor Code section 2802, in addition to other relief requested below.

ELEVENTH CAUSE OF ACTION
Failure to Timely Permit Inspection of Records
Lab. Code, § 226
Plaintiffs Against All Defendants

178. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

179. Labor Code section 226, subdivision (c) provides that "[a]n employer who receives a written or oral request to inspect or copy records pursuant to subdivision (b) pertaining to a current or former employee shall comply with the request as soon as practicable, but no later than 21 calendar days from the date of the request."

180. Section 226(a) details the information that employers must include on employee wage statements and further instructs that "a copy of the statement and the record of the deductions shall be kept on file by the employer for at least three years at the place of employment or at a central location within the State of California."

181. Section 226(f) states that "[a] failure by an employer to permit a current or former employee to inspect or copy records within the time set forth in subdivision (c) entitles the current or former employee or the Labor Commissioner to recover a seven-hundred-fifty-dollar ($750) penalty from the employer."

182. On August 24, 2026, counsel for Plaintiffs sent Defendant PETALUMA FARMS a written request for records pursuant to Section 226(c). On September 21, 2026, in response to that records request, Defendant PETALUMA FARMS, via its agent Defendant JUSTIN MAHRT, refused to produce any records, denying that Plaintiffs were their employees and stating the Plaintiffs "only performed limited emergency services on behalf of a labor contractor under the supervision, recommendation, and guidance of the United States Department of Agriculture (USDA) and California Department of Food and Agriculture (CDFA)." On September 22, 2026, Plaintiffs reissued their request for records and specifically asked for a copy of PETALUMA FARMS' Injury and Illness Prevention Program. In response, on September 24, 2026, PETALUMA FARMS again refused to produce any records, stating: "The employees described in the notice were never our employees. As such, we do not have any information to share with

them." To date, Defendant PETALUMA FARMS has not provided records pursuant to Section 226(c) for Plaintiffs.

183. Individual Defendants STEVE MAHRT, JORDAN MAHRT and JUSTIN MAHRT are managing agents, owners and/or officers of PETALUMA FARMS in charge of the record keeping and overall management of PETALUMA FARMS who failed to timely provide records pursuant to Section 226(c). These Defendants are liable under Labor Code section 558.1 for violations of this provision.

184. On August 24, 2026, Plaintiffs sent Defendants RMC, REYNALDO MUNOZ and CYNTHIA CRUZ FALCON a request for records pursuant to Section 226(c). To date, they have not provided Plaintiffs any responsive records pursuant to this provision.

185. Plaintiffs and other aggrieved employees are entitled to and request $750 in penalties pursuant to Section 226(c), in addition to other relief requested below.

TWELFTH CAUSE OF ACTION
Failure to Timely Permit Inspection of Personnel Records
Lab. Code, § 1198.5
Plaintiffs Against Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ and CYNTHIA CRUZ FALCON

186. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

187. Labor Code section 1198.5, subdivision (a) states that "every current and former employee, or his or her representative, has the right to inspect and receive a copy of the personnel records that the employer maintains relating to the employee's performance or to any grievance concerning the employee."

188. Section 1198.5(k) further provides that if an employer fails to permit a current or former employee to inspect or copy personnel records within 30 calendar days of receiving a written request, the employee may recover a penalty of $750 from the employer.

189. On August 24, 2026, counsel for Plaintiffs sent Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ and CYNTHIA CRUZ FALCON a written request for personnel records pursuant to Section 1198.5. To date, they have not provided personnel records for Plaintiffs.

190. Plaintiffs and other aggrieved employees are entitled to and request $750 in penalties pursuant to Section 1198.5(k), in addition to other relief requested below.

THIRTEENTH CAUSE OF ACTION
Unlawful Retaliation for Health and Safety Complaints
Lab. Code, §§ 98.6, 6310
Plaintiffs Against Defendants PETALUMA FARMS, RMC, CYNTHIA CRUZ FALCON, REYNALDO MUNOZ and Doe Defendants

191. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

192. Labor Code section 6310 prohibits employers from retaliating against an employee who complains about safety or health conditions or practices at the workplace or exercises any rights under federal or California law relating to occupational health and safety.

193. Labor Code section 98.6, subdivision (a) further protects California employees from employers who "retaliate[] or take any adverse action against" them because of their exercise of "any rights afforded them," including the right to make internal health and safety complaints. And when an employer retaliates against an employee "within 90 days" of that employee engaging in a protected activity, Labor Code section 98.6, subdivision (b)(1) specifies "there shall be a rebuttable presumption in favor of the employee's claim." Employers who violate Labor Code section 98.6 are additionally liable to the wronged employee for a $10,000 penalty, "[i]n addition to other remedies available." (Lab. Code, § 98.6, subd. (b)(3).)

194. On information and belief, Defendants PETALUMA FARMS, RMC, CYNTHIA CRUZ FALCON, REYNALDO MUNOZ and Doe Defendants retaliated against other aggrieved employees for engaging in protected activity, including by requesting these Defendants provide more healthy and safe workplace conditions or by complaining about workplace hazards, by constructively discharging said employees or terminating their employment. On information and belief, Defendants told workers who complained about workplace conditions that they could "go home," and in at least one instance, Defendants terminated an aggrieved employee because he requested water and PPE as required under workplace safety and health standards.

195. Defendants PETALUMA FARMS, RMC, CYNTHIA CRUZ FALCON, REYNALDO MUNOZ and Doe Defendants took each of these actions within 90 days of each protected activity, raising a rebuttable presumption of retaliation. (Lab. Code, § 98.6, subd. (b)(1).)

196. Plaintiffs request, on behalf of aggrieved employees, all civil penalties and other remedies to which they are entitled under Labor Code sections 98.6 and 6310, and the PAGA, in addition to other relief requested below.

FOURTEENTH CAUSE OF ACTION
Unlawful Retaliation for Whistleblower Complaints
Lab. Code, §§ 98.6, 1102.5
Plaintiffs Against Defendants PETALUMA FARMS, RMC, CYNTHIA CRUZ FALCON, REYNALDO MUNOZ and Doe Defendants

197. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

198. Labor Code section 1102.5, subdivision (a) provides, in part: "An employer, or any person acting on behalf of the employer, shall not make, adopt, or enforce any rule, regulation, or policy preventing an employee from disclosing information to a government or law enforcement agency, to a person with authority over the employee, or to another employee who has authority to investigate, discover, or correct the violation or noncompliance ... regardless of whether disclosing the information is part of the employee's job duties."

199. Labor Code section 1102.5, subdivision (b) further prohibits retaliation against employees based on the employer's belief that that the employee "may disclose information" to investigative authorities.

200. Labor Code section 1102.5, subdivision (f)(1) further provides: "In addition to other remedies available, an employer is liable for a civil penalty not exceeding ten thousand dollars ($10,000) per employee for each violation of this section to be awarded to the employee who was retaliated against."

201. Labor Code section 98.6, subdivision (a) further protects California employees from employers who "retaliate[] or take any adverse action against" them because of their exercise of "any rights afforded them," including the right to make whistleblower complaints. And when an employer retaliates against an employee "within 90 days" of that employee engaging in a protected activity, Labor Code section 98.6, subdivision (b)(1) specifies "there shall be a rebuttable presumption in favor of the employee's claim." Employers who violate Labor Code section 98.6 are additionally liable to the wronged employee for a $10,000 penalty, "[i]n addition to other remedies available." (Lab. Code, § 98.6, subd. (b)(3).)

202. Defendants PETALUMA FARMS, RMC, CYNTHIA CRUZ FALCON, REYNALDO MUNOZ and Doe Defendants preemptively dissuaded Plaintiffs and, on information and belief, other aggrieved employees from disclosing any information about workplace violations to investigative authorities by forbidding them from sharing the worksite location with others; by forbidding them from using their phones during work hours; and by forbidding them from taking pictures or videos of the worksite. In addition, these Defendants told Plaintiff ORALIA FARIAS PIMENTEL and, on information and belief, other aggrieved employees that they needed to stay quiet, not go outside and keep themselves hidden because there were government officials at the farm.

203. These intimidation tactics made Plaintiffs and, on information and belief, other aggrieved employees feel afraid to raise concerns about work conditions with supervisors or disclose information about workplace violations to investigators and contributed to those employees' constructive discharges and/or terminations. In at least one instance, Defendants terminated an aggrieved employee because he requested water and PPE as required under workplace safety and health standards from a supervisor with authority over himself and other workers. Defendants PETALUMA FARMS, RMC, CYNTHIA CRUZ FALCON, REYNALDO MUNOZ and Doe Defendants took each of these actions within 90 days of each protected activity, raising a rebuttable presumption of retaliation. (Lab. Code, § 98.6, subd. (b)(1).)

204. Plaintiffs and other aggrieved employees request all civil penalties and other remedies to which they are entitled under Labor Code sections 98.6 and 1102.5, and the PAGA, in addition to other relief requested below.

FIFTEENTH CAUSE OF ACTION
Unlawful Retaliation through Unfair Immigration-Related Practices
Lab. Code, § 1019
Plaintiffs Against Defendants PETALUMA FARMS, RMC, CYNTHIA CRUZ FALCON, REYNALDO MUNOZ and Doe Defendants

205. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

206. Labor Code section 1019 prohibits employers from engaging in "unfair immigration-related practices . . . for the purpose of, or with the intent of, retaliating against any person for exercising any right protected under this code." (Lab. Code, § 1019, subd. (a).) Unfair

immigration-related practices include "[t]hreatening to contact or contacting immigration authorities." (Lab. Code, § 1019, subd. (b)(1)(d).) "Intimidating conduct, including veiled or overt immigration-related threats, to prevent workers from asserting their rights in the future," as experienced by Plaintiffs and other aggrieved employees, "is contrary to the public policy of this state." (Stats. 2026, ch. 748, § 1 [Assem. Bill No. 2495].)

207. Labor Code section 1019, subdivision (c) further provides: "Engaging in an unfair immigration-related practice against a person within 90 days of the person's exercise of rights protected under this code or local ordinance applicable to employees shall raise a rebuttable presumption of having done so in retaliation for the exercise of those rights."

208. On information and belief, Defendants PETALUMA FARMS, RMC, CYNTHIA CRUZ FALCON, REYNALDO MUNOZ and Doe Defendants intimidated Plaintiffs and other aggrieved employees with threats to contact immigration authorities, such as by referencing the perceived immigration status of workers and cautioning workers against inviting attention from immigration authorities. These Defendants' actions were taken with the retaliatory motive and intent of chilling workers' attempts to raise employment concerns with supervisors and investigative agencies.

209. Plaintiffs and other aggrieved employees request equitable relief, any applicable damages or penalties, and other remedies to which they are entitled pursuant to Section 1019(d) and the PAGA, in addition to other relief requested below.

SIXTHEENTH CAUSE OF ACTION
Wrongful Termination in Violation of Public Policy
Wrongful Termination Plaintiffs Against Defendants PETALUMA FARMS, RMC, CYNTHIA CRUZ FALCON, REYNALDO MUNOZ and Doe Defendants

210. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

211. Plaintiffs RAQUEL LOPEZ OROZCO, MARIA ISABEL LOPEZ OROZCO and ORALIA FARIAS PIMENTEL (collectively, "Wrongful Termination Plaintiffs") assert this count against Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants for their wrongful termination in violation of public policy.

212. It is the public policy of the State of California, as expressed through Labor Code sections 6400 *et seq.*, to provide California employees with "safe and healthful" workplaces. As detailed herein, Defendants PETALUMA FARMS, RMC, CYNTHIA CRUZ FALCON, REYNALDO MUNOZ and Doe Defendants repeatedly violated said public policy by failing to provide Wrongful Termination Plaintiffs with a safe and healthful workplace, including through their violation of numerous duly adopted health and safety regulations, enumerated in Title 8 of the California Code of Regulations.

213. As a direct consequence of Defendants PETALUMA FARMS, RMC, CYNTHIA CRUZ FALCON, REYNALDO MUNOZ and Doe Defendants' violations of public policy, and failure to take any corrective action to remedy such violations, Wrongful Termination Plaintiffs were knowingly and continuously subjected to intolerable and aggravated working conditions which no reasonable person in their position could have been expected to endure. These Defendants thus constructively discharged Wrongful Termination Plaintiffs on their respective end dates of employment.

214. But for Defendants PETALUMA FARMS, RMC, CYNTHIA CRUZ FALCON, REYNALDO MUNOZ and Doe Defendants' violations of public policy, and resulting wrongful discharge of Wrongful Termination Plaintiffs, these Plaintiffs would have enjoyed gainful employment with these Defendants for longer periods of time.

215. As a direct and proximate result of Defendants PETALUMA FARMS, RMC, CYNTHIA CRUZ FALCON, REYNALDO MUNOZ and Doe Defendants' conduct, Wrongful Termination Plaintiffs suffered emotional distress, lost wages, lost employment and career opportunities, and suffered other economic and non-economic damages, the precise amount of which will be proven at trial.

216. The conduct of Defendants PETALUMA FARMS, RMC, CYNTHIA CRUZ FALCON, REYNALDO MUNOZ and Doe Defendants was also malicious and oppressive, entitling Wrongful Termination Plaintiffs to recovery of punitive and exemplary damages, pursuant to Civil Code section 3294.

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SEVENTEENTH CAUSE OF ACTION
Violations of the Unfair Competition Law
Bus. & Prof. Code, § 17200 *et seq.*
Plaintiffs Against All Defendants

217. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

218. California Business and Professions Code section 17200 prohibits unfair competition in the form of any unlawful, unfair, or fraudulent business act or practice.

219. Business and Professions Code section 17204 allows any "person who has suffered injury in fact and has lost money or property as a result of the unfair competition" to prosecute a civil action for violation of Business and Professions Code section 17200 *et seq*.

220. Defendants PETALUMA FARMS, RMC, CYNTHIA CRUZ FALCON, REYNALDO MUNOZ and Doe Defendants have committed unfair and unlawful business practices within the meaning of Business and Professions Code section 17200 *et seq.* by engaging in conduct that includes, but is not limited to the following:

a. Failure to pay minimum wages in violation of Wage Order 14 and Labor Code sections 1194, 1194.2 and 1197;
b. Failure to pay overtime wages in violation of Wage Order 14 and Labor Code sections 510 and 1194;
c. Failure to provide compliant meal periods or pay meal premiums in violation of Wage Order 14 and Labor Code sections 226.7 and 512;
d. Failure to provide compliant rest periods or pay rest premiums in violation of Wage Order 14 and Labor Code section 226.7;
e. Failure to provide compliant recovery periods or pay recovery premium wages in violation of Labor Code section 226.7;
f. Failure to provide accurate wage statements in violation of Labor Code sections 226 and 226.3;
g. Failure to pay wages at termination/resignation in violation of Labor Code sections 201, 202 and 203;

h. Failure to reimburse for reasonable business expenses in violation of Labor Code section 2802;

i. Failure to pay contractual wages in violation of Labor Code sections 223 and 1696.

j. Untimely payment of wages in violation of Labor Code sections 204, 205.5 and 210; and

k. Unlawful retaliation in violation of Labor Code sections 98.6, 6310, 1019 and 1102.5.

221. Defendants STEVE MAHRT, JORDAN MAHRT, JUSTIN MAHRT, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants are each liable in their respective individual capacities for violations of Business and Professions Code section 17200 *et seq*. On information and belief, each of these Defendants personally participated in the violations of this provision, either directly or by aiding and abetting the wrongful conduct.

222. As a direct and proximate result of Defendants' unlawful business practices, Plaintiffs and, on information and belief, other aggrieved employees have been personally aggrieved and suffered economic injuries including, but not limited to, unpaid compensation for unpaid contractual wages, minimum wages, overtime wages and meal and rest period premiums.

223. As a direct and proximate result of Defendants' unlawful, unfair and/or fraudulent acts and practices described herein, Defendants have acted contrary to law and contrary to public policy and have thus engaged in unlawful and unfair business practices in violation of Business and Professions Code § 17200 *et seq*. Defendants have engaged in such conduct for their own economic self-interest, to increase their profits, and to the detriment of business competitors whose conduct complies with California law and public policy.

224. Defendants have received and continue to hold ill-gotten gains belonging to Plaintiffs and other aggrieved employees. In addition, Defendants have profited from and obtained a competitive advantage through their unlawful, unfair and/or fraudulent acts and practices.

225. Injunctive relief pursuant to Business and Professions Code section 17203 is necessary to prevent Defendants from continuing to engage in unfair business practices as alleged in this Complaint. Plaintiffs request a permanent injunction prohibiting further violations of the type alleged herein.

226. Pursuant to Business and Professions Code section 17203, Plaintiffs are also entitled to restitution of money acquired by Defendants by means of their unfair business practices, in amounts not yet ascertained but to be ascertained at trial.

227. Plaintiffs are entitled to and request the applicable equitable relief, in addition to other relief requested below.

EIGHTEENTH CAUSE OF ACTION
Failure to Establish and Implement IIPP
Lab. Code, §§ 6401.7, 6407; Cal. Code Regs., tit. 8, § 3203
Plaintiffs Against Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants

228. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

229. Plaintiffs bring this count against Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants for failing to establish, implement and/or maintain an effective and written Injury and Illness Prevention Program (IIPP).

230. Labor Code section 6407 requires all employers to "comply with occupational safety and health standards, with Section 25910 of the Health and Safety Code, and with all rules and regulations and orders pursuant to this division which are applicable to his own actions and conduct." Among the "occupational safety and health standards … rules, regulations and orders" of which all employers must comply under the Labor Code is a requirement that all employers establish, implement and maintain an effective Injury and Illness Prevention Program ("IIPP"). (*See* Lab. Code, § 6407; Cal. Code Regs., tit. 8, § 3203.)

231. Labor Code section 6401.7 similarly requires all employers to establish, implement and maintain a written IIPP that covers "all of the employer's employees and all other workers who the employer controls or directs and directly supervises on the job to the extent these workers are exposed to worksite and job assignment specific hazards." (Lab. Code, § 6401.7, subd. (h).)

232. Labor Code section 6401.7 also requires all employers to timely correct unsafe and unhealthy work conditions; provide employee training to new employees and to all employees whenever new hazardous "substances, processes, procedures, or equipment" are introduced to the workplace; and "keep appropriate records of steps taken to implement and maintain the program." (Lab. Code, § 6401.7, subds. (b), (c), (d).)

233. On information and belief, Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants violated Labor Code section 6401.7 and Title 8 of the California Code of Regulations section 3203 by failing to establish, implement and/or maintain an effective and written IIPP. On September 22, 2026, counsel for Plaintiffs specifically requested a copy of Defendant PETALUMA FARMS' IIPP but PETALUMA FARMS failed to provide Plaintiffs with a copy. In addition, on information and belief, these Defendants violated Labor Code section 6401.7, subdivision (d) by failing to "keep appropriate records of steps taken to implement and maintain the program." (Lab. Code, § 6401.7, subd. (d).)

234. Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants also violated Section 6401.7(b) by failing to provide any occupational health and safety training to Plaintiffs and other aggrieved employees. (Lab. Code, § 6401.7, subd. (b) [requiring employers to provide employee health and safety training to new employees, when employees are given a new job assignment and whenever new hazardous "substances, processes, procedures, or equipment" are introduced to the workplace].) In addition, these Defendants violated Section 6401.7(b) by failing to timely correct hazardous workplace conditions in response to worker complaints.

235. Plaintiffs and other aggrieved employees request all civil penalties and other remedies to which they are entitled under the PAGA, in addition to other relief requested below.

NINETEENTH CAUSE OF ACTION
Failure to Provide Fresh Potable Drinking Water
Lab. Code, §§ 2441, 6407; Cal. Code Regs., tit. 8, § 3363
Plaintiffs Against Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants

236. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

237. Plaintiffs bring this count against Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants for failing to provide an adequate supply of fresh, potable drinking water during working hours at reasonable and convenient times and places.

238. Labor Code section 2441 requires all employees to provide fresh, potable drinking water during working hours. Similarly, among the "occupational safety and health standards …

rules, regulations and orders" of which all employers must comply under the Labor Code is a requirement that all employers provide an adequate supply of readily accessible, potable drinking water. (Lab. Code, § 6407; Cal. Code Regs., tit. 8, § 3363.)

239. Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants violated these provisions by failing to provide Plaintiffs and other aggrieved employees with an adequate supply of fresh, potable drinking water, during working hours at reasonable and convenient times and places.

240. Plaintiffs and other aggrieved employees request all civil penalties and other remedies to which they are entitled under the PAGA, in addition to other relief requested below.

TWENTIETH CAUSE OF ACTION
Violation of Health and Safety Standards Related to Aerosol Transmissible Diseases
Lab. Code, § 6407; Cal. Code Regs., tit. 8, § 5199.1
Plaintiffs Against Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants

241. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

242. Among the "occupational safety and health standards … rules, regulations and orders" of which all employers must comply under the Labor Code is a requirement that farms that produce animals or animal products establish, implement and maintain effective prevention procedures for employee exposure to Zoonotic Aerosol Transmissible Pathogens, such as H5N1 virus. (*See* Lab. Code, § 6407; Cal. Code Regs., tit. 8, § 5199.1.)

243. On information and belief, in or around October 2025, thousands of hens at PETALUMA FARMS' poultry farm located at 700 Cavanaugh Lane, Petaluma, CA 94952 were exposed to or contracted H5N1 virus, more commonly known as Avian flu.

244. On information and belief, during the Relevant Time Period, Plaintiffs and other aggrieved employees engaged in work operations that involved the handling, killing or disposing of infected animals or the cleaning or disinfecting of areas used, or previously used, to contain such infected animals or their wastes, requiring Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants to comply with Section 5199.1, subdivisions (d) and (e). (Cal. Code Regs., tit. 8, § 5199.1, subds. (a)(2)(d)-(e).)

245. On information and belief, during the Relevant Time Period, the USDA or the CDFA issued a quarantine order, movement restriction, or other infection control order due to an increased risk of Avian flu, requiring Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants to comply with Section 5199.1, subdivisions (c) and (e).

246. On information and belief, the CDC, CDFA, CDFG, CDPH, USDA and/or USDOI issued an alert regarding potential Avian flu infection that applied to Defendant PETALUMA FARMS' work operations during the Relevant Time Period, requiring Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants to comply with Section 5199.1, subdivisions (b) and (e).

247. Throughout the Relevant Time Period, Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants violated the following provisions of Section 5199.1:

248. **Failure to Provide Compliant Personal Protective Equipment (PPE):** Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to provide Plaintiffs and other aggrieved employees PPE and clothing that were "compatible with decontamination and disposal methods available at the site" and "adequate to ensure that hazardous substances and contaminated fluids and aerosols do not penetrate to the employee's mucous membranes or skin." (Cal. Code Regs., tit. 8, §§ 5199.1, subds. (c)(2), (d)(3).)

249. Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to provide Plaintiffs and other aggrieved employees appropriate respiratory protection including "elastomeric facepiece respirators or powered air purifying respirators (PAPR) with appropriate cartridges" which are mandatory under this provision whenever employees labor in enclosed, contaminated areas. (Cal. Code Regs., tit. 8, §§ 5199.1, subds. (b)(3), (c)(2), (d)(4).)

250. Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to provide Plaintiffs and other aggrieved employees

any eye protective equipment, which is required "unless employees use full facepiece respirators or PAPRs that provide eye protection." (Cal. Code Regs., tit. 8, §§ 5199.1, subds. (c)(2), (d)(3).)

251. Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to provide an adequate supply of new, durable gloves to Plaintiffs and other aggrieved employees gloves, instead providing an insufficient number of gloves that were used and dirty. These Defendants instructed Plaintiffs and other aggrieved employees to wash the gloves for reuse the following day, or to "turn the gloves inside out." (Cal. Code Regs., tit. 8, §§ 5199.1, subds. (c)(2), (d)(3).)

252. Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants provided Plaintiffs and other aggrieved employees PPE that was not sufficiently durable to prevent exposure, often ripping and exposing their bodies to hazardous substances and contaminated fluids. (Cal. Code Regs., tit. 8, § 5199.1, subd. (d)(3).)

253. On information and belief, Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to provide PPE "at no cost to the employee" by deducting from other aggrieved employees' wages the costs of the PPE they used while working. (Cal. Code Regs., tit. 8, § 5199.1, subd. (a)(3).)

254. **Failure to Comply with Disposal Requirements:** Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to implement treatment and disposal procedures of animal waste and contaminated PPE that "minimize employee exposure to zoonotic disease hazards, and shall be in accordance with applicable standards of the California Environmental Protection Agency and the United States Environmental Protection Agency." (Cal. Code Regs., tit. 8, §§ 5199.1, subds. (c)(2), (d)(6).)

255. **Failure to Comply with Decontamination Requirements:** Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to provide Plaintiffs and other aggrieved employees decontamination facilities such as change rooms and shower facilities. (Cal. Code Regs., tit. 8, § 5199.1, subds. (b)(2)(C), (c)(2)(D), (d)(7).) These Defendants further failed to ensure Plaintiffs and other aggrieved employees were properly decontaminated when leaving the restricted area and that "contaminated

clothing and equipment [were] appropriately decontaminated or disposed of." (Cal. Code Regs., tit. 8, § 5199.1, subd. (d)(7).)

256. **Failure to Provide Medical Services Program:** Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to create and provide a medical services program developed through consultation with a physician or other licensed healthcare professional (PLHCP) knowledgeable about zoonotic disease hazards, which at a minimum must include an initial medical evaluation prior to first entrance into a restricted area; surveillance for signs and symptoms of zoonotic disease or of "over-exposures to hazardous substances as appropriate for substances present in the work operation;" immediate referral to a PLHCP for follow-up evaluation of any employee exhibiting signs or symptoms of zoonotic disease or of over-exposure; further investigation into the source of any potential over-exposure, followed by the implementation of any needed corrective measures; follow-up medical evaluations with a PLHCP. (*See* Cal. Code Regs., tit. 8, §§ 5199.1, subds. (b)(2)(D), (c)(2)(E), (d)(8).) Plaintiffs and other aggrieved employees did not receive medical consultations prior to beginning work or follow-up medical evaluations. Plaintiff ORALIA FARIAS PIMENTEL exhibited signs of illness onsite but these Defendants failed to refer her to any medical service provider.

257. **Failure to Provide Health and Safety Training:** Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to provide any training to Plaintiffs and other aggrieved employees. (Cal. Code Regs., tit. 8, §§ 5199.1, subds. (c)(2)(F), (d)(8).) These Defendants also failed to obtain written certification from Plaintiffs and, on information and belief, other aggrieved employees verifying the receipt of PPE training regarding how to properly put on, remove, wear and adjust PPE; the proper care and maintenance required of the PPE; the limitations and useful life of the PPE; and the proper disposal of PPE. (Cal. Code Regs., tit. 8, §§ 3380, subds. (f)(4), (f)(7).)

258. **Failure to Implement Sufficient Engineering Controls:** Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to implement sufficient engineering controls to control employee exposure to Avian flu. (Cal. Code Regs., tit. 8, § 5199.1, subd. (d)(1)(C).)

259. **Failure to Implement Heat Illness Prevention Procedures:** Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to implement "procedures to protect employees from the risk of heat illness." (Cal. Code Regs., tit. 8, § 5199.1, subd. (d)(1)(E).)

260. **Failure to Establish, Implement and Maintain Written Procedures to Control the Risk of Transmission of Disease from Animals to Employees.** Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to establish, implement or maintain control procedures, written or otherwise, that even minimally controlled the risks of Avian flu exposure for Plaintiffs and other aggrieved employees. (Cal. Code Regs., tit. 8, § 5199.1, subds. (b)-(d).) Instead, Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants subjected Plaintiffs and other aggrieved employees to extremely hazardous conditions and, by committing the acts and omissions described above, failed to implement even the most basic procedures to reduce Avian flu transmission.

261. Plaintiffs and other aggrieved employees request all civil penalties and other remedies to which they are entitled under the PAGA, in addition to other relief requested below.

TWENTY-FIRST CAUSE OF ACTION
Violation of Health and Safety Standards for Sanitary Facilities
Lab. Code, § 6407; Cal. Code Regs., tit. 8, §§ 3360-3368
Plaintiffs Against Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants

262. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

263. Among the "occupational safety and health standards… rules, regulations and orders" of which all employers must comply are Title 8 sections 3360 through 3368 of the California Code of Regulations, requiring employers to provide each employee with suitable water supplies for drinking, hand washing stations, toilets, areas for consumption of food and beverages and, where appropriate, change rooms and showers. (*See* Lab. Code, § 6407; Cal. Code Regs., tit. 8, §§ 3360-3368).

264. Throughout the Relevant Time Period, Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants violated the following provisions of Sections 3360 through 3368:

265. **Toilet Facilities:** On information and belief, Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to provide a minimum of three toilet facilities in workplaces with over thirty-six employees by only providing Plaintiffs and other aggrieved employees one or two portable toilets during the Relevant Time Period. (Cal. Code Regs., tit. 8, § 3364.) Further, these Defendants failed to provide Plaintiffs and other aggrieved employees clean toilets by forcing them to enter the portable toilets in their contaminated PPE then put the contaminated PPE back on after using the facilities. (*See id*.)

266. Handwashing Facilities: Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to provide Plaintiffs and other aggrieved employees any handwashing facilities and, where handwashing facilities were provided, these were not "maintained in good working order and in a sanitary condition." (Cal. Code Regs., tit. 8, §§ 3366, subds. (a), (b).)

267. Noncontaminated Areas for Food and Beverage Consumption: Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to provide Plaintiffs and other aggrieved employees with a noncontaminated area to consume food and beverages by forcing Plaintiffs and other aggrieved employees to eat near the contaminated worksite and, at times, on the ground. (Cal. Code Regs., tit. 8, § 3368.)

268. **Maintenance Standards:** By forcing Plaintiffs and other aggrieved employees to work among or on top of rotting poultry, Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to keep workplace areas frequented by Plaintiffs and other aggrieved employees "clean, orderly and in a sanitary condition." (Cal. Code Regs., tit. 8, § 3362.)

269. Plaintiffs and other aggrieved employees request all civil penalties and other remedies to which they are entitled under the PAGA, in addition to other relief requested below.

TWENTY-SECOND CAUSE OF ACTION
Violation of Health and Safety PPE Requirements
Lab. Code, § 6407; Cal. Code Regs., tit. 8, §§ 3380-3385, 3387
Plaintiffs Against Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants

270. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

271. Among the "occupational safety and health standards… rules, regulations and orders" of which all employers must comply are Title 8 of the California Code of Regulations sections 3380 through 3385, requiring all employers to provide adequate eye and face protection (Section 3382), body protection (Section 3383), hand protection (Section 3384), foot protection (Section 3385) when employees are at risk of injury or infection without such personal protective equipment. (*See* Lab. Code, § 6407; Cal. Code Regs., tit. 8, §§ 3380-3385.) Despite the high exposure of the faces, bodies, hands and feet of Plaintiffs and other aggrieved employees to injury or contamination during the Relevant Time Period, Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to provide them with sufficient durable PPE.

272. Similarly, among the "occupational safety and health standards… rules, regulations and orders" of which all employers must comply are Title 8 of the California Code of Regulations section 3387 which requires employers to keep personal protective equipment "clean and in good repair," and prohibits employers from interchanging "safety devices, including protective clothing worn by the employee…until properly cleaned." (Cal. Code Regs., tit. 8, § 3387.) During the Relevant Time Period, Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to provide sufficient clean gloves to Plaintiffs and other aggrieved employees and instructed them to reuse dirty gloves used by other employees.

273. Plaintiffs and other aggrieved employees request all civil penalties and other remedies to which they are entitled under the PAGA, in addition to other relief requested below.

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TWENTY-THIRD CAUSE OF ACTION
Violation of Health and Safety Reporting and Recording Requirements
Lab. Code, § 6407; Cal. Code Regs., tit. 8, §§ 342, 14300
Plaintiffs Against Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants

274. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

275. Among the "occupational safety and health standards… rules, regulations and orders" of which all employers must comply are Title 8 of the California Code of Regulations sections 342 and 14300. (*See* Lab. Code, § 6407; Cal. Code Regs., tit. 8, §§ 342, 14300.)

276. On information and belief, Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to report to Cal/OSHA the serious illness and injury that Plaintiff ORALIA FARIAS PIMENTEL and, on information and belief, other aggrieved employees experienced while working during the Relevant Time Period as required under Section 342. (Cal. Code Regs., tit. 8, § 342.)

277. On information and belief, PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to "record work-related fatalities, injuries and illnesses" as required under Section 14300 (Cal. Code Regs., tit. 8, § 14300.)

278. Plaintiffs and other aggrieved employees request all civil penalties and other remedies to which they are entitled under the PAGA, in addition to other relief requested below.

TWENTY-FOURTH CAUSE OF ACTION
Violation of Health and Safety Standards for Indoor Heat
Lab. Code, § 6407; Cal. Code Regs., tit. 8, § 3396
Plaintiffs Against Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants

279. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

280. Among the "occupational safety and health standards… rules, regulations and orders" of which all employers must comply is Title 8 section 3396 of the California Code of Regulations, requiring employers to protect workers from indoor heat hazards when, inter alia,

"[e]mployees wear clothing that restricts heat removal and the temperature equals or exceeds 82 degrees Fahrenheit." (Lab. Code, § 6407; Cal. Code Regs., tit. 8, § 3396.)

281. Throughout the Relevant Time Period, Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants violated the following provisions of Section 3396 while, on information and belief, Plaintiffs and other aggrieved employees wore clothing restricting heat removal and the indoor temperature at their worksites equaled or exceeded 82 degrees Fahrenheit:

282. **Drinking Water:** Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to provide Plaintiffs and other aggrieved employees with "access to potable drinking water," (Cal. Code Reg., tit. 8, § 3396, subd. (c).)

283. **Cool-Down Areas:** Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to provide Plaintiffs and other aggrieved employees with compliant "cool-down areas … as close as practicable to the areas where employees are working." (Cal. Code Reg., tit. 8, § 3396, subd. (d)(1).)

284. **Cool-Down Rest Periods:** Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to allow and encourage Plaintiffs and other aggrieved employees "to take a preventative cool-down rest in a cool-down area when employees feel the need to do so to protect themselves from overheating." (Cal. Code Reg., tit. 8, § 3396, subd. (d)(2).)

285. **Training:** Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to provide their supervisory and non-supervisory employees, including Plaintiffs and other aggrieved employees, with effective training before they begin "work that should reasonably be anticipated to result in exposure to the risk of heat illness." (Cal. Code Reg., tit. 8, § 3396, subd. (h)(1).)

286. **Emergency Response Procedures:** Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to implement effective emergency response procedures, including those to respond "to signs and symptoms of possible heat illness." (Cal. Code Reg., tit. 8, § 3396, subd. (f).)

287. **Acclimatization:** Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to closely observe newly assigned employees to prevent heat illness during the first 14 days of their employment. (Cal. Code Reg., tit. 8, § 3396, subd. (g)(2).)

288. **Heat Illness Prevention Plan:** On information and belief, Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants failed to "establish, implement, and maintain an effective Heat Illness Prevention Plan." (Cal. Code Reg., tit. 8, § 3396, subd. (i).)

289. Plaintiffs and other aggrieved employees request all civil penalties and other remedies to which they are entitled under the PAGA, in addition to other relief requested below.

TWENTY-FIFTH CAUSE OF ACTION
Permitting Unsafe Work and Failing to Provide Safe Workplaces
Lab. Code, §§ 6400-6404
Plaintiffs Against Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants

290. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

291. By committing the acts and omissions described in the previous sections during the Relevant Time Period, Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants violated Labor Code sections 6400 to 6404 that make it generally unlawful for employers to require and permit unsafe work, and for employers to fail to provide safe workplaces, practices and processes to their employees.

292. Plaintiffs and other aggrieved employees request all civil penalties and other remedies to which they are entitled under the PAGA, in addition to other relief requested below.

TWENTY-SIXTH CAUSE OF ACTION
Private Attorneys General Act
Lab. Code, § 2698 *et seq.*
Plaintiffs Against All Defendants

293. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

294. Plaintiffs bring this claim on behalf of themselves and all aggrieved employees as well as the general public of the State of California against all Defendants.

295. Pursuant to Labor Code section 2699, subdivision (a), any provision of the Labor Code which provides for a civil penalty to be assessed and collected by the LWDA for violations of the Labor Code may, as an alternative, be recovered through a civil action brought by an aggrieved employee on behalf of himself or herself and other current or former employees pursuant to the procedures outlined in Labor Code section 2699.3. These civil penalties are in addition to any other relief available under the Labor Code.

296. Plaintiffs allege that Defendants violated the following provisions of the Labor Code and Wage Order 14:

a. Failure to pay minimum wages in violation of Wage Order 14 and Labor Code sections 1194, 1194.2 and 1197;

b. Failure to pay overtime wages in violation of Wage Order 14 and Labor Code sections 510 and 1194;

c. Failure to provide compliant meal periods or pay meal premiums in violation of Wage Order 14 and Labor Code sections 226.7 and 512;

d. Failure to provide compliant rest periods or pay rest premiums in violation of Wage Order 14 and Labor Code section 226.7;

e. Failure to provide compliant recovery periods or pay recovery premium wages in violation of Labor Code section 226.7;

f. Failure to provide accurate wage statements in violation of Labor Code sections 226 and 226.3;

g. Failure to pay wages at termination/resignation in violation of Labor Code sections 201, 202 and 203;

h. Failure to reimburse for reasonable business expenses in violation of Labor Code section 2802;

i. Failure to timely permit inspection of records in violation of Labor Code section 226.

297. As of the date of the filing of this action, which is more than 65 days after the second notice was provided to the LWDA and to all Defendants, the LWDA and Cal/OSHA have not investigated these actions within the time set forth by statute. The LWDA and Cal/OSHA have not notified Plaintiffs that Defendants have submitted a proposal to cure these violations alleged in Plaintiffs' notice. Plaintiffs are now authorized to bring the present action. Accordingly, Plaintiffs have satisfied the administrative prerequisites of Labor Code section 2699.3 to bring an action to recover penalties for these violations against all Defendants.

TWENTY-SEVENTH CAUSE OF ACTION
Private Attorneys General Act
Lab. Code, § 2698 *et seq.*
Plaintiffs Against Defendants PETALUMA FARMS, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants

298. Plaintiffs re-allege and incorporate by reference each preceding paragraph of the complaint as fully set forth herein and further allege that:

299. Plaintiffs bring this claim on behalf of themselves and all aggrieved employees as well as the general public of the State of California against Defendants PETALUMA FARMS, STEVE MAHRT, JORDAN MAHRT, JUSTIN MAHRT, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants. Plaintiffs allege that these Defendants violated the following provisions of the Labor Code and Wage Order 14:

a. Failure to pay contractual wages in violation of Labor Code sections 223 and 1696.
b. Untimely payment of wages in violation of Labor Code sections 204, 205.5 and 210;
c. Failure to timely permit inspection of personnel records in violation of Labor Code section 1198.5;
d. Unlawful retaliation in violation of Labor Code sections 98.6, 6310, 1019 and 1102.5;
e. Failure to establish, implement and maintain effective Injury Prevention Program in violation of Labor Code section 6401.7;
f. Failure to provide fresh potable drinking water in violation of Labor Code sections 2441 and 6407;

g. Failure to comply with Occupational Safety and Health Standards in violation of Labor Code section 6407; and

h. Permitting unsafe work and failure to provide safe workplaces, practices and processes in violation of Labor Code sections 6400, 6401, 6402, 6403 and 6404.

300. As of the date of the filing of this action, which is more than 65 days after the second notice was provided to the LWDA and to all Defendants, the LWDA and Cal/OSHA have not investigated these actions within the time set forth by statute. The LWDA and Cal/OSHA have not notified Plaintiffs that Defendants have submitted a proposal to cure these violations alleged in Plaintiffs' notice. Accordingly, Plaintiffs have satisfied the administrative prerequisites of Labor Code section 2699.3 to bring an action to recover penalties for these violations against Defendants PETALUMA FARMS, STEVE MAHRT, JORDAN MAHRT, JUSTIN MAHRT, RMC, REYNALDO MUNOZ, CYNTHIA CRUZ FALCON and Doe Defendants.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for judgment as follows:

A. For an award of damages as authorized under the law;

B. For an award of liquidated damages as authorized under the law;

C. For an award of civil penalties as authorized under the law;

D. For an award of restitution and other equitable and injunctive relief as authorized under the law;

E. For an award of punitive damages as authorized under the law;

F. For an award of pre-judgment interest as authorized under the law;

G. For an award of post-judgment interest as authorized under the law;

H. That all Defendants be ordered and enjoined to cease their unlawful and/or unfair activities as alleged herein and pay restitution to Plaintiffs due to Defendants' unlawful and/or unfair activities, pursuant to Business and Professions Code sections 17200-17208;

I. That the Court find that Defendants violated the PAGA, that all Defendants are jointly and severally liable, and award the civil penalties for the violations alleged above on behalf of Plaintiffs and other aggrieved employees;

J. That Plaintiffs be awarded reasonable attorney's fees and costs pursuant to Labor Code sections 203, 226, 1194 and 2699; the Business and Professions Code section 17200 *et seq*.; and/or any other applicable law; and

K. That the Court award such other and further relief as this Court may deem appropriate.

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a jury trial on all causes of action and claims with respect to which they have a right to a jury trial.

Respectfully submitted,

DATED: 11/16/2026 **LEGAL AID AT WORK**

By: **/s/ Athena Arana**
Athena Arana
Attorney for Plaintiffs

DATED: 11/16/2026 **CALIFORNIA LEGAL ASSISTANCE, INC.**

By: **/s/ David P. Cremins**
David P. Cremins
Attorney for Plaintiffs

DATED: 11/16/2026 **WORKWORLD LAW**

By: **/s/ Ruben Escobedo**
Ruben Escobedo
Attorney for Plaintiffs

EXHIBIT 1

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August 24, 2026

VIA ELECTRONIC FILING

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CALIFORNIA DIVISION OF OCCUPATIONAL SAFETY AND HEALTH
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Via U.S. CERTIFIED MAIL

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Reynaldo Munoz
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RMC LLC
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Clarion, IA 50525

Reynaldo Munoz Calles
Cynthia Cruz Falcon
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Re: Plaintiffs Notice of Violations of the Labor Code Pursuant to the Private Attorneys General Act (Labor Code § 2698 *et seq*); Notice of Labor Law Violations (Labor Code § 2810.3(d))

Dear PAGA Administrators and Employers:

Legal Aid at Work represents Oralia Farias Pimentel, Maria Isabel Lopez Orozco, Raquel Lopez Orozco, and Jose Santos Lopez Mendoza (hereinafter collectively Plaintiffs) who intend to bring an action under the Private Attorneys General Act of 2004 (PAGA), California Labor Code sections 2698, *et seq.* on behalf of themselves and approximately 50 to 100 similarly situated former aggrieved employees employed by, upon information and belief, Petaluma Farms, Inc (Petaluma Farms), RMC LLC, Reynaldo Munoz Calles, Cynthia Cruz Falcon, and Petaluma Farms' agents (hereinafter collectively Employers) between October 2025 and the conclusion of the forthcoming action (Statutory Period), and the People of the State of California (hereinafter collectively Employees).

On information and belief, Petaluma Farms is a poultry farm located in Petaluma, CA. Petaluma Farms acted as an employer and a client employer as defined in Cal. Lab. Code section 2810.3(a)(1), with regards to Oralia Farias Pimentel, Maria Isabel Lopez Orozco, Raquel Lopez Orozco, Jose Santos Lopez Mendoza and other aggrieved employees who worked at various times from October 2025 through the present. This letter constitutes notice for the purpose of bringing the claims mentioned herein by Employees against a client employer, as required by Cal. Lab. Code section 2810.3(d).

PAGA, specifically Cal. Lab. Code section 2699(a), permits an aggrieved employee to recover civil penalties set forth therein for violations of the California Labor Code. In addition, Section 2699(f) establishes civil penalties for violations of California Labor Code provisions that do not contain their own civil penalties. Employees intend to bring a civil action to recover civil penalties for the violations identified below committed by Petaluma Farms, RMC LLC, Reynaldo Munoz Calles, Cynthia Cruz Falcon and its agents against Employees.

Relevant Facts

Petaluma Farms obtained a group of 50-100 workers through, upon information and belief, RMC LLC, Reynaldo Munoz Calles, and Cynthia Cruz Falcon to slaughter a flock of hens and clean the industrial henhouse. Employees performed this work at Petaluma Farms's poultry farm from approximately October 2025 to January 2026. Other Petaluma Farms workers performed other work in neighboring poultry housing and egg production structures onsite while these Employees performed slaughter and cleanup services. Towards the end of the year, other workers and supervisors at the farm worked with Employees to help operate the farm's forklifts and bobcats for clearing and cleanup operations.

Many Employees were constructively discharged due to the workplace conditions. Employees were given only two breaks and one meal period taken at around 11:30am or 12:00pm each day and were not paid all the wages they were promised, if at all. Employees were paid in cash and were not given an itemized wage statement. Some Employees were told they did not receive their promised wages because the wages were used to reimburse the business for the personal protective equipment they provided and other expenses related to their employment.

Employees were instructed to kill the entire flock of hens by hand, while working in high temperatures and with poor ventilation, creating dangerous and unsanitary conditions. Some workers were not given gloves and the coveralls provided were insufficient to protect the employees. Employees received no training on how to effectively use personal protective equipment (PPE), and as a result they used their PPE improperly.

Employers failed to provide medical attention or investigate or address the cause of some Employees' illness as a result of the above. For many hours prior to daybreak, Employees worked inside with no light except for the few headlamps given to some Employees, increasing the risk of falls and other accidents. Only one or two portable toilets were provided for at least 50 Employees, which, after time, were unsanitary and not properly maintained. Some Employees reported there was no place to wash their hands, and that they ate lunch on the ground near the animals.

Finally, Employees who complained about their conditions were told they could go home. One Employee was fired because he repeatedly asked for water and a face mask.

Labor Law Violations

Pursuant to Section 2699.3, the specific provisions of the California Labor Code alleged to have been violated, including the facts and theories to support the alleged violation, are as follows:

1. **Failure to Pay Minimum Wages (Cal. Lab. Code §§ 1194, 1197; Cal Code Reg. § 11140 *et seq*.; Industrial Welfare Commission ("IWC") Order 14)**

Pursuant to IWC Wage Order 14 and Cal. Lab. Code sections 1194 and 1197, employers must pay their employees at least the minimum wage for all hours worked. In 2025, the California minimum wage was $16.50 per hour.

Ms. Maria Isabel Lopez Orozco was paid approximately $45 for around 3 hours of work, or $15.00 per hour. Ms. Raquel Lopez Orozco was paid approximately $25 for around 2 hours of work, or $12.50 per hour. During the Statutory Period, on information and belief other aggrieved employees were also paid less than $16.50 per hour for their work or not at all, in violation of the California minimum wage. Employers are subject to civil penalties as provided by law.

2. **Failure to Pay Overtime Wages (Cal. Lab. Code §§ 510, 1194; Cal Code Reg. § 11140 *et seq*.; IWC Order 14)**

Pursuant to IWC Wage Order 14 and Cal. Lab. Code sections 510 and 1194, employers must pay their employees time and a half their regular rate of pay for every hour worked in excess of 8 hours a day. Ms. Farias Pimentel and Mr. Lopez Mendoza performed work in excess of 8 hours a day each day they worked at the site, but they were not paid any additional overtime premiums for those hours. On information and belief, other aggrieved workers also performed work that exceeded 8 hours a day but were not paid overtime during the Statutory Period. Employers are subject to civil penalties as provided by law.

3. **Failure to Provide Compliant Rest Periods or Pay Rest Premiums (Cal. Lab. Code §§ 226.7, 558.1)**

Pursuant to IWC Wage Order 14 and Cal. Lab. Code sections 226.7 and 558.1, employers must permit all employees to take 10-minute rest periods for every four hours worked. Employers must permit all employees to take three 10-minute rest periods after ten hours worked. If an employer fails to provide all an employee's entitled rest periods, the employee is entitled to one additional hour of pay (at the regular rate of pay) for each workday on which a rest period violation occurred.

Ms. Farias Pimentel and Mr. Lopez Mendoza performed work in excess of ten hours per day but were not provided with three rest periods. During the Statutory Period, on information and belief, other aggrieved workers also performed work in excess of ten hours a day and were not permitted the required three rest periods. Employers are subject to civil penalties as provided by law.

4. **Failure to Provide Compliant Meal Periods or Pay Meal Premiums (Cal. Lab. Code §§ 226.7, 512, 558.1)**

Pursuant to IWC Wage Order 14 and Cal. Lab. Code sections 226.7, 512 and 558.1, employers must provide all employees with a duty-free 30-minute meal period when working

more than five hours in a day, or two such periods when working more than ten hours in a day. The first meal period must begin no later than the end of an employee's fifth hour of work. *Brinker Restaurant Corp. v. Superior Court*, 53 Cal. 4th 1004, 1041-42 (2012). If an employer fails to provide a compliant meal break, the employee is entitled to an additional hour of pay (at the employee's regular rate of pay) for each workday where a meal period is not provided.

Ms. Farias Pimentel, Mr. Lopez Mendoza and, upon information and belief, other aggrieved employees performed work in excess of ten hours per day but were not provided two meal periods.

In addition, Ms. Farias Pimentel began her first meal period at 12:00 p.m. every day. Employers were required to provide her the entitled meal period beginning at 11:00 a.m. During the Statutory Period, on information and belief, other aggrieved workers also worked the same schedule of beginning work at 6:00 a.m. and not taking their first meal period until 12:00 p.m., past the required meal period start time. Employers are subject to civil penalties as provided by law.

5. **Failure to Provide Accurate Wage Statements (Cal. Lab. Code §§ 226, 226.3)**

Pursuant to Cal. Lab. Code sections 226 and 226.3, employers must provide employees with itemized wage information each pay period. Employees did not receive itemized wage statements that included all required information, such as all hours worked and all regular rates of pay. Employers are subject to civil penalties as provided by law.

6. **Failure to Reimburse for Reasonable Business Expenses (Cal. Lab. Code § 2802)**

Pursuant to Cal. Lab. Code section 2802, employers are required to reimburse employees for reasonable and necessary expenses to discharge their duties. Employers did not provide all Employees with gloves. In order to discharge their duties while working at Petaluma Farms, Ms. Farias Pimentel and, upon information and belief, other aggrieved employees were forced to bring their own gloves to sufficiently protect themselves from the hazardous conditions in which they worked. Employers did not reimburse Employees for these reasonable and necessary expenses. Employers are subject to civil penalties as provided by law.

7. **Untimely Payment of Wages (Cal. Lab. Code §§ 204, 205.5, 210)**

Pursuant to Cal. Lab. Code sections 204, 205.5, and 210, agricultural employers must pay all wages earned two times during each calendar month on designated regular paydays. Employers regularly failed to adequately compensate Plaintiffs and, upon information and belief, other aggrieved employees for minimum wages and/or overtime wages. As a result, Employers have willfully failed to timely pay aggrieved Employees. Employers are subject to civil penalties as provided by law.

8. Failure to Pay Wages at Termination/Resignation (Cal. Lab. Code §§ 201, 202)

Aggrieved Employees are owed all the wages described above. Pursuant to Cal. Lab. Code sections 201 and 202, employers are required to pay all wages due at the time of termination of their employment. Employers have willfully failed to pay all wages due at the time of termination of Plaintiffs and, upon information and belief, other aggrieved employees including minimum wages, overtime wages, and meal and rest period premiums. Employers are subject to civil penalties as provided by law.

9. Unlawful Retaliation (Cal. Lab. Code §§ 98.6, 6310, 1102.5)

Pursuant to Cal. Lab. Code sections 98.6, 6310, and 1102.5, employers are prohibited from retaliating against any employee who exercises on behalf of themselves or others any rights afforded them, complains about safety or health conditions or practices at the workplace, exercises any rights under the federal or California law relating to occupational health and safety, or seeks to report potential workplace violations, including "to a government or law enforcement agency, [and/or] to a person with authority over the employee."

Upon information and belief, Employers retaliated against former aggrieved Employees for exercising their right to a healthy and safe workplace and for complaining about hazardous conditions in the workplace to a supervisor with authority over them during the Statutory Period. Employers also obstructed Employees from reporting to relevant government agencies regarding their workplace conditions during the Statutory Period. Employers are subject to civil penalties as provided by law.

10. Failure to Establish, Implement and Maintain Effective Injury Prevention Program (Cal. Lab. Code § 6401.7)

Pursuant to Cal. Lab. Code section 6401.7(a), all employers must establish, implement and maintain an effective injury and illness prevention program (IIPP) in writing that includes:

> "(1) Identification of the person or persons responsible for implementing the program. (2) The employer's system for identifying and evaluating workplace hazards, including scheduled periodic inspections to identify unsafe conditions and work practices. (3) The employer's methods and procedures for correcting unsafe or unhealthy conditions and work practices in a timely manner. (4) An occupational health and safety training program designed to instruct employees in general safe and healthy work practices and to provide specific instruction with respect to hazards specific to each employee's job assignment. (5) The employer's system for communicating with employees on occupational health and safety matters, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal. (6) The employer's system for ensuring that employees comply with safe and healthy work practices, which may include disciplinary action. (7) A workplace violence prevention plan conforming to the requirements of Section 6401.9."

All employers must provide occupational health and safety training designed to instruct employees in general safe and healthy work practices, as well as "correct unsafe and unhealth conditions and work practices in a timely manner based on the severity of the hazard." Cal. Lab. Code § 6401.7(b), (c).

Plaintiffs incorporate the preceding sections as if alleged fully herein, and assert each and every one of the Employees experienced Employers' violation of Labor Code section 6401.7. Throughout the Statutory Period, Employers failed to establish, implement and maintain a written IIPP. They also failed to provide occupational health and safety training designed to instruct Employees in general safe and healthy work practices and did not investigate and take corrective action in response to reports of unsafe working conditions and practices. Employers are subject to civil penalties as provided by law.

11. Failure to Provide Fresh Potable Drinking Water (Cal. Lab. Code §§ 2441, 6407)

Pursuant to Cal. Lab. Code sections 2441 and 6407, employers must provide fresh, potable drinking water. Employers must additionally provide water "during working hours" at "reasonable and convenient times and places" and at no cost to the employee. Cal. Lab. Code § 2441.

Plaintiffs incorporate the preceding sections as if alleged fully herein, and assert each and every one of the Employees experienced Employers' violation of Labor Code sections 2441 and 6407. Employers failed to provide Employees an adequate supply of fresh potable

drinking water, if at all, during working hours within the Statutory Period. Employers are subject to civil penalties as provided by law.

12. Failure to Comply with Occupational Safety and Health Standards (Cal. Lab. Code § 6407)

Pursuant to Cal. Lab. Code section 6407, all employers must "comply with occupational safety and health standards, with Section 25910 of the Health and Safety Code, and with all rules, regulations, and orders pursuant to this division which are applicable to his own actions and conduct."

Plaintiffs incorporate the preceding sections as if alleged fully herein, and assert each and every one of the Employees experienced Employers' violation of Labor Code section 6407. Throughout the Statutory Period, Employers failed to comply with occupational safety and health standards, including but not limited to the failure to establish, implement and maintain a written IIPP; failure to provide fresh, potable drinking water; failure to provide sufficient personal protective equipment; and failure to provide each employee with suitable water for drinking, hand washing stations, toilets, areas for consumption of food and beverages, and, where appropriate, change rooms and showers. Employers are subject to civil penalties as provided by law.

13. Permitting Unsafe Work and Failure to Provide Safe Workplaces, Practices and Processes (Cal. Lab. Code §§ 6400-6404)

Pursuant to Cal. Lab. Code sections 6400, 6401, 6402, 6403 and 6404, it is unlawful for employers to require and permit unsafe work, and for employers to fail to provide safe workplaces, practices, and processes to their employees.

Plaintiffs incorporate the preceding sections as if alleged fully herein, and assert each and every one of the Employees experienced Employers' violations of Labor Code sections 6400, 6401, 6402, 6403, and 6404. By committing the acts and omissions described in the previous sections during the Statutory Period, Employers are in violation of these sections by requiring and permitting unsafe work and by failing to provide safe workplaces, practices, and processes to their Employees. Employers are subject to additional civil penalties as provided by law.

Conclusion

Based on the foregoing, Employers are subject to additional civil penalties as provided by law.

The facts and claims contained herein are based on the limited information available at the time of this writing. Therefore, if through discovery and/or expert review, Plaintiffs become aware of additional compensation owed to them or other current or former Employees of Employers they reserve the right to revise these facts and/or add any new claims by amending this letter. Based on the foregoing, Plaintiffs seek to file a civil action to pursue their claims against Employers and to seek PAGA remedies for these violations.

Please consider this letter as the notice required by Cal. Lab. Code sections 2699.3 and 2810.3(d). If you have any questions regarding this letter, you may contact us by email at rbichell@legalaidatwork.org; aarana@legalaidatwork.org; and acruz@legalaidatwork.org.

Sincerely,

LEGAL AID AT WORK



Rosa Lee Bichell

WORKWORLD LAW

/s/ Ruben Escobedo
Ruben Escobedo

/s/ Athena Arana
Athena Arana

/s/ Abigail Cruz
Abigail Cruz

EXHIBIT 2

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Kevin Clune
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September 8, 2026

VIA ELECTRONIC FILING

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CALIFORNIA DIVISION OF OCCUPATIONAL
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Reynaldo Munoz
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Re: Plaintiffs Notice of Violations of the Labor Code Pursuant to the Private Attorneys General Act (Labor Code § 2698 *et seq*); Notice of Labor Law Violations (Labor Code § 2810.3(d))

Dear PAGA Administrators and Employers:

Legal Aid at Work represents Oralia Farias Pimentel, Maria Isabel Lopez Orozco, Raquel Lopez Orozco, and Jose Santos Lopez Mendoza (hereinafter collectively Plaintiffs) who intend to bring an action under the Private Attorneys General Act of 2004 (PAGA), California Labor Code sections 2698, *et seq.* on behalf of themselves and approximately 50 to 100 similarly situated former aggrieved employees employed by, upon information and belief, Petaluma Farms, Inc (Petaluma Farms), RMC LLC, Reynaldo Munoz Calles, Cynthia Cruz Falcon, and Petaluma Farms' agents (hereinafter collectively Employers) between October 2025 and the conclusion of the forthcoming action (Statutory Period), and the People of the State of California (hereinafter collectively Employees).

On information and belief, Petaluma Farms is a poultry farm located in Petaluma, CA. Petaluma Farms acted as an employer and a client employer as defined in Cal. Lab. Code section 2810.3(a)(1), with regards to Oralia Farias Pimentel, Maria Isabel Lopez Orozco, Raquel Lopez Orozco, Jose Santos Lopez Mendoza and other aggrieved employees who worked at various times from October 2025 through the present. This letter constitutes notice for the purpose of bringing the claims mentioned herein by Employees against a client employer, as required by Cal. Lab. Code section 2810.3(d).

PAGA, specifically Cal. Lab. Code section 2699(a), permits an aggrieved employee to recover civil penalties set forth therein for violations of the California Labor Code. In addition, Section 2699(f) establishes civil penalties for violations of California Labor Code provisions that do not contain their own civil penalties. Employees intend to bring a civil action to recover civil penalties for the violations identified below committed by Petaluma Farms, RMC LLC, Reynaldo Munoz Calles, Cynthia Cruz Falcon and its agents against Employees.

Relevant Facts

Petaluma Farms obtained a group of 50-100 workers through, upon information and belief, RMC LLC, Reynaldo Munoz Calles, and Cynthia Cruz Falcon to slaughter a flock of hens and clean the industrial henhouse. Employees performed this work at Petaluma Farms's poultry farm from approximately October 2025 to January 2026. Other Petaluma Farms workers performed other work in neighboring poultry housing and egg production structures onsite while these Employees performed slaughter and cleanup services. Towards the end of the year, other workers and supervisors at the farm worked with Employees to help operate the farm's forklifts and bobcats for clearing and cleanup operations.

Many Employees were constructively discharged due to the workplace conditions. Employees were given only two breaks and one meal period taken at around 11:30am or 12:00pm each day and were not paid all the wages they were promised, if at all. Employees were paid in cash and were not given an itemized wage statement. Some Employees were told they did not receive their promised wages because the wages were used to reimburse the business for the personal protective equipment they provided and other expenses related to their employment.

Employees were instructed to kill the entire flock of hens by hand, while working in high temperatures and with poor ventilation, creating dangerous and unsanitary conditions. Some workers were not given gloves and the coveralls provided were insufficient to protect the employees. Employees received no training on how to effectively use personal protective equipment (PPE), and as a result they used their PPE improperly.

Employers failed to provide medical attention or investigate or address the cause of some Employees' illness as a result of the above. For many hours prior to daybreak, Employees worked inside with no light except for the few headlamps given to some Employees, increasing the risk of falls and other accidents. Only one or two portable toilets were provided for at least 50 Employees, which, after time, were unsanitary and not properly maintained. Some Employees reported there was no place to wash their hands, and that they ate lunch on the ground near the animals.

Finally, Employees who complained about their conditions were told they could go home. One Employee was fired because he repeatedly asked for water and a face mask.

Labor Law Violations

Pursuant to Section 2699.3, the specific provisions of the California Labor Code alleged to have been violated, including the facts and theories to support the alleged violation, are as follows:

1. **Failure to Pay Minimum Wages (Cal. Lab. Code §§ 1194, 1197; Cal Code Reg. § 11140 *et seq.*; Industrial Welfare Commission ("IWC") Order 14)**

Pursuant to IWC Wage Order 14 and Cal. Lab. Code sections 1194 and 1197, employers must pay their employees at least the minimum wage for all hours worked. In 2025, the California minimum wage was $16.50 per hour.

Ms. Maria Isabel Lopez Orozco was paid approximately $45 for around 3 hours of work, or $15.00 per hour. Ms. Raquel Lopez Orozco was paid approximately $25 for around 2 hours of work, or $12.50 per hour. During the Statutory Period, on information and belief other aggrieved employees were also paid less than $16.50 per hour for their work or not at all, in violation of the California minimum wage. Employers are subject to civil penalties as provided by law.

2. **Failure to Pay Overtime Wages (Cal. Lab. Code §§ 510, 1194; Cal Code Reg. § 11140 *et seq.*; IWC Order 14)**

Pursuant to IWC Wage Order 14 and Cal. Lab. Code sections 510 and 1194, employers must pay their employees time and a half their regular rate of pay for every hour worked in excess of 8 hours a day. Ms. Farias Pimentel and Mr. Lopez Mendoza performed work in excess of 8 hours a day each day they worked at the site, but they were not paid any additional overtime premiums for those hours. On information and belief, other aggrieved workers also performed work that exceeded 8 hours a day but were not paid overtime during the Statutory Period. Employers are subject to civil penalties as provided by law.

3. **Failure to Provide Compliant Rest Periods or Pay Rest Premiums (Cal. Lab. Code §§ 226.7, 558.1)**

Pursuant to IWC Wage Order 14 and Cal. Lab. Code sections 226.7 and 558.1, employers must permit all employees to take 10-minute rest periods for every four hours worked. Employers must permit all employees to take three 10-minute rest periods after ten hours worked. If an employer fails to provide all an employee's entitled rest periods, the employee is entitled to one additional hour of pay (at the regular rate of pay) for each workday on which a rest period violation occurred.

Ms. Farias Pimentel and Mr. Lopez Mendoza performed work in excess of ten hours per day but were not provided with three rest periods. During the Statutory Period, on information and belief, other aggrieved workers also performed work in excess of ten hours a day and were not permitted the required three rest periods. Employers are subject to civil penalties as provided by law.

4. **Failure to Provide Compliant Meal Periods or Pay Meal Premiums (Cal. Lab. Code §§ 226.7, 512, 558.1)**

Pursuant to IWC Wage Order 14 and Cal. Lab. Code sections 226.7, 512 and 558.1, employers must provide all employees with a duty-free 30-minute meal period when working

more than five hours in a day, or two such periods when working more than ten hours in a day. The first meal period must begin no later than the end of an employee's fifth hour of work. *Brinker Restaurant Corp. v. Superior Court*, 53 Cal. 4th 1004, 1041-42 (2012). If an employer fails to provide a compliant meal break, the employee is entitled to an additional hour of pay (at the employee's regular rate of pay) for each workday where a meal period is not provided.

Ms. Farias Pimentel, Mr. Lopez Mendoza and, upon information and belief, other aggrieved employees performed work in excess of ten hours per day but were not provided two meal periods.

In addition, Ms. Farias Pimentel began her first meal period at 12:00 p.m. every day. Employers were required to provide her the entitled meal period beginning at 11:00 a.m. During the Statutory Period, on information and belief, other aggrieved workers also worked the same schedule of beginning work at 6:00 a.m. and not taking their first meal period until 12:00 p.m., past the required meal period start time. Employers are subject to civil penalties as provided by law.

5. Failure to Provide Accurate Wage Statements (Cal. Lab. Code §§ 226, 226.3)

Pursuant to Cal. Lab. Code sections 226 and 226.3, employers must provide employees with itemized wage information each pay period. Employees did not receive itemized wage statements that included all required information, such as all hours worked and all regular rates of pay. Employers are subject to civil penalties as provided by law.

6. Failure to Reimburse for Reasonable Business Expenses (Cal. Lab. Code § 2802)

Pursuant to Cal. Lab. Code section 2802, employers are required to reimburse employees for reasonable and necessary expenses to discharge their duties. Employers did not provide all Employees with gloves. In order to discharge their duties while working at Petaluma Farms, Ms. Farias Pimentel and, upon information and belief, other aggrieved employees were forced to bring their own gloves to sufficiently protect themselves from the hazardous conditions in which they worked. Employers did not reimburse Employees for these reasonable and necessary expenses. Employers are subject to civil penalties as provided by law.

7. Untimely Payment of Wages (Cal. Lab. Code §§ 204, 205.5, 210)

Pursuant to Cal. Lab. Code sections 204, 205.5, and 210, agricultural employers must pay all wages earned two times during each calendar month on designated regular paydays. Employers regularly failed to adequately compensate Plaintiffs and, upon information and belief, other aggrieved employees for minimum wages and/or overtime wages. As a result, Employers have willfully failed to timely pay aggrieved Employees. Employers are subject to civil penalties as provided by law.

8. Failure to Pay Wages at Termination/Resignation (Cal. Lab. Code §§ 201, 202)

Aggrieved Employees are owed all the wages described above. Pursuant to Cal. Lab. Code sections 201 and 202, employers are required to pay all wages due at the time of termination of their employment. Employers have willfully failed to pay all wages due at the time of termination of Plaintiffs and, upon information and belief, other aggrieved employees including minimum wages, overtime wages, and meal and rest period premiums. Employers are subject to civil penalties as provided by law.

9. Unlawful Retaliation (Cal. Lab. Code §§ 98.6, 6310, 1102.5)

Pursuant to Cal. Lab. Code sections 98.6, 6310, and 1102.5, employers are prohibited from retaliating against any employee who exercises on behalf of themselves or others any rights afforded them, complains about safety or health conditions or practices at the workplace, exercises any rights under the federal or California law relating to occupational health and safety, or seeks to report potential workplace violations, including "to a government or law enforcement agency, [and/or] to a person with authority over the employee."

Upon information and belief, Employers retaliated against former aggrieved Employees for exercising their right to a healthy and safe workplace and for complaining about hazardous conditions in the workplace to a supervisor with authority over them during the Statutory Period. Employers also obstructed Employees from reporting to relevant government agencies regarding their workplace conditions during the Statutory Period. Employers are subject to civil penalties as provided by law.

10. Failure to Establish, Implement and Maintain Effective Injury Prevention Program (Cal. Lab. Code § 6401.7)

Pursuant to Cal. Lab. Code section 6401.7(a), all employers must establish, implement and maintain an effective injury and illness prevention program (IIPP) in writing that includes:

> "(1) Identification of the person or persons responsible for implementing the program. (2) The employer's system for identifying and evaluating workplace hazards, including scheduled periodic inspections to identify unsafe conditions and work practices. (3) The employer's methods and procedures for correcting unsafe or unhealthy conditions and work practices in a timely manner. (4) An occupational health and safety training program designed to instruct employees in general safe and healthy work practices and to provide specific instruction with respect to hazards specific to each employee's job assignment. (5) The employer's system for communicating with employees on occupational health and safety matters, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal. (6) The employer's system for ensuring that employees comply with safe and healthy work practices, which may include disciplinary action. (7) A workplace violence prevention plan conforming to the requirements of Section 6401.9."

All employers must provide occupational health and safety training designed to instruct employees in general safe and healthy work practices, as well as "correct unsafe and unhealth conditions and work practices in a timely manner based on the severity of the hazard." Cal. Lab. Code § 6401.7(b), (c).

Plaintiffs incorporate the preceding sections as if alleged fully herein, and assert each and every one of the Employees experienced Employers' violation of Labor Code section 6401.7. Throughout the Statutory Period, Employers failed to establish, implement and maintain a written IIPP. They also failed to provide occupational health and safety training designed to instruct Employees in general safe and healthy work practices and did not investigate and take corrective action in response to reports of unsafe working conditions and practices. Employers are subject to civil penalties as provided by law.

11. Failure to Provide Fresh Potable Drinking Water (Cal. Lab. Code §§ 2441, 6407)

Pursuant to Cal. Lab. Code sections 2441 and 6407, employers must provide fresh, potable drinking water. Employers must additionally provide water "during working hours" at "reasonable and convenient times and places" and at no cost to the employee. Cal. Lab. Code § 2441.

Plaintiffs incorporate the preceding sections as if alleged fully herein, and assert each and every one of the Employees experienced Employers' violation of Labor Code sections 2441 and 6407. Employers failed to provide Employees an adequate supply of fresh potable

drinking water, if at all, during working hours within the Statutory Period. Employers are subject to civil penalties as provided by law.

12. Failure to Comply with Occupational Safety and Health Standards (Cal. Lab. Code § 6407)

Pursuant to Cal. Lab. Code section 6407, all employers must "comply with occupational safety and health standards, with Section 25910 of the Health and Safety Code, and with all rules, regulations, and orders pursuant to this division which are applicable to his own actions and conduct."

Plaintiffs incorporate the preceding sections as if alleged fully herein, and assert each and every one of the Employees experienced Employers' violation of Labor Code section 6407. Throughout the Statutory Period, Employers failed to comply with occupational safety and health standards, including but not limited to the failure to establish, implement and maintain a written IIPP; failure to provide fresh, potable drinking water; failure to provide sufficient personal protective equipment; and failure to provide each employee with suitable water for drinking, hand washing stations, toilets, areas for consumption of food and beverages, and, where appropriate, change rooms and showers. Employers are subject to civil penalties as provided by law.

13. Permitting Unsafe Work and Failure to Provide Safe Workplaces, Practices and Processes (Cal. Lab. Code §§ 6400-6404)

Pursuant to Cal. Lab. Code sections 6400, 6401, 6402, 6403 and 6404, it is unlawful for employers to require and permit unsafe work, and for employers to fail to provide safe workplaces, practices, and processes to their employees.

Plaintiffs incorporate the preceding sections as if alleged fully herein, and assert each and every one of the Employees experienced Employers' violations of Labor Code sections 6400, 6401, 6402, 6403, and 6404. By committing the acts and omissions described in the previous sections during the Statutory Period, Employers are in violation of these sections by requiring and permitting unsafe work and by failing to provide safe workplaces, practices, and processes to their Employees. Employers are subject to additional civil penalties as provided by law.

Conclusion

Based on the foregoing, Employers are subject to additional civil penalties as provided by law.

The facts and claims contained herein are based on the limited information available at the time of this writing. Therefore, if through discovery and/or expert review, Plaintiffs become aware of additional compensation owed to them or other current or former Employees of Employers they reserve the right to revise these facts and/or add any new claims by amending this letter. Based on the foregoing, Plaintiffs seek to file a civil action to pursue their claims against Employers and to seek PAGA remedies for these violations.

Please consider this letter as the notice required by Cal. Lab. Code sections 2699.3 and 2810.3(d). If you have any questions regarding this letter, you may contact us by email at rbichell@legalaidatwork.org; aarana@legalaidatwork.org; and acruz@legalaidatwork.org.

Sincerely,

LEGAL AID AT WORK



Rosa Lee Bichell

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