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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

KRIS HARDIE, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

BEST PARKING LOT CLEANING INC., a
Washington Corporation,

Defendants.

NO. 17-2-27730-4 KNT

DECLARATION OF PAUL BROWN

I, **PAUL BROWN**, declare and say as follows:

1. I make the following declaration based on my own personal knowledge. I am over the age of 18 and am competent to testify on the matters presented in this declaration.

2. I worked for Best Parking Lot Cleaning INC. (“Best”) as a driver from approximately May 2016 to November 2017. I primarily worked for Best in Pierce, Thurston and King County, including the City of Seattle.

3. While working for Best, I was a resident of Washington State. I currently live in St. Clair Township, MI.

4. During my employment with Best, I was paid on an hourly basis. I worked on both prevailing wage jobs and non-prevailing wage jobs in King, Thurston and Pierce Counties.

1 5. While working prevailing wage jobs, Best often did not pay me properly. Best
2 would average my wage rate for prevailing wage jobs with that of my lower wage rate for the
3 other jobs that I worked any given day, thus denying me proper pay for my prevailing wage
4 work.

5 6. Best did not provide me with proper 10 minute rest breaks. I understand that
6 under Washington law, I am entitled to an uninterrupted 10 minute rest break for every four
7 hours of work where I am relieved of all my work related duties. Throughout my time working
8 at Best, for every four hours that I worked I almost never took any rest breaks.

9 7. Best made no effort to arrange my schedule to ensure that I received a paid rest
10 break of at least ten minutes for every four hours that I worked. Best failed to instruct me to
11 take proper rest breaks at all during my employment. Moreover, I am unsure whether Best paid
12 me extra compensation for my missed rest breaks. There is no policy or procedure in place for
13 me to inform Best of missed rest breaks.

14 8. Best also did not provide me with proper meal breaks. I was frequently required
15 to end meal breaks early due to the nature of my work or often I was unable to take one at all.
16 There is no policy or procedure in place for me to inform Best of missed meal breaks.

17 9. It was my impression that if I worked through my meal break that I would be
18 paid for that time. I do not recall whether Best deducted 30 minutes of pay, regardless of
19 whether I worked through those breaks or not.

20 10. Often times, I had a load in my truck going to or from a prevailing wage job site.
21 However, best did not pay my prevailing wage for that time. Instead best paid me at a regular
22 travel time even though I had a load in the truck.


23 11. Every day, as a sweeping truck employee, I was required to perform a pre-trip
24 and post-trip inspection to ensure the truck was safe and operable and to prepare for the job.
25 Regardless of how long it took, I could only report that the inspection took no longer than 15
26 minutes each. It typically took 40 minutes to perform a proper pre-trip inspection and even

1 longer for the post trip inspection since I had to clean out the truck as well. I was usually only
2 paid 15 minutes for each pre and post trip inspection. Best failed to pay me for the rest of the
3 time that it took to complete the pre or post trip inspection. In fact, almost every week, there
4 would be a discrepancy of 3-4 hours per week from my reported working time and the hours
5 that I was paid for. When I asked the accountant who works for Best about pay calculations,
6 she would tell me that she was not calculating our wages based on driver time sheets or the
7 clock in/clock out system that they had, but rather the GPS records by which they tracked each
8 truck. The GPS records may indicate my location, but they do not indicate that I was not on the
9 job and working.

10 12. On the occasions that my truck broke down and I had to wait for a mechanic, or
11 I was waiting for my truck to be fixed at the shop, I was not compensated properly despite
12 being on the job.

13
14 I declare under penalty of perjury under the laws of the State of Washington that the
15 foregoing is true and correct.

16
17 EXECUTED at St Clair, Michigan this 17 day of September, 2018.
18 [city] [month]

19 
20 _____
21 PAUL BROWN