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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 PETER G.
CALKINS**

I, **Peter G. Calkins**, 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 in approximately 2015 for a period of about 3 months. I primarily worked for Best in King County and Pierce County, including the City of Seattle.

3. While working for Best, I was a resident of Washington State. I currently live in Lacey, WA.

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.

1 5. While working prevailing wage jobs, Best did not pay me prevailing wage.
2 When I discussed this with management, I was told that I was being trained as an employee and
3 therefore Best would not be paying me prevailing wage. The work that I was doing was like
4 that of the other employees, yet I was making much less than them. Best did not pay me
5 prevailing wage for any of the prevailing wage jobs that I worked for my entire employment
6 period. This was one of the reasons why I left Best as I was being treated unfairly.

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

11 7. Best made no effort to arrange my schedule to ensure that I received a paid rest
12 break of at least ten minutes for every four hours that I worked. Best failed to instruct me to
13 take rest breaks at all during my employment. Moreover, Best did not pay me extra
14 compensation for my missed rest breaks. There was no policy or procedure in place for me to
15 inform Best of missed rest breaks.

16 8. Best also did not provide me with meal breaks. I was frequently required to end
17 meal breaks early due to the nature of my work or often I was unable to take one at all. Most of
18 the time, I had to eat while driving in between jobs because there was never any time to eat
19 otherwise. There was no policy or procedure in place for me to inform Best of missed meal
20 breaks.

21 9. When I asked the foreman training me about taking breaks, I received no
22 response or explanation of how breaks worked, nor did we take any proper breaks. There was a
23 strong culture present at Best of not taking breaks or disregarding them due to the nature of the
24 job so I never took this issue up with management.

25 10. It was my impression that if I worked through my meal break that I would be
26 paid for that time. ~~996~~ Instead, Best deducted 30 minutes of pay, regardless of whether I worked

1 through those breaks or not. During my entire employment, I did not take a single proper meal
2 break and did not report having taken a meal break either.

3 11. As a truck driver employee, I was required to perform a pre-trip and post-trip
4 inspection to ensure the truck was safe and operable and prepared for the job. It typically took
5 25-30 minutes to perform a proper pre-trip inspection and even longer for the post trip
6 inspection since I had to clean out the truck as well. I am unsure whether I was paid properly
7 for each pre and post trip inspection.

8 I declare under penalty of perjury under the laws of the State of Washington that the
9 foregoing is true and correct.

10
11 EXECUTED at Olympia, Washington this 20 day of September, 2018.
12 [city] [month]

13 Peter Calkins
14 Peter G. Calkins