

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

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

11 Plaintiff,

12 v.

13 BEST PARKING LOT CLEANING INC., a
14 Washington Corporation,

15 Defendants.

NO. 17-2-27730-4 KNT

DECLARATION OF DOUG MAST

16 I, **DOUG MAST**, declare and say as follows:

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

19 2. I began working for Best Parking Lot Cleaning INC. ("BPLC") as a driver in
20 approximately August 2015. I primarily worked for BPLC in King County, Pierce County,
21 Snohomish County, and Kitsap County including the City of Seattle.

22 3. While working for BPLC, I was a resident of Washington State. I currently live
23 in Olympia, WA.

24 4. During my employment with BPLC, I was paid on an hourly basis. I worked on
25 both prevailing wage jobs and non-prevailing wage jobs.
26

1 5. BPLC did not provide me with proper 10-minute rest breaks. I understand that
2 under Washington law, I am entitled to an uninterrupted 10-minute rest break for every four
3 hours of work where I am relieved of all my work-related duties. Throughout my time working
4 at BPLC, for every four hours that I worked I did not take all my rest breaks. I am unsure
5 whether BPLC paid me for my missed rest breaks. There is no policy or procedure in place for
6 me to inform BPLC of missed rest breaks.

7 6. I have noticed discrepancies in my reported working time and the hours for
8 which I was paid. I have brought these discrepancies to the company's attention and been
9 reimbursed.

10 7. Around two years ago, I learned that Debie Boyd had been cutting time from my
11 driver sheets by marking them after I turned them in to her. She had reduced my hours on the
12 driver sheets without consulting me and without any basis. She did not tell me about the
13 changes to my driver sheets before she made them. My driver sheets were correct and there was
14 no reason for them to be modified. I believe I was underpaid because of these unilateral and
15 arbitrary reductions in my hours.

16 8. In July 2018, Rebecca Craig and I had a conversation about meal breaks. I had
17 been missing my meal breaks because there was no time to take them. As such, I had not
18 written that I took meal breaks on my driver sheets. She told me that she wanted me to record
19 that I took meal breaks. I asked Rebecca, "what if we are working the slurry crew?" and I
20 recommended that I opt out of our meal breaks. She agreed in a phone call. A few days later I
21 was called into a meeting with Josh Riddle, Rebecca, Holly, and Rich about my missing meal
22 breaks in my work logs. I told them that I did not write them in because I didn't receive one
23 and they told me no one else had that problem. I was told on multiple occasions by my fellow
24 workers that they had just written in a meal break even they had never received one. When I
25 said this in the meeting, their response was something like "I don't know why they'd do that."
26 It was clear to me that I was expected to write down that I took a meal break even when I had
not in fact taken one.

1 9. I was not put back on my current prevailing wage project after that meeting.

2 10. As a driver, I typically get a text from Josh Riddle or another dispatcher between
3 3:00 and 4:00 p.m. on the day before I am supposed to work. Generally speaking, if I do not get
4 a text by 4:00 p.m., I call in to dispatch and tell them I did not get a text message. The
5 dispatcher will either give me a job or he would tell me to call back again at a certain time the
6 next morning.

7 11. I have felt pressure from the company to opt out of this lawsuit. The company
8 has brought up the lawsuit multiple times.

9 12. Attached as Exhibit A is a true and correct copy of an email that Rebecca Craig
10 sent to me on July 30, 2018, about this lawsuit.

11 13. Attached as Exhibit B is a true and correct copy of an email that Holly
12 Hamilton sent to me about this lawsuit on October 9, 2018.

13 14. Rebecca Craig brought the lawsuit up at a safety meeting I attended in
14 December 2018 or January 2019. She stated, "we have forms to opt out of the lawsuit." She
15 said she had never been sued before. I did not sign the forms she provided. When the paper was
16 given to me, I threw it in the garbage can.

17 15. On Thursday, February 28, 2019, Josh Riddle texted me and told me to come
18 see him before I started my work day. I did not think anything of the message from Josh
19 because I frequently go into his office before being dispatched. When I arrived at his office in
20 the morning, he handed me a piece of paper and told me, "sign here, print here." When I asked
21 him what the paper was, he told me it was to opt out of the Kris Hardie lawsuit and I told him I
22 was not interested in signing it. I told Josh Riddle that there was more in the lawsuit than
23 Rebecca was stating. He acted surprised and said "Oh, okay." I did not get a text message that
24 afternoon about where I would be dispatched on Friday. I texted the dispatcher and asked when
25 I would get dispatched.

EXHIBIT A

(no subject)

Inbox



Rebecca 7/30/2018

to holly, Addy, ADRIAN, Bill, Bran... ▾



Good afternoon,

Some of you that have been here for a while are probably received a phone call from an attorney that represents Kris Hardie a former employee who was terminated in 2015. They are trying to find other interested employees who are willing to join in a lawsuit. Kris is claiming "missed meals and rest breaks." amongst other allegations.

You are under no obligations to talk with them. You do not have to answer any of their questions. You can if you'd like.

I am only clarifying this because I have been receiving phone calls and emails from some of you. Sorry for the confusion. These phone calls are NOT from OUR attorney they are from the opposing side.

Sorry,

Rebecca

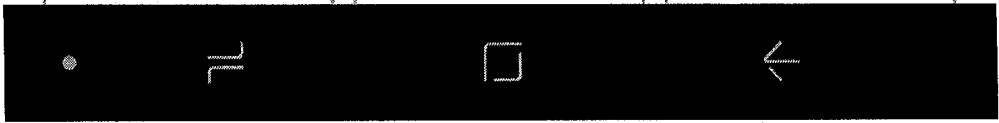


EXHIBIT B

attorney firm **Inbox**



holly@bestparkinglo... 10/9/2018
to Addy, ADRIAN, Bill, Brandon, ...



Hi Team,

Just want to let you know that Best Parking Lot Cleanings attorney firm name is Vandenberg & Johnson their lawyer her name is Stacy # 253-383-3791 she may be calling you to ask some questions if you have given a non-participation letter.

If someone else is calling you by another name its not their lawyers office.

If you have any questions please let Rebecca & Richard know.

Holly

Corporate Operations Assistant



EXHIBIT C



Holly 1:33 PM

to me ^



From Holly • holly@bestparkinglot.com
 To Doug Mast • douglasmastwa@gmail.com
 Date Mar 6, 2019, 1:33 PM
[View security details](#)

Hi Doug,

Sorry to hear you are no longer working at Best
 Parking Lot Cleaning
 I was wondering if you have turned in your Valve &
 Wrench.
 Please let me know

Holly
 Corporate Operations Assistant
 [cid:image002.jpg@01D4D421.1FE94EA0]
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 proprietary information some of which may be
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 and may be unlawful.