

FILED
SUPREME COURT
STATE OF WASHINGTON
6/23/2020 2:20 PM
BY SUSAN L. CARLSON
CLERK

No. 98633-9

SUPREME COURT OF THE STATE OF WASHINGTON

UNEMPLOYMENT LAW PROJECT, et al.

Petitioners,

v.

SUZAN LEVINE, COMMISSIONER FOR THE WASHINGTON STATE EMPLOYMENT
SECURITY DEPARTMENT,

Respondent.

DECLARATION OF CHRISTINE MAIR

THE SHERIDAN LAW FIRM, P.S.

John P. Sheridan, WSBA #21473
Mark W. Rose, WSBA #41916
Andra Kranzler, WSBA # 44098
Justin O. Abbasi, WSBA # 53582
Hoge Building, Suite 1200
705 Second Avenue
Seattle, WA 98104
(206) 381-5949

Attorneys for Petitioners

I, Christine Mair, declare that the following statement is true and correct:

1. I am over the age of eighteen (18) and competent to make this declaration.
2. I am a resident of Marysville in Snohomish County, WA.
3. I worked for the City of Everett for four years, beginning April 2016, as a Transit Customer Service Agent.
4. I became unemployed on May 3, 2020.
5. I applied for unemployment benefits on May 3, 2020.
6. I received a Monetary Determination on May 4, 2020 entitling me to benefits.
7. The Employment Security Department (ESD) told me on May 16, 2020 that my monthly weekly check is being withheld because they require identity verification. I submitted the requested identify verification documents on May 16, 2020.

I have taken the following actions to address this issue with ESD:

- Every day I have checked my ESD account.
- I have sent four emails to ESD since May 16, 2020 regarding the withholding. None of my emails have been responded to.

- I contacted the Human Resources Department at the City of Everett for any available information on steps to take to move forward.
- On May 2, 2020, my employer and ESD representatives held a webinar on how to file for unemployment benefits. Following the notice of the withholding, I obtained the ESD representatives' contact information from my employer. I called and emailed the representatives. They never responded or called me back.
- I contacted a representative at Work Force and they looked at my ESD account which had the status as "waiting for identification verification" and signified no issue of fraud.
- I called ESD and spoke with a tier two representative who told me "If my file was lucky enough to land on someone's desk, they would look at it."
- I called ESD multiple times and a tier one representative would transfer the call and the call would drop.
- I called ESD on June 9, 2020 at 9:00am and spoke with a tier one representative who transferred me to a tier two representative who transferred me to a tier three representative, I was on hold for 51 minutes before the call ultimately

dropped. I called ESD back at 10:00am and was told by tier one representative they were not allowed to transfer any more calls today.

8. I have been significantly and adversely affected in the following ways due to my not receiving my unemployment benefits:

- My son is diagnosed with autism and type 1.5 diabetes, a rare form of diabetes. He needs insulin, test strips, and other care. Due to my lack of unemployment benefits, I cannot afford his medical care and have had to charge his various medical needs to credit cards.
- I have no way to pay my credit card bills.
- I have had to defer my car payments. I cannot go back to work without a vehicle, and I am worried it will be repossessed if I cannot make the payments.
- I am struggling to make my mortgage payments and other bills that cannot be deferred.
- I have reluctantly had to borrow money from my family members.

9. I would describe the detrimental impact I've experienced as a result of these circumstances as tremendously stressful. I cannot afford to take care of myself or my family. I am in remission from cancer and have recently seen my oncologist because I fear that my high level of stress is weakening my immune system and may eventually cause my cancer to return. The stress of this experience has resulted in extreme, painful inflammation. My doctor has prescribed physical therapy to remedy the inflammation, but I cannot afford the co-pay for treatment. The stress from not receiving my unemployment benefits is having a significant negative effect on the quality of my life and is negatively impacting my relationships with family and friends.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

DATED this 15th day of June, 2020 in Marysville, Washington.

/s/ Christine Mair
Christine Mair

CERTIFICATE OF SERVICE

I, Tony Dondero, certify under penalty of perjury under the laws of the State of Washington and the United States that, on June 23, 2020, I served the document to which this Certificate is attached to the party listed below in the manner shown.

ROBERT FERGUSON

Attorney General

Eric D. Peterson, WSBA #35555
Senior Assistant Attorney General

Leah E. Harris, WSBA #40815
Assistant Attorney General

Office of the Attorney General
800 5th Avenue, Suite 2000
Seattle, WA 98104
EricD.Peterson@atg.wa.gov
Leah.Harris@atg.wa.gov
LalSeaEf@atg.wa.gov

- | | |
|-------------------------------------|------------------------------|
| <input type="checkbox"/> | By United States Mail |
| <input type="checkbox"/> | By Legal Messenger |
| <input type="checkbox"/> | By Facsimile |
| <input type="checkbox"/> | By Overnight Fed Ex Delivery |
| <input checked="" type="checkbox"/> | By Electronic Mail |

Dated this 23rd day of June 2020.

s/Tony Dondero
Tony Dondero,
Legal Assistant

THE SHERIDAN LAW FIRM, P.S.

June 23, 2020 - 2:20 PM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 98633-9
Appellate Court Case Title: Unemployment Law Project et al. v. Suzan Levine

The following documents have been uploaded:

- 986339_Affidavit_Declaration_20200623142013SC295701_9965.pdf
This File Contains:
Affidavit/Declaration - Other
The Original File Name was Mair Christine Signed Declaration FINAL.pdf

A copy of the uploaded files will be sent to:

- EricD.Peterson@atg.wa.gov
- andra@sheridanlawfirm.com
- greg@seaemplaw.com
- justin@sheridanlawfirm.com
- lalseaef@atg.wa.gov
- leah.harris@atg.wa.gov

Comments:

Sender Name: Mark Rose - Email: mark@sheridanlawfirm.com

Filing on Behalf of: John Patrick Sheridan - Email: jack@sheridanlawfirm.com (Alternate Email:)

Address:
705 2ND AVE STE 1200
SEATTLE, WA, 98104-1798
Phone: 206-381-5949

Note: The Filing Id is 20200623142013SC295701