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SUPREME COURT
STATE OF WASHINGTON
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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 NADYA ROBINSON

THE SHERIDAN LAW FIRM, P.S.

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Attorneys for Petitioners

I, NADYA ROBINSON, declare that the following statement is true and correct:

1. My name is Nadya Robinson.
2. I am over the age of eighteen (18) and competent to make this declaration.
3. I am a resident of Port Angeles in Clallam County, WA.
4. I own and operate Common Grounds Café, LLC for the past year and a half.
5. I became unemployed in mid-March when Governor Inslee issued the stay-at-home order. I tried to do take-out orders at the café, but it was not panning out—I could not cover the cost of my commercial food orders.
6. I applied for unemployment benefits before the café completely shut down, was approved for the PUA, and received my first payment of \$13 for the week ending on March 28th, 2020. \$222 was deducted because I was working part-time. I did not receive any of the PUAC \$600.
7. When regular payments, (\$235 state + \$600 PUAC) began ESD told us that they believed that I was out of the country. My husband and I sent in messages stating that we were not out of the country. We have been here in Washington the entire time.

8. After the week ending March 28, I was paid for each of three weeks through April 18th, 2020, and each week the amount was \$835.

9. As of the week ending April 25, 2020, the Employment Security Department (ESD) withheld my weekly check with no explanation each week the payment was listed as “pending.”

10. I have taken the following actions to address this issue with ESD: The first couple of weeks, I called almost every day. We also sent email queries, It went nowhere and I was put on hold every time. I was getting a message on the phone but was not able to get through to a person or voicemail. Of late, the phone does not even answer. For web messages there used to be a place on the ESD website where it said, “I want too...” and I could choose to send a message. That is gone now.

11. Four weeks ago, ESD put a note in my file that standby expired and I needed to be looking for work. I sent in messages stating that I own my own business and did not need to look, and would reopen my business as soon as the Governor lifted restrictions.

12. Two weeks ago, ESD said that they could not verify my ID and to send them a scan of social security and either a passport or state ID.. I sent in my passport and social security card. Nothing happened, and each payment remained “pending.”

13. I have been significantly and adversely affected in the following ways due to my not receiving my unemployment benefits: I lease my café space, including utilities, state and local license fees, taxes, and other payments. I have spent all reserves and now been waiting for eight weeks; and I am not able to pay these bills. My unemployment back pay comes to over \$6,500. My husband's unemployment was also made pending two weeks ago, also with a request for ID, and he is a veteran so he sent his passport and his discharge DD-214 and he too is still pending. So now there is no income at all. I also have not been able to contribute to the household bills for two months, and we have mortgage and utility and food payments. This missing money is a lot when there is no other income.

14. On a scale of 1-10 my level of fear and stress is a 9. The most stressful thing is that I don't understand why I haven't been paid for eight weeks. I cannot reach them to find out why my payments are pending. I cannot fix it. If they could please explain why they are doing this, it would be a little bit better—but no explanation is completely unfair. I would like to know when they are going to pay me. I believe this deposition should get ESD's attention and they may remember. As a Russian immigrant, I believed that America is better than Russian

bureaucracy. If this happened in Russia, I would not be surprised, but I believed that America has a higher standard.

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 17th day of June, 2020, in Seattle, Washington.

/s/ *Nadya Robinson*
NADYA ROBINSON

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
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- By United States Mail
- By Legal Messenger
- By Facsimile
- By Overnight Fed Ex Delivery
- By Electronic Mail

Dated this 23rd day of June 2020.

s/Tony Dondero _____
Tony Dondero,
Legal Assistant

THE SHERIDAN LAW FIRM, P.S.

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