

FILED
SUPREME COURT
STATE OF WASHINGTON
6/23/2020 2:13 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.

SUPPLEMENTAL DECLARATION OF MCKEEZI TAYLOR BARRAZA

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
Attorneys for Petitioners

I, McKeezi Taylor Barraza, make the following statement based on personal knowledge.

1. On June 6th, one day after the lawsuit was filed with the Washington Supreme Court, my ID verification adjudication date changed from May 27th to June 6th. Later that evening, the adjudication date disappeared completely and my pending status showed "processing" for May 30th. On June 7th, the May 30th claim moved from "processing" to "paid." On June 9th, the payment was issued to my bank account. Although I was paid for the week of May 30th, I still have not been paid for the weeks of March 28th and March 21st. Those claims still show as "pending" with an adjudication date of May 26th which makes me question ESD's adjudication process because these claims address issues from back in March. Exhibit 8.
2. On June 7th, I filed my claim for the upcoming week. Immediately the claim showed up as Processing-Web. I assumed that it would eventually turn to "paid" in a day or two which was common with my past claims. On June 9th, the claim turned back to "pending" with an adjudication date of June 6th. I was unsure what the issue was this time, so I clicked the upload documents tab and it was

asking me to submit my ID verification documents again. I was beyond anxious and stressed out by this message because ESD had just verified my identification on June 6th and processed payment from the previous week which was held up due to the ID verification processing. I immediately reached out to my lawyer to address this issue and I checked the ESD Facebook page to see if others were dealing with a similar issue. I found out that I was among many who were being asked to submit identification documents again and that our claims for June 6th were not being processed but were once again being held up for ID verification with no timeline for when we would be paid. I also never received notice of having to submit my identification documents like I had the first go-around. Rather, I had to click through all the tabs in the e-service portal to find out what the issue was this time.

3. On June 10th, I was able to finally get a hold of an agent at ESD after calling 68 times between two separate numbers. I asked her what was going on with my claim for June 6th and why it was pending for ID verification again after I had already submitted the requested documentation two weeks prior and was verified on June 6th. She told me it was a glitch in their computer system and to

ignore the pending issue. She said it should go from "pending" to "paid" in a couple of days. I thanked her for the information and told her I would continue to check for updates. On June 4th, I filed another claim for weekly benefits. After one day of processing, the claim showed up as pending due to ID verification. It is June 22nd and I have 4 weeks of pending claims now with no payments sent to my checking account. I have tried every day to contact an ESD agent to explain what the holdup is.

4. My identity was verified and approved on June 6th, yet now I have 2 more weeks of claims pending due to another ID verification request. On June 21st, I filed another weekly claim and as of now it is still processing. My adjudication date for all pending claims changed from June 9th to June 17th, and I am still unsure what is happening behind the scenes.
5. At this time, I am ready and available to begin working as a barback at Japonessa Seattle, LLC. The bar manager told me my start date could be as late as July or early August due to the fact that they are limited in serving customers in the bar area. I am also unable to be around any large grouping of people due to the fact that my roommate is pregnant and vulnerable to

getting Covid-19. Due to this fact, the bar manager informed me to continue filing claims with ESD until further notice.

6. The glitches, inability to reach an agent, lack of transparency and communication with any sort of pending issue has caused an incredible amount of stress and anxiety in my life. As a transgender male, I was unable to afford my hormone treatment and I had to find a temporary living situation that would allow me to afford my basic needs.
7. All I ask the court to do in this matter is to request ESD to do their job by processing our claims in a timely and consistent manner (cannot hold pay longer than 7 days) and to be proactive in communicating with each claimant regarding pending issues.

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 22nd day of June, 2020 in Tellico Plains, TN.

/s/ 

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

- 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

EXHIBIT 8



MCKEEZI BARRAZA

Account alerts

There are no alerts

I want to

Request standby

PUA Claim
T4QMDZ.003

Upload a document

Weeks summary	Decisions status	Pending issues	Benefits	Online activity	Notices/letters	Report change
---------------	------------------	----------------	----------	-----------------	-----------------	---------------

Weeks summary

You have enough benefits left for 25 payments as long as you remain eligible, however your claim ends 12/26/2020. NOTE: Other factors, such as deductions from your benefits, may impact the amount and number of payments you will receive. Based on your available benefits, your final payment may be less than your weekly benefit amount.

Week ending	Status	Weekly benefit amount	Deductions	Intercepts	Benefits paid	Payment date
Jun 20 2020	Processing - Web	0.00	0.00	0.00	0.00	0.00
Jun 13 2020	Pending	835.00	0.00	0.00	0.00	0.00
Jun 6 2020	Pending	835.00	0.00	0.00	0.00	0.00
May 30 2020	Paid	835.00	0.00	0.00	835.00	Jun 7 2020
May 23 2020	Paid	835.00	0.00	0.00	835.00	May 26 2020
May 16 2020	Paid	835.00	0.00	0.00	835.00	May 21 2020
May 9 2020	Paid	835.00	0.00	0.00	835.00	May 11 2020
May 2 2020	Paid	835.00	0.00	0.00	835.00	May 4 2020
Apr 25 2020	Paid	835.00	0.00	0.00	835.00	Apr 26 2020
Apr 18 2020	Paid	835.00	0.00	0.00	835.00	Apr 20 2020
Apr 11 2020	Paid	835.00	0.00	0.00	835.00	Apr 20 2020
Apr 4 2020	Paid	835.00	0.00	0.00	835.00	Apr 20 2020
Mar 28 2020	Pending	235.00	0.00	0.00	0.00	0.00
Mar 21 2020	Pending	235.00	0.00	0.00	0.00	0.00
Mar 14 2020	Paid	235.00	0.00	0.00	235.00	Apr 20 2020

15 Rows

THE SHERIDAN LAW FIRM, P.S.

June 23, 2020 - 2:13 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_20200623141233SC311095_0919.pdf
This File Contains:
Affidavit/Declaration - Other
The Original File Name was Barraza Suppl. ULP vs. State M T Barraza Supplemental 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 20200623141233SC311095