

Reference #: CAS-2020-00186

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Appeal Details

Address: 1120 Denny Way, Seattle, 98109
Issue Type: OLS Findings of Fact, Determination & Final Order Dated August 24, 2021 (CAS-2020-00186)

Interest: The Determination wrongly holds Newway jointly and severally liable for damages and penalties asserted therein, totaling \$2,225,990.30, despite this being Newway's first alleged wage violation. This assessment is based on an incorrect finding that Newway was a joint employer with its subcontractor Baja Concrete USA Corp. and its employee Roberto Contreras. Newway did not jointly employ any Baja employees; OLS has only identified eight employees yet seeks damages and penalties for 52 employees; OLS cannot meet its burden of proving any of the wage violations; Newway avails itself to any substantive defenses offered by Baja; and OLS's damages and penalties are excessive.

Objections:

Desired Relief: That Newway be dismissed as a respondent and not held liable for any damages or penalties. In the alternative, that liability be limited to the violations actually proven by OLS, but in no case to exceed the eight employees actually spoken to by OLS.

Contacts

1. **Appellant**
Name: Newway Forming Inc. - c/o Kwynne Grant
Email: kgrant@nwforming.com
Phone: (604) 299-3709
Fax: (604) 299-6209
Address: 1133 - 164th Street SW Suite 204, Lynnwood, WA, 98087
 2. **Authorized Representative**
Name: Jason R. Wandler
Email: wandler@oles.com
Phone: (206) 623-3427
Fax: (206) 682-6234
Address: 701 Pike Street Suite 1700, Seattle, WA, 98101
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