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11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**

13 HAROLD JONES, et al.,

14 Plaintiffs,

15 vs.

16 CERTIFIEDSAFETY, INC.

17 Defendants.
18

Lead Case No. 3:17-cv-02229-EMC

Consolidated with 3:17-cv-03892-EMC (*Crummie*)

Related to: 3:18-cv-04379-EMC (*Ross*)

3:19-cv-01338-EMC (*Jones II*)

3:19-cv-01380-EMC (*Jones III*)

3:19-cv-01381-EMC (*Jones IV*)

3:19-cv-01427-EMC (*East*)

3:19-cv-01428-EMC (*Jones V*)

DECLARATION OF HAROLD JONES

Date: May 28, 2020

Time: 1:30 p.m.

Courtroom: 5 (17th Floor)

Judge: Honorable Edward M. Chen

Jones Complaint filed: April 21, 2017

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DECLARATION OF HAROLD JONES

Jones, et al. v. CertifiedSafety, Inc.; Lead Case No. 3:17-cv-02229-EMC

1 I, Harold Jones, hereby declare as follows:

2 1. I am a Named Plaintiff in *Jones, et al. v. CertifiedSafety, Inc.*, pending in the United
3 States District Court for the Northern District of California. I am also the Named Plaintiff in four
4 additional class action lawsuits that I have filed against CertifiedSafety and various other
5 companies.

6 2. I am over the age of eighteen. The following statements are based on my personal
7 knowledge. If called on to do so, I could and would testify competently to these statements.

8 3. I submit this declaration in support of Plaintiffs' Motion for Attorneys' Fees and
9 Costs and for Service Awards in these Actions.

10 4. I was employed by CertifiedSafety from approximately 2011 to 2017. I worked for
11 CertifiedSafety as a Safety Attendant. In this role, I provided safety support and implemented
12 safety protocols, including identifying, mitigating, and reporting potential safety hazards at
13 CertifiedSafety's worksites. I worked for CertifiedSafety at oil refinery sites all over the United
14 States.

15 5. I worked long hours for CertifiedSafety. However, I was not paid for all of the hours
16 that I actually worked. For example, I had to go through security checks, traverse the refinery
17 locations, and put on and take off protective gear in order to do my job, but I was not paid for this
18 time. I was regularly unable to take compliant meal and rest breaks. Also, I paid out of my own
19 pocket for a variety of expenditures for my work.

20 6. As a result of these issues, I believed that I experienced wage violations and meal
21 and rest break violations. I knew that my co-workers had similar experiences. I wanted to do
22 something about these issues for all of us, so I decided to contact an attorney. Schneider Wallace
23 Cottrell Konecky LLP are my attorneys in this case.

24 7. I first reached out to Schneider Wallace Cottrell Konecky LLP to discuss my work
25 experiences with Defendant in November 2016. I have been involved with this case for over three
26 years.

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28

1 8. Prior to filing the case, I had multiple telephonic interviews with my attorneys.
2 Generally, we discussed my work experiences, the law, and the kinds of claims I could pursue. We
3 also discussed the risks of a case like this.

4 9. I knew that there was no guarantee that we would be successful in this case, and that
5 there was a significant chance of protracted litigation. I understood I could potentially be liable for
6 fees and costs, and that there was a risk that some of the claims could be compelled to arbitration. I
7 also understood that I could have to spend a significant amount of time in the discovery process.

8 10. Additionally, I realized that my name would be on a class and representative action,
9 and that this information could be visible to others. This is particularly significant for me, because
10 I have launched a series of wage and hour class actions against an employer. I have concerns that
11 employers may look unfavorably on my involvement in these Actions.

12 11. Nonetheless, I felt strongly that Defendant had unlawful wage and hour policies.
13 Therefore, I decided to proceed as a representative plaintiff and file a lawsuit. I understood that I
14 would serve as the Named Plaintiff, the representative of a proposed class of workers, and the
15 representative employee for claims under the California Labor Code Private Attorneys General Act
16 (“PAGA”).

17 12. I worked with my attorneys to prepare the initial class and representative action
18 complaint. I supplied large amounts of information and documents to my attorneys to assist with
19 the drafting process. I reviewed a draft of the complaint carefully and provided my attorneys with
20 input. We filed the case on April 21, 2017 in federal court.

21 13. I estimate that I devoted at least 12 hours to the Actions during the initial interviews
22 with my attorneys and the complaint-drafting process.

23 14. We then entered the discovery phase of the case. I sat for my deposition on January
24 15, 2018 in Emeryville, California. I met with my attorneys for a full day to prepare for the
25 deposition. When the deposition was complete, I reviewed the transcript closely.

26 15. I estimate that I devoted at least 18 hours of my time during the deposition process,
27 including travel time, preparation time, the deposition itself, and reviewing the transcript.
28

1 16. Early in the case, I discussed alternative dispute resolution with my attorneys. We
2 first mediated this dispute on January 23, 2018. I cleared my schedule and made myself available
3 for the mediation, but the case did not settle at that time.

4 17. I estimate that I spent approximately 3 hours on discussions with my attorneys
5 regarding the first mediation.

6 18. Later in 2018, I strategized with my attorneys to file additional claims against
7 CertifiedSafety under the laws of states beyond California, and to assert the claims on a joint-
8 employer basis against the oil refinery clients of CertifiedSafety. I serve as the Class
9 Representative for Safety Attendants in several states: California, Washington, Illinois, and
10 Minnesota.

11 19. To assert these additional state law claims and joint-employer claims, I worked
12 closely with my attorneys to file several additional lawsuits. I am the Named Plaintiff in four of the
13 Actions.

14 20. I estimate that I devoted at least 20 hours of my time to strategize the filing of
15 additional claims with my attorneys, and to review additional complaints.

16 21. In late 2018, we again discussed the possibility of a mediation in the hope of
17 reaching a class-wide settlement. We had further discussions ahead of the April 23, 2019
18 mediation. I cleared my schedule and made myself available for the second mediation.

19 22. I extensively communicated with my attorneys regarding the results of the mediation
20 and the essential terms of the Settlement that we reached.

21 23. I estimate that I spent approximately 5 hours on discussions with my attorneys
22 regarding the second mediation.

23 24. After the proposed Stipulation of Class, Collective, and Representative Action (the
24 “Settlement”) was reached, I carefully reviewed the terms. The Settlement is a lengthy document,
25 and I reviewed it closely. I discussed it with my attorneys. I spent time evaluating the proposed
26 outcome to assure that it was fair. Based on my own review and my attorneys’ evaluation and
27 recommendation, I believe the Settlement is fair and reasonable. I signed the Settlement on
28 November 19, 2019.

1 25. I estimate that I spent at least 3 hours carefully reviewing the Settlement and
2 discussing the terms with my attorneys.

3 26. Throughout this action, I have been in regular communication with my attorneys to
4 keep apprised of the status of the litigation. I have kept up-to-date on the status at every phase. I
5 estimate that I have spent 15 hours over the years on phone calls and emails regarding status
6 updates with my attorneys.

7 27. In sum, I worked with my attorneys to prepare numerous complaints; sat for my
8 deposition; strategized the assertion of additional claims and theories; spent hours assembling,
9 discussing, and reviewing documents; participated actively in the mediation process and settlement
10 decisions; and otherwise remained in constant contact with my attorneys. I have been involved
11 with this litigation for over three years, and during that time I have contributed at least 75 hours of
12 my own time to the prosecution of these claims.

13 28. By participating in this case as a Plaintiff, I placed myself at personal risk. For
14 example, I faced: (a) risk to my reputation in my community as a result of stepping forward
15 publicly in a class action; (b) risk to my reputation as it concerns my future employment
16 opportunities; (c) risk that I would be subject to intrusive discovery and time demands in this
17 litigation; and (d) risk that I would have to pay defense costs if I lost this case.

18 29. These risks are front and center for me, as I have filed a series of class action
19 lawsuits against my employer. My decision to do so may be visible to future employers.

20 30. Nevertheless, I chose to face these risks to challenge the way that Defendant treated
21 its employees.

22
23 I declare under penalty of perjury under the laws of the United States that the foregoing is
24 true and correct. Executed on this 22nd day of April, 2020, in Suisun, California.

25
26 

27 _____
28 Harold Jones