

July 31, 2019

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Mx. Fox Blackhorn  
Compliance Coordinator 2  
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Re: The Freedom Foundation's July 15, 2019 Letter Complaint

Dear Mx. Blackhorn:

I write on behalf of Intermech, Inc. ("Intermech") in response to a complaint the Freedom Foundation ("the Foundation") submitted to the Public Disclosure Commission ("PDC") on July 15, 2019. For the third time in less than a year, the Foundation seeks to undermine the right of Intermech employees to voluntarily contribute to a political action committee ("PAC") of their choice. This time, the Foundation alleges that Intermech unlawfully withheld the employees' contributions based on authorization forms that lacked certain required information. But the Foundation cannot identify anything that was not disclosed to these employees.

The Foundation has raised similar allegations to the PDC twice in the last year. Each time the PDC has dismissed their complaint. The instant complaint repeats some of these failed arguments, supplemented by factual inaccuracies, groundless legal theories, and an unsupported attack on the PDC's own authority.

Contrary to the Foundation's allegations, Intermech has consistently complied with the Fair Campaign Practices Act ("FCPA") and any guidance the PDC has provided. While it honors employees' rights to participate in political financing, it ensures they have received all required information before withholding their wages. It ensures that employees receive a reminder each year that they may revoke their authorization at any time. Intermech has demonstrated repeatedly that it will comply with the PDC's guidance. Intermech believes it has already complied with the law but remains ready to work with PDC.

As the PDC has twice before, it should dismiss the Foundation's third complaint.

**1. Background**

The Intermech employees at issue are members of the United Association of Plumbers and Pipefitters Local 598 ("UA 598"). UA 598 operates a union hall that assigns members to various employers and/or contractors. In taking an assignment, employees receive and/or sign "dispatch forms."

UA 598 also operates a political action committee called the Plumbers & Steamfitters Local 598 PAC ("the PAC"). The dispatch forms each member signs include a form which allows members to voluntarily authorize their assigned employer or contractor to deduct a small portion of their wages for contribution to the PAC ("the authorization forms").

The authorization forms have changed over the years, and include the versions laid out below.

### **1.1 Version Four Authorization Form**

In 2013, UA 598 used a version of the deduction authorization, which the Foundation has designated Version Four.<sup>1</sup> It provides:

So that the common interests of U.A. Local 598 members to secure jobs, fair wages and safe working conditions can be heard by politicians, I voluntarily authorize and direct the above name employer and any employer signatory to Local Union 598 Agreements for whom I work to deduct seven tenths of one percent (.7%) each week from my pay for transfer to the Local 598 Political Action Committee.

### **1.2 Version One Authorization Form**

The next version, used before October 2018 (designated Version One), provided:

I authorize the Employer to withhold and to pay working dues on my behalf at the current rate of 3%, IAP at 2.2, and PAC at 0.7% of my gross pay to Local Union 598. This authorization shall be valid for the period of one year or the balance of the term of the current agreement, whichever is sooner, and shall automatically renew itself for successive one-year periods. This authorization is subject to cancellation by written notice to the Employer and Local 598 given within the 60-day period preceding an automatic renewal date.

### **1.3 Version Two Authorization Form**

UA 598 replaced this version, and used another version between October 2018 and March 2019 (designated Version Two), that provided:

I authorize the Employer to withhold and to pay working dues on my behalf at the current rate of 3% and IAP at 2.25% of gross pay to Local Union 598. So that the common interests of Local 598 members to secure jobs, fair wages, and safe working conditions can be heard by state and federal candidates for office, I voluntarily authorize and direct the above-named employer and any signatory to the Collective Bargaining Agreement for whom I work to deduct the suggested

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<sup>1</sup> The Foundation describes a "Version Four" authorization form used before "Version One." For consistency, Intermech adopts the Foundation's labelling.

0.70% (0.0070) as ratified by the Local 598 Membership, each week from my pay for transfer to the Local 598 Political Action Committee, where funds will be used for federal or state races as deemed necessary by PAC leadership. I understand that I have a right to refuse to so contribute without any reprisal. Furthermore, I recognize that the contribution guideline is just that, and that I may contribute any amount or not at all to the Political Action Committee – although only the suggested amount is supported by the paycheck deduction process. Contributing an alternative amount will require contacting the Local's staff. Furthermore, I understand that to comply with the Federal law, the PAC must use its best efforts to obtain, maintain, and submit the name, mailing address, occupation and name of employer of individuals whose contributions exceed \$200 per calendar year. I understand that my contribution is not tax-deductible. This authorization shall be valid for the period of one year or the balance of the term of the current agreement, whichever is sooner, and shall automatically renew itself for successive one-year periods. This authorization is subject to cancellation by written notice to the Employer and Local 598 given within the 60-day period preceding an automatic renewal date.

#### 1.4 **Version Three Authorization Form**

Beginning in March 2019, UA 598 current version of the form (designated Version Three), identifies the employer, leaves space for the employee's name/signature and the date, and provides:

So that the common interest of Local 598 members to secure jobs, fair wages, and safe working conditions can be heard by state and federal candidates for office, I voluntarily authorize and direct the above-named employer and any signatory to the Collective Bargaining Agreement for whom I work to deduct the suggested 0.70% (0.0070) as ratified by the Local 598 Membership, each week from my pay for transfer to the Local 598 Political Action Committee, where funds will be used for federal and state races as deemed necessary by PAC leadership. I understand that I have a right to refuse to so contribute without reprisal. Furthermore, I recognize that the contribution guideline is just that, and that I may contribute any amount or not at all to the Political Action Committee – although only the suggested amount is supported by the paycheck deduction process. Contributing an alternative amount will require contacting the Local's staff. Note: No employer or labor organization may discriminate against an officer or employee in the terms or conditions of employment for (i) the failure to contribute to, (ii) the failure in any way to support or oppose, or (iii) in any way supporting or opposing a candidate, ballot proposition, political party, or political committee. Furthermore, I understand that to comply with the Federal law, the PAC must use its best efforts to obtain, maintain, and submit the name, mailing address, occupation and name of employer of individuals whose contributions exceed \$200 per calendar year. I

understand that my contribution is not tax-deductible. I understand that I may revoke my authorization at any time in writing.

### 1.5 The PDC Dismisses the Foundation's First Complaint

On November 19, 2018, the Foundation submitted a complaint to the PDC against UA 598, its PAC, Intermech, and over thirty other employers that had deducted PAC contributions from the wages of UA 598 members in October 2018, pursuant to various authorization forms. *Freedom Foundation v. Intermech Inc.*, Case #43689 (2018), available at <https://www.pdc.wa.gov/browse/cases/43689>. Amongst other arguments it alleged that the authorization forms used by UA 598 and Intermech unlawfully failed to permit employees to designate the specific amount of their contribution. Complaint at 11, *Freedom Foundation v. Intermech Inc.*, Case #43689 (2018), available at <https://pdc-case-tracking.s3-us-gov-west-1.amazonaws.com/2041/43689%20Intermech%2C%20Inc.%20Complaint.pdf>.

The PDC dismissed the Foundation's complaint against Intermech and declined to investigate further. It found that the "violations" the Foundation alleged were not "actual violation[s] warranting further investigation." *Id.* It took no notice of the Foundation's argument that Intermech had to allow employees to select the amount of their contribution.

Instead, it sent Intermech (and UA 598 amongst others) a formal written warning. It directed Intermech to remedy its "fail[ure] to obtain a proper written request from employees before withholding wages or salaries for contributions to Plumbers & Steamfitters Local 598 PAC." Combined Case Closure Letters at 1, *Foundation v. Intermech Inc.*, Case #43689 (2018), available at <https://pdc-case-tracking.s3-us-gov-west-1.amazonaws.com/2041/43689%20Combined%20Case%20Closure%20Letters.pdf>. It also directed Intermech to remedy its "fail[ure] to provide an annual notification to employees who have requested payroll deductions for political contributions of their right to withdraw their request at any time, and of the prohibition against discrimination by their employer and their union if they withdraw their request to make political contributions through payroll deductions." *Id.*

### 1.6 The 2019 Supplementation

In early 2019, and in compliance with the PDC's instructions, Intermech issued employees assigned to Intermech a supplementation form regarding their deductions. It read:

#### ANNUAL NOTIFICATION CONCERNING WITHHOLDING FUNDS FOR 598 PAC

As required by the State of Washington administrative code WAC 390-17-110 please be advised that neither UA Local 598, nor any signatory contractor, may or will discriminate against you in the terms or conditions of your employment for (1) failing to contribute to the PAC; (2) failing to support (or oppose) the PAC, or (3)

in any way supporting or opposing a candidate, ballot measure, political party or political committee.

If you have voluntarily authorized PAC contributions, you may rescind the authorization at any time. As you are aware, so that the common interests of Local 598 members to secure jobs, fair wages, and safe working conditions can be heard by state and federal candidates for office, you have previously voluntarily authorized your employer to deduct 0.70% (0.0070) of your weekly gross pay to be contributed to the PAC.

Should you wish to discontinue this voluntary contribution to the PAC via payroll deduction please contact your employer.

Appendix at 1 (executed and redacted exemplar supplementation form). The supplementation form then designated lines on which the employee prints his name, signs it, and dates it. *Id.* UA 598 members signed these supplementation forms, and Intermech has maintained them on file. The authorization forms and the supplementation forms were made available to the Foundation after their recent request to inspect them.

### **1.7 The PDC Dismisses the Foundation's Second Complaint**

Undeterred, the PDC submitted a second complaint on May 21, 2019, similar to its first. Complaint, *Foundation v. Intermech Inc.*, Case #51811 (2019), available at [https://pdc-case-tracking.s3.us-gov-west-](https://pdc-case-tracking.s3.us-gov-west-1.amazonaws.com/3047/51811%20Intermech%2C%20Inc.%20%282%29%20Complaint.pdf)

[1.amazonaws.com/3047/51811%20Intermech%2C%20Inc.%20%282%29%20Complaint.pdf](https://pdc-case-tracking.s3.us-gov-west-1.amazonaws.com/3047/51811%20Intermech%2C%20Inc.%20%282%29%20Complaint.pdf). Amongst other allegations, the Foundation alleged that the dispatch forms at issue were out of compliance with WAC 390-17-100 because they did not "permit the employee to designate the amount of the contribution to be withheld from their wages." *Id.* at 10. Again, the PDC dismissed the complaint, on June 3, 2019, citing the Foundation's failure to support its allegations with evidence, and giving no credence to the Foundation's argument that the dispatch forms needed to permit employee to designate the amount of their contributions. *Foundation v. Intermech Inc.*, Case #51811 (2019), available at <https://www.pdc.wa.gov/browse/cases/51811>. Again, the PDC found no actual violation had occurred. *Id.* It paid no heed to the Foundation's argument concerning designation of the contribution amount.

### **1.8 The Foundation's Third Complaint**

The Foundation did not stop. Instead they submitted the third complaint, the letter at issue. Much of this complaint is identical to the last complaint from the Foundation that the PDC dismissed. Amongst other errors, the Foundation included allegations irrelevant to Intermech. For example, it alleges that seven contributions "came from employees for whom JH Kelly was unable to produce a dispatch form." July 15, 2019 Complaint at 7. Intermech has no knowledge of whether JH Kelly employees received dispatch forms.

## 2. Analysis

### 2.1 Intermech Withholds PAC Contributions that its Employees Voluntarily Authorized After Receiving All Required Disclosures

The Foundation argues that Intermech has failed to comply with RCW 42.17A.495(3) and WAC 390-17-100 by deducting contributions to the PAC from employee wages based on authorization forms that do not include all information required by law. But the Foundation misconstrues both statute and regulation.

RCW 42.17A.495(3) provides that an employer can only deduct political contributions from employee wages upon the employee's written request. That statute tasked the PDC to prescribe what information the employee must receive prior to any deduction.

The PDC in turn offered employers two choices. They could use the PDC's "suggested format" template. WAC 390-17-100(2). Or they could use any other "[f]orms . . . in a different format including an electronic format if it provides" seven required pieces of information. *Id.* These include:

- The name of the individual authorizing the withholding or diversion;
- The name of the individual's employer;
- The name of each political committee or candidate for which contributions are to be withheld;
- A statement specifying that the authorization may be revoked at any time and such revocation shall be in writing;
- A statement that reads: "No employer or labor organization may discriminate against an officer or employee in the terms or conditions of employment for (i) the failure to contribute to, (ii) the failure in any way to support or oppose, or (iii) in any way supporting or opposing a candidate, ballot proposition, political party, or political committee"; or a statement that informs the employee of the prohibition against employer and labor organization discrimination described in RCW 42.17A.495;
- The individual's signature or other reliable and secure verification that the individual is authorizing the withholding or diversion; and
- The date on which the form was completed.

An additional eighth requirement is triggered "If more than one political committee or candidate is specified" in the written request. WAC 390-17-100(2)(d). Then and only then, the forms used

must designate "the total dollar amount per pay period (or per week, month or year) to be withheld for each committee or candidate." *Id.*

While the written request must contain this information, WAC 390-17-100(2) explicitly contemplates that the employee may receive it on multiple "[f]orms." Similarly, WAC 390-17-100(3) provides that any "form that satisfies subsection (2) of this section constitutes the written authorization of the individual authorizing the withholding or diversion." Thus, the employee's request may consist several documents, each with some other piece of required information.

#### **2.1.1 Version One, Two, and Four Authorization Forms, Together with the 2019 Supplementation, Satisfy RCW 42.17A.495 and WAC 390-17-100**

The Foundation alleges that Intermech has unlawfully withheld wages from employees who signed the first, second, and fourth version authorization forms, which do not on their own include all information required under RCW 42.17A.495 and WAC 390-17-100.<sup>2</sup> But the Foundation entirely ignores that UA 598 has since supplemented these forms, as the PDC directed, with any information earlier missing. When read together with the 2019 supplementations, all three challenged versions are sufficient.

Every version of the authorization form, as well as the 2019 supplementation name the employee, employer, and the PAC. It includes space for signature and date. The authorization forms authorize deductions only to the PAC, and so the requirement to specify the dollar amount withheld per pay period does not apply.

The supplementation complements the earlier authorizations by indicating that the employee may revoke his authorization at any time. It includes the specific anti-discrimination language required under WAC 390-17-100(2)(f).

Together, these earlier authorization forms, coupled with the 2019 supplementation, satisfy RCW 42.17A.495 and WAC 390-17-100. Under WAC 390-17-100(2) and (3), any "forms" conveying the information required under WAC 390-17-100(2) whether characterized as an authorization, a supplementation, annual notification, some combination of the above, or any other name, "constitutes the written authorization of the individual authorizing the withholding or diversion."

#### **2.1.2 Version Three Authorization Form Satisfies RCW 42.17A.495 and WAC 390-17-100, and the Foundation's Allegation Targeting Dispatch Form Version Three Lacks Any Basis in Law**

The Foundation also challenges the adequacy of the Version Three authorization form. It contends that Intermech cannot withhold wages pursuant to the form because it does not permit the employee to designate the amount of the contribution to be withheld from their wages. The

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<sup>2</sup> The Foundation does not challenge Version Three of the Authorization Form on these same grounds as it includes the revocation and anti-discrimination language.

Foundation cites WAC 390-17-100 for this requirement. But that regulation includes no such requirement.

The PDC has already addressed and dismissed this identical argument in the Foundation's first two complaints. There too, the Foundation contended that the dispatch forms at issue were noncompliant because they did not permit employees to designate their contribution amount. Again, the Foundation pointed to WAC 390-17-100. The PDC dismissed the Foundation's complaints and took no notice of the assertion that the written request must allow the employee to designate the amount of the contribution to be withheld from there.

Regardless of whether this issue was already raised and dismissed by the PDC, there is no basis for the Foundation's position. The Foundation apparently relies on a blank line in the template form set forth in WAC 390-17-100 in which the amount of wages withheld can be designated. But nothing in the regulation requires that the employer permit the employee to fill in that line as he chooses. From a literal blank line, the Foundation extrapolates a regulatory requirement the PDC never promulgated.

## **2.2 The PDC Should Dismiss the Foundation's Complaint in its Entirety**

Under RCW 42.17A.755(1), the PDC, in responding to a citizen complaint, must (1) "dismiss the complaint; (2) "otherwise resolve it" as a remedial or technical violation; (3) initiate an investigation, conduct hearings and take enforcement action; or (4) refer the complaint to the attorney general.

As it has twice already, the PDC should dismiss the Foundation's complaint. The Foundation's allegation against Version Three is frivolous. The Foundation's allegations concerning Versions One, Two, and Four fail in light of the 2019 supplementation. Even if they show some violation of the FCPA, such violation is minor and the complaint should be dismissed with a formal warning.

### **2.2.1 The PDC Should Dismiss the Foundation's Challenge to Version Three as Frivolous**

The Foundation's allegation concerning the Version Three authorization form is frivolous. When an action is frivolous, the PDC dismisses it without any further action. WAC 390-37-060(1)(a). "An action is frivolous if it cannot be supported by rational argument on the law or fact." *Hanna v. Margitan*, 193 Wn. App. 596, 612, 373 P.3d 300 (2016). Certain contentions in a complaint can be deemed frivolous even the complaint as a whole is not. *Hanna*, 193 Wn. App. at 612.

Here, no statute, regulation, or other authority required that the authorizations upon which Intermech relied permit employees to select the amount of their contribution. The Foundation invented this requirement out of whole cloth, and has unsuccessfully repeated it twice already. The PDC should dismiss it outright.

**2.2.2 The PDC Should Dismiss the Foundation's Challenge to Versions One, Two and Four as Intermech has Complied, or, Even Were There a Violation, Such Violation Was Minor**

As described above, with Versions One, Two and Four together with the 2019 supplementations, Intermech has provided all required information to employees. Even were the PDC to determine there is a violation, any such violation is minor. Accordingly, the PDC should dismiss.

A violation is minor "[w]hen incomplete information is disclosed, but a good faith effort to comply with disclosure is made, and the public is not deprived of critical information; or . . . [w]hen any other violation of chapter 42.17A RCW has occurred that does not materially affect the public interest." WAC 390-37-061(2)(b).

When a violation is minor, or other factors support alternative resolution, the executive director of the PDC may resolve the complaint by issuing the respondent a "formal written warning." WAC 390-37-060(1)(d).

In deciding how to resolve a complaint, "the PDC staff considers whether an investigation or adjudicative proceeding constitutes an efficient and effective use of public funds." WAC 390-37-061(1). Often "alternative response better meets the PDC's mission and public expectations by allowing the expedited resolution of minor violations, and the focusing on more specific violations of chapter 42.17A RCW and Title 390 WAC." *Id.*

WAC 390-37-061(4) sets out other factors the PDC considers in determining whether alternative response to a complaint constitutes a better use of public funds. For example, an alternative response is appropriate if "noncompliance resulted from a good-faith error, omission, or misunderstanding" as opposed to intentional and deceptive misconduct. WAC 390-37-061(4). Similarly, alternative resolution is appropriate where noncompliance "resulted from the respondent's demonstrated good-faith uncertainty concerning staff guidance or instructions." *Id.* Alternative resolution is appropriate where the respondent acknowledges its mistake. *Id.*

Here, even were there a violation, any such violation is minor. Based on the PDC's February 14, 2019 guidance, Intermech made a good-faith effort to ensure that all employees from whom wages were withheld received all information required under WAC 390-17-100. It did so by ensuring these employees received supplementation forms. The contents of these notifications, coupled with the various authorizations the employees already signed, provided all necessary information. If Intermech misinterpreted the PDC's instructions in its good-faith effort to comply, Intermech stands ready to make further changes, and the PDC should correct Intermech's misinterpretation by written warning.

The Foundation contends that the violations alleged were not minor for two reasons. First, it contends that the disclosure requirements described in WAC 290-37-061(2) "apply to the disclosure of required information *to the PDC* and are inapplicable to violations of RCW 42.17A.495." Complaint at 12 (emphasis added). But the regulation simply describes violations

as minor “[w]hen incomplete information is disclosed, but a good faith effort to comply with disclosure is made, and the public is not deprived of critical information.” It does not specify any particular recipient of those disclosures. If UA 598 disclosed incomplete information to Intermech employees, but had made a good faith effort with Intermech to correct any such issue, the regulation is no less applicable.

The Foundation also argues that Intermech’s deduction of \$9,764.82 from employee wages between March-May 2019 was not a minor violation because it materially impacted the public. But the deductions harmed no one. Affected employees received all necessary information and volunteered to contribute to their PAC. It was each employee’s individual right to participate so in the political process. In its conclusion, the Foundation decries UA 598’s supposedly “significant[] influence” on Washington politics, suggesting that their principal concern is less how contributions were withheld, and more where contributions went. July 15, 2019 Complaint at 12.

### **2.2.3 The Foundation Fails to Show that the PDC Exceeded its Authority by Passing WAC 390-37-060(1)(d) and WAC 390-37-061**

Perhaps recognizing that any violations it alleges are minor, the Foundation argues that the PDC had no authority to promulgate WAC 390-37-060(1)(d) and WAC 390-37-061, and, in particular asserts that RCW 42.17A.755(1) does not specify that certain violations may warrant dismissal *as minor*.

In challenging the PDC’s regulation, the Foundation faces a heavy burden, which it entirely ignores. The PDC’s rules are presumptively valid. *Ma’ae v. Washington Dep’t of Labor & Indus.*, 8 Wn. App. 2d 189, 196, 438 P.3d 148 (2019). It must present “compelling reasons . . . sufficient to show the scheme is in conflict with the intent and purpose of the” FCPA. *Haines-Marchel v. Washington State Liquor & Cannabis Bd.*, 1 Wn. App. 2d 712, 744, 406 P.3d 1199 (2017), *review denied*, 191 Wn.2d 1001, 422 P.3d 913 (2018), *and cert. denied*, 139 S. Ct. 1383, 203 L. Ed. 2d 617 (2019) (internal citations omitted). And in doing so, it must overcome the “considerable weight” given to the PDC’s interpretation of the FCPA. *State v. Dodd*, 56 Wn. App. 257, 261, 783 P.2d 106, 108 (1989). It cannot do so.

As stated above, RCW 42.17A.755(1) authorizes the PDC to dismiss a citizen complaint *or* otherwise resolve it as remedial or technical violation. Based on the plain language of this provision, the PDC is empowered to dismiss complaints even if the PDC does not “otherwise resolve” the complaint as a remedial or technical violation.

In passing the FCPA, the legislature acknowledged that gaps like this would remain, and it thus expressly granted the PDC authority to promulgate “rules to carry out the policies and purposes of” 42.17A RCW. RCW 42.17A.110(1); *see also Haines-Marchel*, 1 Wn. App. 2d at 744 (holding that an agency can make rules where its authority to do so is “expressly granted by statute or necessarily implied therein.”). It left the PDC, in its expertise, to resolve when a particular violation might warrant alternative resolution, including dismissal.

Faced with such an open question, the PDC may “adopt rules which fill in the gaps if those rules are necessary for implementing a general statutory scheme.” *Marcum v. Dep’t of Soc. & Health Servs.*, 172 Wn. App. 546, 558, 290 P.3d 1045 (2012) (internal quotations omitted). Such regulations need only be “reasonably consistent” with the FCPA. *Ma’ae*, 8 Wn. App. 2d at 196.

The PDC has properly made rules within the scope of this authority. WAC 390-37-060(1)(d) and WAC 390-37-061 not only help answer the legislature’s open question, but also further the policies and purpose of the FCPA. The legislature passed the FCPA to “increase financial participation of individual contributors in political campaigns.” RCW 42.17A.001(7). It intended “[t]hat small contributions by individual contributors are to be encouraged, and that not requiring the reporting of small contributions may tend to encourage such contributions.” RCW 42.17A.001(9). By dismissing minor violations, the PDC promotes individual contributors’ participation in the political sphere, unstifled by draconian and formalistic restrictions.

In response, the Foundation simply states that RCW 42.17A.755 does not expressly permit the PDC to designate some violations minor. But that authority is implied in its power to make rules and dismiss complaints. The Foundation contends that the regulations it despises do not further the policies and purposes of the FCPA. But it fails to account for the actual policy aims stated in the FCPA. Its effort to invalidate WAC 390-37-060(1)(d) and WAC 390-37-061 lacks merit.

### 3. **Conclusion**

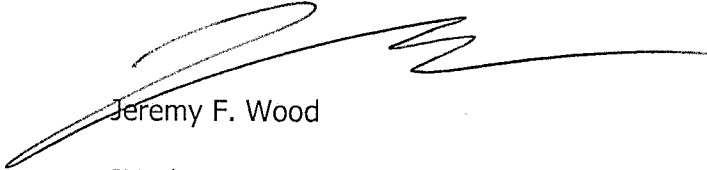
Twice already, the PDC has dismissed the Foundation’s complaints. Finding any relevant violations minor, it has issued written warnings. Based on these warnings, UA 598 supplemented its members’ authorization forms with the 2019 supplementation forms that together provide members all information required by the FCPA and PDC regulations. Intermech has inspected all these forms and only deducts wages where lawfully authorized. Dissatisfied, the Foundation continues its unfounded attack, seeking to undermine the voluntary decision of Intermech employees to participate in political financing.

The PDC should dismiss the Foundation’s attack. Its allegations range from incorrect to frivolous. Even if Intermech or UA 598 misinterpreted their specific legal obligations, their good-faith effort to comply is evident. Thus, if a violation occurred, it was minor, and warrants no more than dismissal and clarification.

Mx. Fox Blackhorn  
July 31, 2019  
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Please do not hesitate to reach out if we can answer further questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeremy F. Wood'. The signature is fluid and stylized, with a long horizontal stroke extending to the right.

Jeremy F. Wood

JFW/cps

## APPENDIX

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## ANNUAL NOTIFICATION CONCERNING WITHHOLDING FUNDS FOR 598 PAC

As required by the State of Washington administrative code WAC 390-17-110 please be advised that neither UA Local 598, nor any signatory contractor, may or will discriminate against you in the terms or conditions of your employment for (1) failing to contribute to the PAC, (2) failing to support (or oppose) the PAC, or (3) in any way supporting or opposing a candidate, ballot measure, political party or political committee.

If you have voluntarily authorized PAC contributions, you may rescind that authorization at any time. As you are aware, so that the common interests of Local 598 members to secure jobs, fair wages, and safe working conditions can be heard by state and federal candidates for office, you have previously voluntarily authorized your employer to deduct 0.70% (0.0070) of your weekly gross pay to be contributed to the PAC.

Should you wish to discontinue this voluntary contribution to the PAC via payroll deduction please contact your employer.

Attention: Payroll Department  
Intermech, Inc.  
654 Truman Avenue  
Richland, WA 99352

Name

Printed Name

Signature

Signature

Date

Date

Note: A copy of this form shall be retained by Local 598 and your employer for at least five years.