



July 17, 2017

Richard Wyckoff, President and CEO
U.S. Security Associates
200 Mansell Court Fifth Floor
Roswell, GA 30076

Dear Mr. Wyckoff:

I am writing to inform you that SEIU Responsible Contractor Program (RCP) has designated the status of U.S. SECURITY ASSOCIATES as **RED** for the Seattle, WA market. **RED** status indicates that “the company fails to follow responsible contractor practices” whereas a **GREEN** status indicates that the contractor “follows responsible contracting practices” and **YELLOW** status indicates that the contractor has “problems indicated that require attention.”

The designation of U.S. SECURITY ASSOCIATES as a non-responsible contractor stems from the company’s failure to mitigate serious issues affecting employees, including but not limited to allegations and settlement of worker harassment and discrimination, “serious” health and safety violations, a history of wage theft allegations and settlements, as well as a failure to maintain security standards in the Seattle market.

The goal of SEIU’s RCP—as is the case with other similar programs adopted by local, state, and federal public bodies—is to improve working conditions, lower worker turnover, improve training standards, and generally improve positive security outcomes for security officers, contractors, managers, and owners. Under our system, contractors are rated as “responsible” based on the following criteria:

- Responsible contractors compensate their workforce at or above prevailing wages and benefits including health insurance, compensated days off, and other benefits;
- Responsible contractors seek to maximize continuity at workplaces, prioritize worker safety, and promote continuous improvement in the quality of their workforce;
- Responsible contractors respect and encourage the right of their employees to bargain collectively;
- Responsible contractors provide employees with a bonafide complaint/grievance procedure;
- Responsible contractors support the environmental and energy efficiency policies of building owners.

As you may know, the union has been working with U.S. SECURITY ASSOCIATES officers to improve working conditions. Unfortunately, in the Seattle market, U.S. SECURITY ASSOCIATES denies many of its officers the opportunity to succeed

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and exposing them to other substandard conditions. U.S. SECURITY ASSOCIATES's track record includes the following concerning events:

U.S. SECURITY ASSOCIATES has a history of class action religious harassment and discrimination allegations and a settlement filed in Washington State Court.

In April 2014, Abdirizak Abdi and twenty-three other plaintiffs filed a lawsuit in Washington State Superior Court and the lawsuit was removed to US District Court for the Western District of Washington in May 2014. The plaintiffs, all former employees of Andrews International (a Division of US Security) and practicing Muslims who worked as security officers at Amazon.com and other facilities in King County, allege that Andrews would prohibit them from praying while on the job, usually during meal or rest breaks. The prayers are required by their religion, last five to ten minutes each, and take place three to five times a day. The plaintiffs allege that even when some of them were allowed to pray they would be required to do so on a loading dock next to garbage containers. While employees were allowed to read books during breaks, the plaintiffs allege that Andrews specifically forbade the reading of the Quran. They also allege that they were told not to come to work while fasting during Ramadan, and that Andrews would prohibit them from breaking their fasts at sundown or sunrise during their breaks causing some of them to work entire shifts without eating or drinking at all. They allege that Andrews assigned Muslims to undesirable positions, that managers made disparaging remarks about them due to the religion ("a terrorist religion") and national origins. Andrews failed to address their complaints causing some of the plaintiffs to quit. One plaintiff was fired after complaining to the HR department. The case was dismissed after a settlement was reached in June 2015.

U.S. SECURITY ASSOCIATES has a history of serious health and safety violations in Washington state

U.S. Security Associates' Staff Pro subsidiary was cited by Washington's Division of Occupational Safety and Health (DOSH) for five "serious" health and safety violations impacting 211 workers at the Tacoma Dome in 2016. DOSH enforcement officials appear to have consulted with the company at multiple times and established abatement dates in the latter half of 2016, but proposed citations and proposed penalties of \$10,000 have remained consistent thus far. While USSA does was not the only security firm cited for these type of violations, they do appear to have incurred the greatest number of serious violations, affecting the largest number of employees and incurring largest fine of any security company in last four years. Nor is this the first time that Staff Pro has been cited for a "serious" health and safety violation by DOSH. In 2013, the company was cited for failure to provide personal protective equipment at Seattle's CenturyLink Field and ultimately fined \$3,375 by order of an administrative law judge.

U.S. SECURITY ASSOCIATES has a history of wage theft allegations and settlements, including a pending settlement for over \$21 million in damages for back wages and penalties regarding more than 15,000 current and former employees over the last decade, a particularly troubling record given the limited dispute resolution recourse available to its Washington employees.

USSA has faced or is facing charges of wage theft and lawsuits alleging violations of wage and hour protections in states across the country, including in Washington State. In California, a pending settlement in a class action suit against the company would award over \$21 million in damages. USSA has also been forced to pay out over \$28,000 in back wages since 2006 for violations of the federal Fair

Labor Standards Act. In addition, USSA has been forced to settle at least 18 other federal wage and hour lawsuits since 2004.

- In January 2009, Muhammed Abdullah, a former USSA employee, filed a lawsuit that was awarded class certification for several classes of non-exempt hourly employees in California. The complaint alleges that USSA failed to provide meal or rest periods (or pay the required wage premium), failed to reimburse business-related expenses, failed to pay wages for all hours worked, failed to pay all vacation wages owed, and failed to keep accurate records. USSA filed an answer to the complaint, denying the allegations. U.S. Security appealed the order granting class certification, but the appeal was denied by the Court of Appeals and by the U.S. Supreme Court in October 2014. As of June 2017, the case remains open in U.S. District Court for Central California where the parties await a hearing scheduled for August 2017 on a proposed \$21 million settlement covering an estimated more than 15,000 current and former employees for a period from July 1, 2007 to June 30, 2017.

U.S. SECURITY ASSOCIATES has a record of unwillingness to abide by community standards on security officers' right to form a union and uphold community workplace standards in the Seattle security market

In 2012, US Security acquired Andrews International security, a union employer with SEIU Local 6, but failed to recognize the union in all covered accounts in the Seattle market per the collective bargaining agreement.

Over the course of the ensuing several years, the company's actions have frustrated the ability of security officers to have a union by insisting on restrictions that could serve to exclude up to the majority of its Seattle security employees from the higher standards that come with union representation, should the company be awarded this work.

For of all the foregoing reasons, the SEIU Responsible Contracting Program has rated U.S. Security Associates as RED. That designation will be reflected on the RCP Website and communicated to building and institutional clients as well as other stakeholders. We look forward to continued engagement with U.S. Security to work towards remedying these serious concerns.

Sincerely,



Jason Oringer

SEIU, Property Services Division

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