

1 **SUPERIOR COURT OF THE STATE OF WASHINGTON**
2 **FOR SAN JUAN COUNTY**

3 The LAW OFFICE OF JAMES P. GRIFO,
LLC a Washington State Limited Liability
Company; and THE LAW OFFICE OF
NICHOLAS POWER, PLLC, a
Washington State Professional Limited
Liability Company,

Plaintiffs,

v.

AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL
EMPLOYEES, A LABOR UNION;
WALTER BLAIR, as purported
administrator of Local 114; COLIN
MAYCOCK as a member of Local 1849,
President of Local 1849, and as a member
of American Federation of State, County
and Municipal Employees; JAEL
KOMAC, a member of Local 114, as
Former President Local 114, and a
member Of American Federation of State
And Municipal Employees; LOCAL
1849, a labor union operating in the State
of Washington; and LOCAL 114, a labor
union operating in the State of
Washington.

Defendants.

Case No. 19-2-0517928

**DECLARATION OF
ANDREW WOJCIECHOWSKI**

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5 I, Andrew Wojciechowski, hereby declare as follows: I am of legal age, and I
6 have personal knowledge of each fact stated in this declaration, to which I could
7 and would competently testify if called as a witness in this matter.

8 1.1 I was a dues-paying member in good standing of Local 114,
9 WSCCCE, AFSCME, AFL-CIO (“Local 114”), and I am also the former Treasurer
10 of Local 114.

11 1.2 My background includes over 30-years working in accounting with the
12 last nearly five years working in accounting and contracting for the City of
13 Bellingham.

14 1.3 During my time in office as Local 114 Treasurer it was my
15 responsibility to oversee the financial affairs of our local. I was a co-signatory, with
16 Local President Jael Komac, on checks issued by Local 114. I take my position
17 seriously and worked diligently to perform my duties with honesty and integrity.
18 All expenses were approved by the majority of members at meetings conducted by
19 Robert’s Rules of Order. I was Treasurer in April 2019 when Local 114 joined
20 Local 1849 in the federal lawsuit to enforce the AFSCME International
21 Constitution. Upon retaining Mr. Grifo and Mr. Power our local authorized the flat-
22 fee payment of \$12,000. In order to remove any doubt as to the legitimacy of
23 financial decisions made, Local 114 membership voted at the May 2019 and June
24 2019 general membership meetings to AGAIN authorize and approve all expenses
25 and show support for the lawsuit. This included the \$12,000 previously authorized
26 by Local 114 membership and paid to our Attorneys, Mr. Grifo and Mr. Power.

27 1.4 In what I believe to be retaliation to our Local's federal lawsuit filing,
28 Washington State Council of County and City Employees AFSCME AFL-CIO
29 Council 2 ("Council 2") demanded an audit of Local 114 books. Within AFSCME,
30 Local 114 was a subsidiary to Council 2 and was required to comply with audit
31 requests, and so Local 114 did comply with the request for records in our
32 possession. I personally offered to answer any questions posed by the independent
33 auditor which I believe fulfilled my duty toward my fellow local members and
34 AFSCME. Nevertheless, on October 16, 2019, I was removed from office by the
35 AFSCME International Union in a questionable process called "Administratorship"
36 under which they seized Local 114's bank accounts and demanded the balance of
37 any records or property in my possession. When I protested that not even the
38 international President had the right to remove me from office without due process,
39 I was told by AFSCME Deputy Administrator Jeremy Kruse that I was no longer
40 Treasurer. In a general membership meeting later that night, Mr. Kruse likened
41 administratorship to a dictatorship and denied members any right to participate in
42 the business of the local or vote. This is how AFSCME treats its members.

43 1.5 Two Local 114 members who have personally made it known to me
44 that they strongly support Council 2, filed internal charges against me, and other
45 local officers including Jael Komac, accusing us of financial impropriety.
46 AFSCME seized the authority to conduct the internal investigation and trial from

Local 114's Executive Board which was the proper authority to hear those charges under AFSCME's own rules, and held an internal hearing in November 2019. At this hearing, the Council 2 staff attorney, Ed Stemler, appeared on behalf of the charging Local 114 members. The accused Local 114 members were denied Council 2 representation. Despite trying to stack the deck, AFSCME's own hearing officer dismissed all charges against me on January 8, 2020.

1.6 For AFSCME to say it now needs an accounting of Local 114's payment to Grifo and Power ignores all the facts and the results of AFSCME's own audit. What AFSCME hopes to find isn't there. There were no other unpaid invoices from Grifo and Power, and none were expected because it was my understanding as Treasurer that the \$12,000 payment represented the full amount to be paid by Local 114.

1.7 To add to all these baseless insults, the Administrators have failed to pay me the small amount of compensation I earned as Treasurer for the year 2019 as required by the Local 114 constitution. I believe this failure to pay even violates AFSCME's own constitution on administratorship and because the AFSCME financial standards code considers this income, this failure to pay may also violate applicable Washington State laws protecting workers from non-payment of wages. This is how AFSCME treats its volunteers.

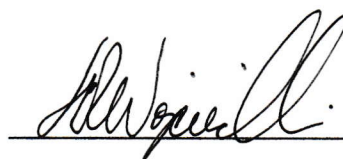
66 I declare under penalty of perjury under the laws of the State of Washington that
67 the foregoing is true and correct.

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69 RESPECTFULLY SUBMITTED this 15th day of June 2020.

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A handwritten signature in black ink, appearing to read 'A. Wojciechowski', is written over a horizontal line.

72

Andrew Wojciechowski

73

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