

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF SNOHOMISH**

TOM BOSSERMAN, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

STARBUCKS CORPORATION, a  
Washington State Corporation,

Defendant.

No.

25-2-09311-31

COMPLAINT FOR DAMAGES

**I. NATURE OF ACTION**

1. This is a class action brought by a former employee (“Plaintiff” or “class representative”) on behalf of himself and others similarly situated for unpaid wages, interest and liquidated damages in the amount of twice the unpaid wages under the Everett Fair Labor Standards - Everett Municipal Code (“EMC”) 5.08 and for damages for willful withholding of wages under the Washington State Wage Rebate Act (“WRA”), RCW 49.52.

2. This class of employees was not offered additional hours of work by Starbucks before it hired additional employees as required by the Everett Fair Labor Standards Act, EMC 5.08 (the “Ordinance”) for the time period December 5, 2024, through the present. As a result, they have been unlawfully deprived of the wages and other income to which they were entitled pursuant to the Ordinance.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4

4. Venue in Snohomish County is appropriate pursuant to RCW 4.12.025.

5. Plaintiff Tom Bosserman is an individual residing in Snohomish County, Washington. Bosserman worked for Defendant Starbucks Corporation (Starbucks) on December 5, 2006, when the Everett Fair Labor Standards Ordinance went into effect, and thereafter. During his employment, Bosserman was employed as a barista in numerous Starbucks stores. He worked for Starbucks for approximately 18 years until his employment was terminated on August 19, 2025. During his tenure as a barista, Bosserman mastered all of the duties of the position. Starbucks even promoted him as a barista trainer, which meant that he was tasked with training new employees to perform the duties of a barista.

6. Defendant Starbucks Corporation is a Washington corporation and transacts business in Snohomish County, Washington. Specifically, Starbucks is a private coffee shop providing food and beverage services in Snohomish County, Washington. Starbucks employees more than 500 employees.

7. Starbucks operates stores located in the following locations in Everett, Washington: 1010 N. Broadway, Suite A, Everett, Washington 98201 (the “37th and Broadway” location); 1010 N. Broadway, Everett, Washington 98201 (the “Broadway and 10th” location); 7430 Evergreen Way, Everett, Washington 98203 (the “Evergreen Way and 75th” location); 515 SE Everett Mall Way, Everett, Washington 98208 (the “Greentree Plaza” location); 12811 4th Ave West, Everett, Washington 98204 (the “128th St SW & 4th Ave W” location), and; 4809 132nd St SE, Everett, Washington 98201 (the “132nd St and Everett” location).

1 Washington 98208 (the “132nd & Seattle Hill Rd” location). Starbucks is a “covered employer” for  
2 the purposes of EMC 5.08, and an “employer” for purposes of the RCW 49.52.

3 8. Bosserman and members of the class (collectively, “employees” or “class members”)   
4 are former and current employees employed in nonsupervisory and nonmanagerial capacities at   
5 some point since December 5, 2024, and hereafter.

6 9. In addition to their hourly wage, baristas also receive tips from customers.   
7 Customers can tip using cash, credit cards, or using Starbucks’ electronic mobile ordering   
8 platforms. While employed as a barista, Bosserman received such tips.

9 10. Beginning on December 5, 2024, Defendant has not offered additional hours to   
10 existing employees who had the skills and experience to perform the work before hiring additional   
11 employees or subcontractors. By this failure, Defendant has violated, and continues to violate, the   
12 rights of class members to obtain additional hours of work, which has resulted in loss of income   
13 from hourly wages and tips and a well-grounded fear of immediate invasion of that right in the   
14 future.

15 11. Beginning on December 5, 2024, Defendant has not used a reasonable, transparent,   
16 and nondiscriminatory process to distribute the hours of work among existing employees before   
17 hiring additional employees or subcontractors.

18 12. Members of the class would have accepted additional hours during some of the days   
19 and times that Starbucks scheduled new hires to work if Starbucks had made the hours available to   
20 them.

21 13. By not being scheduled for additional hours that were instead worked by new   
22 employees that Starbucks hired since December 5, 2024, class members lost out on wages and tips   
23 they otherwise would have earned.

1           14. Defendant has acted willfully and with intent to deprive class members of their  
2 proper ability to work additional hours.

3  
4                                   **VI. CLASS ACTION ALLEGATIONS**

5           15. Plaintiff Tom Bosserman seeks to represent a class of all former and current  
6 employees of Defendant Starbucks who were employed in nonmanagerial and nonsupervisory  
7 capacities at Starbucks locations listed in Paragraph 7 at any time since December 5, 2024, and  
8 hereafter.

9           16. This action is properly maintainable as a class action under CR 23(a) and (b)(3).

10          17. Pursuant to CR 23(a)(1), it is impracticable to join all class members as named  
11 Plaintiffs.

12          18. Pursuant to CR 23(a)(2), there are common questions of law and fact with respect  
13 to the class including, but not limited to, (a) whether Defendant has violated EMC 5.08.050 by  
14 failing to offer additional hours of work to existing employees before hiring additional employees  
15 or subcontractors, (b) whether Defendant has violated EMC 5.08.050 by failing to use a reasonable,  
16 transparent, and nondiscriminatory process to distribute the hours of work among those existing  
17 employees, and (c) whether Defendant has acted willfully and with intent to deprive members of  
18 their earnings, in contravention of RCW 49.52.050(2).

19          19. Pursuant to CR 23(a)(3), the named Plaintiff's claims are typical of the claims of all  
20 class members and of Defendants' anticipated defenses thereto.

21          20. The named Plaintiff will fairly and adequately protect the interests of the members  
22 of the class as required by CR 23(a)(4).

23          21. Pursuant to CR 23(b)(3), certification of the class is appropriate here because  
24 questions of law or fact common to members of the class predominate over any questions affecting

only individual class members and because a class action is superior to other available methods for the fair and efficient adjudication of the controversy.

**VII. FIRST CAUSE OF ACTION – EVERETT MUNICIPAL CODE (EMC) 5.08.050**

22. Plaintiff restates and realleges the allegations set forth above in paragraphs 1 through 21.

23. Defendant violated EMC 5.08.050 by hiring new employees without offering additional hours of work to Bosserman or any of the members of the class, and by failing to use a reasonable, transparent, and nondiscriminatory process to distribute the hours of work to existing employees.

24. As a result of Defendant's acts and omissions, Bosserman and members of the class have suffered damages in amounts not yet calculated.

**VIII. SECOND CAUSE OF ACTION – REVISED CODE OF WASHINGTON (RCW) 49.52.050(2)**

25. Plaintiff restates and realleges the allegations set forth above in paragraphs 1 through 24.

26. Defendant violated RCW 49.52.050(2) by willfully and with intent to deprive Bosserman and members of the class of any part of their wages, paying them a lower wage than the wage Defendant was obligated to pay by operation of EMC 5.08.050.

27. As a result of Defendant's acts and omissions, Bosserman and the class members have suffered damages in amounts not yet calculated.

**IX. PRAYER FOR RELIEF**

THEREFORE, Plaintiff requests that this Court:

1           A.     Damages for lost wages and other financial injury in amounts to be proven at trial,  
2 including lost wages owed and interest on those lost wages, pursuant to EMC 5.08.070(A);

3           B.     Liquidated damages in an additional amount of up to twice the unpaid wages due,  
4 pursuant to EMC 5.08.070(A);

5           C.     Compensatory damages pursuant to EMC 5.08.070(A);

6           D.     Exemplary damages in amounts equal to twice the amount of wages unlawfully  
7 withheld, pursuant to RCW 49.52.070;

8           E.     Attorneys' fees and costs pursuant to EMC 5.08.070(A), RCW 49.48.030, and/or  
9 RCW 49.52.070;

10          F.     Prejudgment interest;

11          G.     Preliminary and permanent injunctive relief requiring Defendant to promulgate a  
12 detailed plan demonstrating their future compliance with EMC 5.08.070; and

13          H.     Such other and further relief as the Court deems just and proper.

14                RESPECTFULLY SUBMITTED this 22nd day of September, 2025.

15  
16                               s/Dmitri Iglitzin

Dmitri Iglitzin, WSBA No. 17673

17                               s/Gabe Frumkin

Gabe Frumkin, WSBA No. 56984

18                               **BARNARD IGLITZIN & LAVITT LLP**

19                               18 W Mercer St, Suite 400

Seattle, WA 98119

20                               Tel: (206) 257-6003

Iglitzin@workerlaw.com

Frumkin@workerlaw.com

21                               *Attorneys for Plaintiff*  
22  
23  
24