

1 Plaintiff Destinee Moliga, on behalf of herself and all others similarly situated (the
2 “Class”), by and through counsel, brings this Class Action Complaint against Defendants Marriott
3 International, Inc., Courtyard Management LLC, W Operating Company LLC, Starwood Hotels
4 & Resorts Worldwide, LLC, Seattle Union Street Associates LLP, and Sheraton Operating LLC
5 (collectively, “Defendants”) and alleges, upon personal knowledge as to Plaintiff’s own actions
6 and Plaintiff’s counsel’s investigations, and upon information and belief as to all other matters, as
7 follows:

8 I. NATURE OF THE CASE

9 1. Effective January 1, 2023, employers must disclose in each posting for each job
10 opening, the wage scale or salary range and a general description of all of the benefits and other
11 compensation to be offered to the hired applicant. RCW 49.58.110(1).

12 2. The Washington Legislature finds that “despite existing equal pay laws, there
13 continues to be a gap in wages and advancement opportunities among workers in Washington.”
14 RCW 49.58.005(1). The Legislature further finds that “lower starting salaries translate into lower
15 pay, less family income, and more children and families in poverty.” RCW 49.58.005(3)(b).

16 3. “Some folks do not have the networks or ability to negotiate salaries. Salaries vary
17 wildly in companies within the same industry and applicants do not have the ability to know what
18 the value of the position is.” H.B. Rep. ESSB 5761, at 2 (Wash. 2022). The Equal Pay and
19 Opportunities Act (“EPOA”) “allows a discussion at the start of the process instead of after an
20 offer has been made, which will increase the ability to negotiate pay.” *Id.* Additionally, “[m]any
21 candidates spend hours going through rounds of interviews only to find out they can’t live on the
22 offered pay.” S.B. Rep. ESSB 5761, at 3 (Wash. 2022). The EPOA makes Washington “more
23 competitive for job seekers...” *Id.*

24 4. This is a class action on behalf of individuals who applied to job openings with the
25 Defendants where the job postings did not include the wage scale or salary range, and/or a general
26 description of all of the benefits and other compensation to be offered, in direct violation of RCW
27 49.58.110.

1 **II. JURISDICTION AND VENUE**

2 5. This Court has jurisdiction over this cause of action pursuant to RCW 2.08.010.

3 6. Venue is proper in this Court pursuant to RCW 4.12.025 because the acts and
4 omissions alleged took place, in whole or in part, in King County, Washington, and each
5 Defendant resides and transacts business in King County, Washington.

6 7. Federal jurisdiction is inappropriate under the Class Action Fairness Act, 28
7 U.S.C. § 1332(d)(4)(A), because: (a) all members of the Class are applicants of Washington
8 employers, or were applicants of Washington employers, at all times relevant to their interactions
9 with Defendants; (b) each Defendant is registered to conduct business, and regularly transacts
10 business, within Washington; (c) Defendant Seattle Union Street Associates LLP is a Washington
11 limited liability partnership; (d) the alleged conduct of Defendants occurred within Washington;
12 (e) the injuries to Plaintiff and the Class occurred within Washington; and (f) during the three-
13 year period preceding the filing of this action, no other class action has been filed asserting the
14 same or similar factual allegations against Defendants on behalf of the same persons.
15 Alternatively, federal jurisdiction is inappropriate under the Class Action Fairness Act because:
16 (a) pursuant to 28 U.S.C. § 1332(d)(4)(B), more than two-thirds of the Class reside in Washington;
17 and (b) pursuant to 28 U.S.C. § 1332(2), the amount in controversy does not exceed the sum or
18 value of \$5,000,000, exclusive of interest and costs.

19 **III. PARTIES**

20 8. Plaintiff Destinee Moliga is a resident of King County, Washington and applied to
21 work for Defendants at their hotels located in King County, Washington at 925 Westlake Avenue
22 N, Seattle, Washington 98109; 1112 4th Avenue, Seattle, Washington 98101; and 1400 6th Avenue,
23 Seattle, Washington 98101.

24 9. Defendant Marriott International, Inc. is a foreign profit corporation that regularly
25 transacts business in King County, Washington and has multiple offices for the transaction of
26 business in King County, Washington, including at 925 Westlake Avenue N, Seattle, Washington
27 98109 and 2100 Alaskan Way, Seattle, Washington 98121.

1 10. Defendant Courtyard Management LLC is a foreign limited liability company
2 doing business as Courtyard by Marriott. Defendant Courtyard Management LLC regularly
3 transacts business in King County, Washington and has multiple offices for the transaction of
4 business in King County, Washington, including at 925 Westlake Avenue N, Seattle, Washington
5 98109 and 612 2nd Avenue, Seattle, Washington 98104.

6 11. Defendant W Operating Company LLC is a foreign limited liability company doing
7 business as W Seattle and W Bellevue. Defendant W Operating Company LLC regularly transacts
8 business in King County, Washington and has multiple offices for the transaction of business in
9 King County, Washington, including 1112 4th Avenue, Seattle, Washington 98101 and 10455 NE
10 5th Place, Bellevue, Washington 98004.

11 12. Defendant Starwood Hotels & Resorts Worldwide, LLC is a foreign limited
12 liability company doing business as W Seattle, The Westin Seattle, Starwood Galaxy Hotel
13 Systems, and Days Inn Town Center. Defendant Starwood Hotels & Resorts Worldwide, LLC
14 regularly transacts business in King County, Washington and has multiple offices for the
15 transaction of business in King County, Washington, including at 1112 4th Avenue, Seattle,
16 Washington 98101 and 1900 5th Avenue, Seattle, Washington 98101.

17 13. Defendant Seattle Union Street Associates LLP is a Washington limited liability
18 partnership doing business as Seattle Sheraton, Sheraton Grand Seattle, and Alder & Ash.
19 Defendant Seattle Union Street Associates LLP regularly transacts business in King County,
20 Washington and has multiple offices for the transaction of business in King County, Washington,
21 including at 1111 Third Avenue, Suite 3030, Seattle, Washington 98101 and 1400 6th Avenue,
22 Seattle, Washington 98111.

23 14. Defendant Sheraton Operating LLC is a foreign limited liability company doing
24 business as Seattle Sheraton, Sheraton Seattle Hotel & Towers, and Sheraton Grand Seattle.
25 Defendant Sheraton Operating LLC regularly transacts business in King County, Washington and
26 has multiple offices for the transaction of business in King County, Washington, including at 601
27 Pike Street, Seattle, Washington 98111 and 1400 6th Avenue, Seattle, Washington 98101.

1 15. Plaintiff is currently unaware of the true names and capacities, whether individual,
2 corporate, associate, or otherwise, of the defendants sued herein under fictitious names Does 1-
3 20, inclusive, and therefore sues such defendants by such fictitious names. Plaintiff will seek leave
4 to amend this Complaint to allege the true names and capacities of the fictitiously named
5 defendants when their true names and capacities have been ascertained. Plaintiff is informed and
6 believes, and thereon alleges, each of the fictitiously named defendants is legally responsible in
7 some manner for the events and occurrences alleged herein, and for the damages suffered by
8 Plaintiff and the Class.

9 **IV. FACTS APPLICABLE TO THE CLASS AND ALL CAUSES OF ACTION**

10 16. Effective January 1, 2023, all Washington employers are required to disclose in
11 each posting for each job opening the wage scale or salary range, and a general description of all
12 of the benefits and other compensation to be offered to the hired applicant. RCW 49.58.110.

13 17. For the purposes of RCW 49.58.110, “posting” means any solicitation intended to
14 recruit job applicants for a specific available position, including recruitment done directly by an
15 employer or indirectly through a third party, and includes any postings done electronically, or with
16 a printed hard copy, that includes qualifications for desired applicants. RCW 49.58.110(1).

17 18. Each Defendant employs more than 15 individuals.

18 19. From January 1, 2023 to the present, Plaintiff and more than 40 Class members
19 applied to job openings with Defendants for positions located in Washington state where the
20 postings did not disclose the wage scale or salary range, and/or a general description of the benefits
21 and other compensation to be offered.

22 20. On or about February 28, 2023, Plaintiff applied for a job opening with Defendants
23 at their hotel located at 925 Westlake Avenue North, Seattle, King County, Washington 98109.
24 The posting for the job opening did not disclose the wage scale or salary range, or a general
25 description of the benefits and other compensation to be offered. A true and correct copy of
26 Defendants’ job posting to which Plaintiff applied is attached hereto as Exhibit 1.

1 28. Numerosity. There are potentially hundreds of individuals who applied for jobs
2 with Defendants within the time period relevant to this matter. Joinder of all such individuals is
3 impracticable. Further, the disposition of all claims of the Class in a single action will provide
4 substantial benefits and efficiency to all parties and to the Court.

5 29. Commonality. Because all applicants applied for job openings that did not disclose
6 the wage scale or salary range, and/or a general description of the benefits and other compensation
7 to be offered, this is a straightforward matter of determining whether Defendants' actions violate
8 Washington law, and, if so, assessing damages.

9 30. Typicality. Plaintiff's claims are typical of the claims of the Class. Plaintiff and
10 Class members all applied for job openings with Defendants that did not disclose the wage scale
11 or salary range, and/or a general description of the benefits and other compensation to be offered.

12 31. Adequacy. Plaintiff will fairly and adequately protect the interests of the Class.
13 Plaintiff has retained competent and capable attorneys with substantial experience in complex
14 class action litigation. Plaintiff and Plaintiff's counsel are committed to prosecuting this action
15 vigorously on behalf of the Class and have the financial resources to do so. Neither Plaintiff nor
16 Plaintiff's counsel have interests that are contrary to or that conflict with those of the Class.

17 32. Predominance. Defendants have engaged in a common course of conduct of failing
18 to disclose the wage scale or salary range, and/or a general description of the benefits and other
19 compensation to be offered in job postings in violation of RCW 49.58.110. The common issues
20 arising from Defendants' unlawful conduct affect Plaintiff and Class members and predominate
21 over any individual issues. Adjudication of these common issues in a single action has the
22 important and desirable advantage of judicial economy.

23 33. Superiority. Plaintiff and the Class have suffered, and will continue to suffer, harm
24 and damages as a result of Defendants' unlawful and wrongful conduct. Absent a class action,
25 however, most Class members would find the cost of litigating their claims prohibitive, especially
26 when that cost is balanced against each individual's respective potential award. Class treatment is
27 superior to multiple individual suits or piecemeal litigation because it conserves judicial resources,

1 promotes consistency and efficiency of adjudication, provides a forum for claimants with smaller
2 cases and those with few resources, and deters illegal activities. There will be no significant
3 difficulty in the management of this case as a class action. The Class members and the job postings
4 to which they applied are readily identifiable through Defendants' own records.

5 **VI. CAUSES OF ACTION**

6 **FIRST CAUSE OF ACTION** 7 **VIOLATION OF RCW 49.58.110** 8 ***Claim of Relief for Plaintiff and the Class***

9 34. Plaintiff incorporates by reference all foregoing factual allegations.

10 35. As described more fully above, Defendants did not disclose the wage scale or salary
11 range, and/or a general description of the benefits and other compensation to be offered in their
12 job postings.

13 36. On or after January 1, 2023, Plaintiff and the Class applied for job openings with
14 the Defendants where the postings did not disclose the wage scale or salary range, and/or a general
15 description of the benefits and other compensation to be offered.

16 37. Defendants' actions and/or omissions violate RCW 49.58.110.

17 38. As a result of Defendants' actions and omissions, Plaintiff and the Class have been
18 damaged in amounts to be proven at trial.

19 **SECOND CAUSE OF ACTION** 20 **INJUNCTIVE RELIEF** 21 ***Claim of Relief for Plaintiff and the Class***

22 39. Plaintiff incorporates by reference all foregoing factual allegations.

23 40. Plaintiff and the Class are entitled to an injunction prohibiting Defendants from
24 further violations of Washington law. Specifically, Plaintiff seeks injunctive relief to require
25 Defendants to disclose in each posting for each job opening the wage scale or salary range, and/or
26 a general description of all of the benefits and other compensation to be offered.

27 **THIRD CAUSE OF ACTION** 28 **DECLARATORY RELIEF** 29 ***Claim of Relief for Plaintiff and the Class***

30 41. Plaintiff incorporates by reference all foregoing factual allegations.

1 DATED October 10, 2023

EMERY | REDDY, PLLC

2
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EXHIBIT 1

Cook

Marriott International, Inc - Seattle, WA 98109

Job details

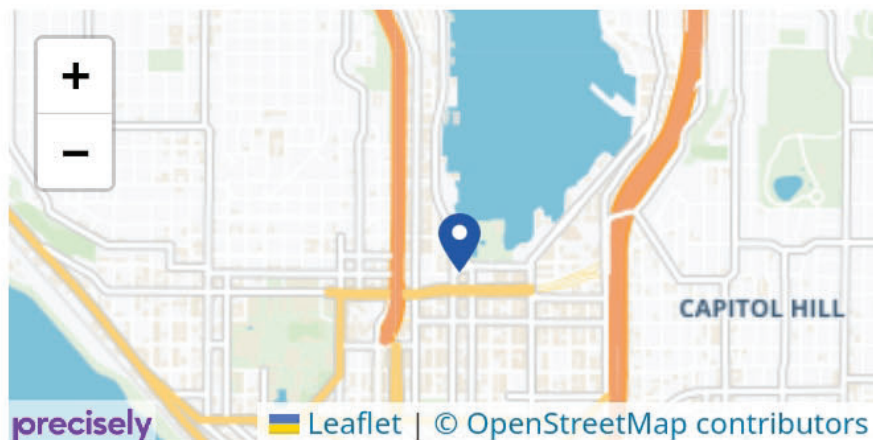
Matches job preferences you are **Interested** in

Job Type

Full-time ✓

Location

 925 Westlake Avenue North, Seattle, WA 98109



Full Job Description

Número de Empleo 23034822

Categoría de Empleo Food and Beverage & Culinary

Ubicación Courtyard Seattle Downtown/Lake Union,
925 Westlake Ave N, Seattle, Washington, United
States VER EN MAPA

Horario Full-Time

¿Ubicación remota? N

¿Reubicación? N

Tipo de Posición Non-Management

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gratificante

Cook

Marriott International, Inc - Seattle, WA 98109

¿Ubicación remota? N**¿Reubicación?** N**Tipo de Posición** Non-Management**Combine sus pasiones con una oportunidad gratificante**

Algunos pueden llamarlo aficionado a la cocina, pero usted sabe que es mucho más que eso. Desea aprender todos los trucos del oficio y ser el experto de la cocina. Cuando se una a nosotros, descubrirá que no hay límites para su creatividad o potencial. Lo motivamos a que crezca y se desafíe, ya que, cuando se esfuerza por alcanzar la excelencia, nos ayuda a ofrecer maravillosas experiencias de viaje.

Recompensas por el trabajo, beneficios para su estilo de vida

Recibirá apoyo dentro y fuera del lugar de trabajo a través de lo siguiente:

- Descuentos para habitaciones de hotel, artículos de la tienda de regalos, alimentos y bebidas
- Oportunidades de aprendizaje y desarrollo
- Programas de reconocimiento
- Programas de bienestar
- Una administración motivadora
- Colegas con espíritu de trabajo en equipo

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Cook

Marriott International, Inc - Seattle, WA 98109

El impacto que generará

Gracias a su compromiso por seguir un estándar culinario superior y a su atención en cada preparación, los huéspedes nos eligen a la hora de cenar. Al trabajar con un dedicado equipo de expertos, aprenderá algo nuevo todos los días, ya que trabajará con menús de estación nuevos y presentaciones únicas. Su trabajo arduo rendirá frutos cuando un plato que cuidadosamente ayudó a preparar deje a los huéspedes entusiasmados y ansiosos por regresar.

Lo que hará

- Preparar los ingredientes frescos para cocinar según las recetas o el menú
- Cocinar alimentos y preparar productos del menú de calidad superior de manera oportuna
- Probar los alimentos para garantizar que la preparación y la temperatura sean correctas
- Usar los equipos de la cocina de manera segura y responsable
- Garantizar la correcta higiene y limpieza de las superficies y los recipientes de almacenamiento

Lo que buscamos

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Actitud positiva y personalidad extrovertida

Cook

Marriott International, Inc - Seattle, WA 98109

Lo que buscamos

- Extraordinarias habilidades de trabajo en equipo y atención al detalle
- Actitud positiva y personalidad extrovertida
- Experiencia previa en la cocina: considerada una gran ventaja

Este puesto requiere la capacidad de mover y levantar hasta 25 libras (10 kg). También debe estar de pie, sentado o caminar durante períodos prolongados y debe garantizar un aspecto profesional con un uniforme limpio. Antes del empleo, le solicitaremos que realice un entrenamiento y una certificación sobre seguridad.

Explore nuestro enorme universo

Traiga sus talentos naturales y su pasión por los alimentos, y lo acogeremos en nuestra familia. Independientemente de su especialidad o sus antecedentes culinarios, ofrecemos grandes recompensas y oportunidades para mejorar sus habilidades. Trabjará estrechamente con un equipo de profesionales inspirados que lo motivarán e invitarán a contribuir.

Marriott International es un empleador que ofrece igualdad de oportunidades. Creemos en la importancia de contratar a una fuerza laboral diversa, así como

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Marriott International, Inc - Seattle, WA 98109

de no discriminación por cualquier motivo protegido, como la discapacidad y condición de veterano o cualquier otra situación protegida por las leyes aplicables. Marriott International considera a los solicitantes de empleo calificados con antecedentes penales de conformidad con las leyes federales, estatales y locales aplicables.

Con más de 330 establecimientos gestionados en más de 20 países, Courtyard by Marriott ofrece un entorno estimulante que ayuda a nuestros huéspedes a permanecer conectados y equilibrados. Trabajando en Courtyard, garantizará que nuestros huéspedes disfruten de una estancia productiva y sin contratiempos que satisfaga sus necesidades personales y de negocios. Find Your World™ en Courtyard by Marriott.

Hiring Insights

Job activity

- Posted today

Marriott International, Inc

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EXHIBIT 2



indeed



Server

Marriott International, Inc
1112 4th Ave, Seattle, WA 98101

Job details

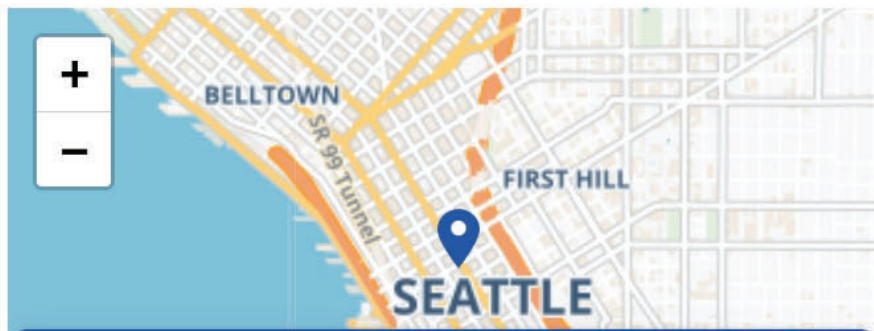
Matches job preferences you are **Interested** in

Job Type

Full-time ✓

Location

1112 4th Ave, Seattle, WA 98101

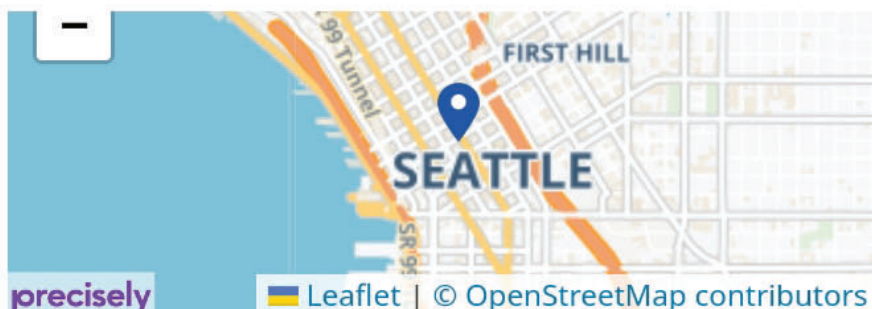


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Server

Marriott International, Inc - Seattle, WA 98101



Full Job Description

Número de Empleo 23026021

Categoría de Empleo Food and Beverage & Culinary

Ubicación W Seattle, 1112 4th Avenue, Seattle, Washington, United States VER EN MAPA

Horario Full-Time

¿Ubicación remota? N

¿Reubicación? N

Tipo de Posición Non-Management

Explore nuestro enorme universo

Lo invitamos a unirse a nuestra familia global y diversa. No importa si es nuevo en la industria hotelera o si es un profesional experimentado, acérquese a nosotros sabiendo que siempre valoraremos sus talentos naturales. Su energía positiva y su mentalidad enfocada en complacer a las personas constituyen una parte importante de por qué nuestros huéspedes nos eligen una y otra vez.

Recompensas por el trabajo, beneficios para la vida

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traves de lo siguiente:



Server

Marriott International, Inc - Seattle, WA 98101

- Acercarse a los huéspedes para garantizar la satisfacción con cada plato y bebida
- Limpiar las mesas, completar las tareas de cierre y reabastecer la vajilla y otros suministros

Lo que buscamos

- Buenas habilidades conversacionales y orientación al trabajo en equipo
- Actitud positiva y personalidad extrovertida
- Experiencia previa como camarero: considerada una gran ventaja

Este puesto requiere la capacidad de mover y levantar hasta 25 libras (10 kg). También debe estar de pie, sentado o caminar durante períodos prolongados y debe garantizar un aspecto profesional con un uniforme limpio. Antes del empleo, le solicitaremos que realice un entrenamiento y una certificación sobre seguridad.

Combine sus pasiones con una oportunidad gratificante

A usted le apasionan los alimentos y las bebidas, y realmente disfruta de hacer que los demás se sientan como en casa. Cuando trabaje con nosotros, podrá atender y conocer personas de todo el mundo mientras crea su experiencia. Únase a nosotros y crezca a través de oportunidades para explorar el

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que se sienta como en casa.

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Marriott International, Inc - Seattle, WA 98101

Combine sus pasiones con una oportunidad gratificante

A usted le apasionan los alimentos y las bebidas, y realmente disfruta de hacer que los demás se sientan como en casa. Cuando trabaje con nosotros, podrá atender y conocer personas de todo el mundo mientras crea su experiencia. Únase a nosotros y crezca a través de oportunidades para explorar el negocio y abrirse a diversas opciones laborales. No importa qué camino recorra, nos aseguraremos de que se sienta como en casa.

Marriott International es un empleador que ofrece igualdad de oportunidades. Creemos en la importancia de contratar a una fuerza laboral diversa, así como apoyar una cultura inclusiva que anteponga a las personas. Nos comprometemos a respetar el principio de no discriminación por cualquier motivo protegido, como la discapacidad y condición de veterano o cualquier otra situación protegida por las leyes aplicables. Marriott International considera a los solicitantes de empleo calificados con antecedentes penales de conformidad con las leyes federales, estatales y locales aplicables.

Superando con audacia los límites del lujo, W le da un nuevo giro al tradicional concepto del hotel extravagante. Nuestra actitud avasallante y nuestro

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EXHIBIT 3

[← Back](#)

Cook-Apprentice

Job Description

Job Number 23168008

Job Category Food and Beverage & Culinary

Location Sheraton Grand Seattle, 1400 6th Ave, Seattle, Washington, United States [VIEW ON MAP](#)

Schedule Full-Time

Located Remotely? N

Relocation? N

Position Type Non-Management

POSITION SUMMARY

Prepare ingredients for cooking, including portioning, chopping, and storing food. Wash and peel fresh fruits and vegetables. Weigh, measure, and mix ingredients. Prepare and cook food according to recipes, quality standards, presentation standards, and food preparation checklist. Prepare cold foods. Operate ovens, stoves, grills, microwaves,

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When you join the Sheraton family, you become a member of its global community. We've been a place to gather and connect since 1937. At Sheraton, associates create a sense of belonging in more than 400 communities around the world. We invite, we welcome, and we connect guests through engaging experiences and thoughtful service. If you're a team player who is excited to deliver a meaningful guest experience, we encourage you to explore your next career opportunity with Sheraton. Join us on our mission to be 'The World's Gathering Place'. In joining Sheraton Hotels & Resorts, you join a portfolio of brands with Marriott International. **Be** where you can do your best work, **begin** your purpose, **belong** to an amazing global team, and **become** the best version of you.

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