

**FILED**  
DEC 04 2025

*Billie A. Maggard*  
**YAKIMA COUNTY CLERK**

**STATE OF WASHINGTON  
YAKIMA COUNTY SUPERIOR COURT**

STATE OF WASHINGTON,  
Plaintiff,

v.

SHINN & SON, INC.,  
Defendant.

NO. **25 2 0 4 4 5 4 3 9**

COMPLAINT

**I. INTRODUCTION**

1.1. The State of Washington, by and through its attorneys, Nicholas W. Brown, Attorney General, and Diane Lopez, Assistant Attorney General, brings this action against Shinn & Son, Inc. (Shinn & Son) to enforce the Consumer Protection Act, RCW 19.86.020, and the Washington Law Against Discrimination. RCW 49.60.030 and RCW 49.60.180.

**II. JURISDICTION AND VENUE**

2.1. This court has jurisdiction over this matter pursuant to RCW 19.86.080, RCW 49.60.030(2), and RCW 2.08.010.

2.2. Pursuant to RCW 4.12.020(3) and RCW 4.12.025, venue properly lies in Yakima County, Washington as the violations alleged in this Complaint were committed in whole or in part in Yakima County, Shinn & Son's principal place of business is in Yakima County, and Shinn & Son transacts business in Yakima County.

### III. THE PARTIES

3.1. Plaintiff is the State of Washington.

3.2. The Attorney General is authorized to commence this action pursuant to RCW 19.86.080(1), RCW 19.86.140, and RCW 43.10.030(1).

3.3. Defendant Shinn & Son is a Washington for profit corporation in the business of growing, and harvesting, hops, corn, hemp and pumpkin. Shinn & Son's principal office is located at 790 Hop Rd., Toppenish, Washington.

3.4. At all relevant times, Shinn & Son has been a corporation registered in Washington.

3.5. At all relevant times, Shinn & Son has done business in Washington and has had 15 or more employees.

3.6. At all relevant times, Shinn & Son has been an "employer" within the meaning of RCW 49.60.040(11).

3.7. At all relevant times, Shinn & Son has been engaged in "trade" or "commerce" within the meaning of RCW 19.86.010(2).

### IV. FACTUAL ALLEGATIONS

#### A. Shinn & Son's Business Operations

4.1. Shinn & Son has operated in Washington since 1980 and is in the business of growing and harvesting pumpkin, hops, corn, and hemp.

4.2. Shinn & Son's crops are harvested at various times of the year.

a. The pumpkin growing season is from June 15 through October 15. Pumpkins are harvested through the month of October.

b. The hops growing season begins in March and are harvested between August 25 and October 1.

c. The corn growing season is from April 15 through September 1. Corn is harvested from September 1 through September 25.

1 d. The hemp growing season begins in May and is harvested during the month of  
2 October.

3 4.3. Shinn & Son's principal place of business is located at 790 Hop Rd., Toppenish,  
4 Washington, 98948.

5 4.4. Shinn & Son is wholly owned by Kyle Shinn and has no parent or sister  
6 companies, subsidiaries, predecessors, or successor assignees.

7 **B. Shinn & Son Applies to Use the H-2A Temporary Agricultural Worker Program**  
8 **and Displaces Domestic Workers in 2023**

9 4.5. Shinn & Son has applied for permissions to hire temporary foreign workers under  
10 the H-2A program at its Toppenish, Washington, location since at least December 22, 2021.

11 4.6. The H-2A Temporary Agricultural Worker Program is a federal immigration  
12 program by which certain employers may apply for and recruit foreign non-immigrant workers  
13 for seasonal agricultural work.

14 4.7. The admission of foreign workers under this classification involves a multi-step  
15 process before several Federal agencies. The U.S. Department of Labor must determine that:

16 a. There are not sufficient able, willing, and qualified United States (U.S.) workers  
17 available to perform the agricultural labor or services of a temporary or seasonal  
18 nature for which an employer desires to hire temporary foreign workers (H-2A  
19 workers); and

20 b. The employment of the H-2A worker(s) will not adversely affect the wages and  
21 working conditions of workers in the U.S. similarly employed.

22 4.8. Eligibility for the visas requires demonstrating that the job openings cannot be  
23 filled with U.S. workers. As part of making that demonstration, Shinn & Son is required by  
24 federal law to submit a job order for approval by the state workforce agency designated by the  
25 state—in Washington, the Employment Security Department (ESD). The job order must identify  
26 the positions available and their hours, pay, and qualifications. Once the ESD approves a job



1 order submitted by Shinn & Son, it begins recruiting U.S. workers and refers each U.S. worker  
2 who applies for the job opportunity

3 4.9. Clearance Orders function like job ads and are used to communicate the terms  
4 and conditions of jobs to domestic workers, and to recruit them, for agricultural jobs. Employers  
5 are required to provide a copy of the Clearance Order to all domestic workers performing the  
6 same type of work as H-2A foreign guestworkers.

7 4.10. Employers are required to provide a copy of the Clearance Order to all domestic  
8 workers performing the same type of work as H-2A foreign guestworkers so that domestic  
9 workers know the pay rate and work experience required of the H-2A foreign guestworkers.

10 4.11. When an employer is approved to participate in the H-2A Temporary Agricultural  
11 Worker Program, it must advertise and offer domestic workers no less than the same benefits,  
12 wages, and working conditions that the employer will provide to H-2A foreign guestworkers.

13 4.12. On or around November 6, 2022, Shinn & Son contracted with the Washington  
14 Farm Labor Association (WAFLA) to apply for the H-2A Temporary Agricultural Worker  
15 Program and to render services necessary for Shinn & Son to obtain domestic and/or foreign  
16 worker through the federal H-2A temporary agricultural labor program for the period of  
17 September 1, 2022, through December 31, 2023.

18 4.13. WAFLA is a nonprofit 501(c)(6) organization that, among other things, applies  
19 for H-2A visas on behalf of U.S. employers seeking to hire foreign guest workers.

20 4.14. On or about January 2, 2023, the Office of Foreign Labor Certification confirmed  
21 receipt of Shinn & Son's H-2A Temporary Agricultural Workers Program application for the  
22 period of March 15, 2023, through November 1, 2023.

23 4.15. Shinn & Son's application for the program stated, "The number of workers  
24 needed represents the estimated shortage of domestic workers and therefore a number of foreign  
25 workers the Employer anticipates will be needed."  
26

1 4.16. After submitting its application Shinn & Son did not make any effort to advertise  
2 available work to domestic workers.

3 4.17. After submitting its application Shin & Son did not affirmatively contact any  
4 domestic farmworker formerly employed by Shinn & Son.

5 4.18. Shinn & Son did not have any contact with any domestic farmworker referred to  
6 Shinn & Son by a State Workforce Agency.

7 4.19. Despite maintaining a list of domestic workers who were seeking work  
8 Shinn & Son did not make any effort to make these workers aware of available work.

9 4.20. On March 1, 2023, the U.S. Department of Labor approved Shinn & Son's  
10 application to bring in foreign guest workers from March 15, 2023, to November 1, 2023.

11 4.21. On or about March 17, 2023, Shinn & Son terminated the employment of  
12 approximately 35-40 domestic workers.

13 4.22. A majority of workers who were terminated in March 2023 were women.

14 4.23. Shinn & Son informed workers terminated in March 2023 that their employment  
15 was ended due to a lack of available work.

16 4.24. On or about April 19, 2023, Shinn & Son terminated an additional 35-40 domestic  
17 workers.

18 4.25. Shinn & Son informed workers terminated in April 2023 that their employment  
19 was ended due to a lack of available work

20 4.26. On or about April 24, 2023, 95 H-2A workers started work.

21 4.27. Between March and May 2023, at least 20 women who had been let go by  
22 Shinn & Son reapplied for work, either by phone or in person. These women were repeatedly  
23 told that no work was available.

24 4.28. Among the women domestic workers terminated in 2023, only one reported being  
25 rehired later that year by Shinn & Son.

1 4.29. None of the domestic workers who sought jobs with Shinn & Son in 2023,  
2 reported receiving a copy of the Clearance Order.

3 **C. Shinn & Son's Unlawful Discrimination on the Basis of Sex**

4 4.30. Since at least 2022, Shinn & Son subjected female employees to unlawful  
5 discrimination on the basis of sex. The conduct included, but is not limited to, the following:

- 6 a. Telling female workers that they were "old grandmas," "useless," and should be  
7 put in nursing homes.
- 8 b. Telling female workers that that the employer did not like to hire women because  
9 they took too many bathroom breaks and were "gossipers."
- 10 c. Physically relocating the portable bathrooms while female domestic workers  
11 were still inside, actively using them.

12 4.31. All workers that Shinn & Son hired through the H-2A guest worker program were  
13 male. Most of the domestic workers terminated by Shinn & Son in March 2023 and April 2023  
14 were female.

15 4.32. Many women seeking work for the 2023 harvest season were informed by shift  
16 supervisors or managers that only men were being hired.

17 4.33. Shinn & Son's discrimination caused economic and non-economic harm to  
18 domestic workers and constituted the willful and malicious infliction of injury.

19 **V. CAUSES OF ACTION**

20 5.1. The State adopts the allegations listed above and incorporates them herein as if  
21 set forth in full.

22 **FIRST CAUSE OF ACTION**

23 **(Violation of the Consumer Protection Act—Unfair and Deceptive Conduct Toward**  
24 **Domestic Workers)**

25 5.2. Unfair or deceptive acts or practices in the conduct of any trade or commerce are  
26 unlawful under Washington State's Consumer Protection Act. RCW 19.86.020.



5.3. By its actions described above, Shinn & Son committed unfair and deceptive acts and practices in the conduct of trade or commerce, in violation of RCW 19.86.020, by, inter alia, making deceptive representations to domestic pickers with regard to job availability of employment at Shinn & Son's facility.

5.4. Shinn & Son's conduct affected the public interest.

5.5. Shinn & Son's actions are not reasonable in relation to the development and preservation of business and are inconsistent with the public interest.

## SECOND CAUSE OF ACTION

**(Violation of the Washington Law Against Discrimination—Immigration Status Discrimination)**

5.6. Under the Washington Law Against Discrimination, it is an unfair practice for an employer to refuse to hire any person, to discharge or bar any person from employment, or to otherwise discriminate against any person in compensation, or in other terms or conditions of employment, because of citizenship or immigration status. RCW 49.60.030(1)(a) and RCW 49.60.180(1)-(3).

5.7. By its actions described above, Shinn & Son discriminated against actual and prospective domestic workers because of the domestic workers' citizenship or immigration status, in violation of RCW 49.60.030(1)(a) and RCW 49.60.180(1)-(3).

### THIRD CAUSE OF ACTION

**(Violation of the Washington Law Against Discrimination—Sex Discrimination)**

5.8. Under the Washington Law Against Discrimination, it is an unfair practice for an employer to refuse to hire any person, to discharge or bar any person from employment, or to otherwise discriminate against any person in compensation, or in other terms or conditions of employment, because of sex. RCW 49.60.030(1)(a); RCW 49.60.180(1)-(3).

5.9. By its actions described above, Shinn & Son discriminated against its actual and prospective female workers because of sex, in violation of RCW 49.60.030(1)(a) and RCW 49.60.180(1)-(3).

## VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiff, State of Washington, prays that the Court:

6.1 Adjudge and decree that Shinn & Son has engaged in the conduct complained of herein.

6.2 Adjudge and decree that Shinn & Son's conduct violates the CPA, RCW 19.86.020.

6.3 Adjudge and decree that Shinn & Son's conduct violates the WLAD, RCW 49.60.030(1)(a), RCW 49.60.180(1)-(3), and RCW 49.60.210

6.4 Issue a permanent injunction enjoining and restraining Shinn & Son and its representatives, successors, assigns, officers, agents, servants, employees, and all other person acting or claiming to act for, on behalf of, or in active concert or participation with Shinn & Son from engaging in the unlawful conduct complained herein.

6.5 Enter such orders for restitution as necessary to restore to any person an interest in any moneys or property, real or personal, which may have been acquired by means of an act prohibited by the CPA, pursuant to RCW 19.86.080(2).

6.6 Impose a civil penalty of up to \$7,500 for each and every violation of the CPA pursuant to RCW 19.86.140.

6.7 Impose an enhanced civil penalty of \$5,000 for each violation of the CPA that targets or impacts specific individuals or communities based on demographic characteristics, including citizenship status, immigration status, and sex, pursuant to RCW 19.86.140.

6.8 Award damages or other appropriate monetary relief to each person aggrieved by Shinn & Son's discriminatory conduct, in an amount to be proven at trial.



6.9 Damages for impacted employees will be as a result of intentional torts (both constitutional and statutory). Damages owed for intentional conduct are not dischargeable in bankruptcy. 11 U.S.C. § 523(a)(6) (barring discharge of debt “for willful and malicious injury by the debtor to another entity”).

6.10 Award the State the costs of suit including reasonable attorneys' fees.

6.11 A debtor may not discharge debt “to the extent such debt is for a fine, penalty, or forfeiture payable to and for the benefit of a governmental unit.” 11 U.S.C. § 523(a)(7).

DATED this 4th day of December 2025.

NICHOLAS W. BROWN  
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Dir. In

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GENERAL RULE 17(a)(2)  
DECLARATION

I, Sarah Woodward-Pratt, declare under penalty of perjury under the laws of the state of Washington that the following is true and correct.

1. I am an Assistant Attorney General for the Attorney General's Office. My business address, telephone number, facsimile number, and email address are as follows: 1433 Lakeside Court, Suite 102, Yakima, WA 98902; office telephone: 509-454-7637; fax number: 509-575-2095; email address: Sarah.WoodwardPratt@atg.wa.gov. I make this Declaration based on my own personal knowledge. I am over the age of eighteen and competent to testify to the facts stated herein.

2. This Declaration is filed in accordance with GR 17(a)(2).

3. On December 3, 2025, I received the State of Washington's Complaint by electronic mail, from Paralegal Panda Halford of the Civil Rights Division of the Attorney General's Office.

1           4.     I have examined the Complaint which consists of eleven (11) pages including this  
2 Declaration.

3           5.     The foregoing document is a complete and legible facsimile transmitted original  
4 signed by the parties.

5           DATED this 4th day of December 2025 in Yakima, Washington.

6  
7   
8 SARAH WOODWARD-PRATT