

November 17, 1982

Mr. Gordon Fajman
Branch Manager
Bell Brand Foods Inc.
5515 Market Street
San Diego, Ca. 92114


Dear Gordon:

This letter shall constitute a formal written grievance regarding events that have occurred in the recent past, and events that continue to this day.

On Friday October 8, 1982, you phoned my house several hours after I had finished all my work activities for the week. You spoke with my wife and informed her that Von's #40 had called in claiming that they were out of product. In truth the store had plenty of product, but wanted me to build a display. I spent several hours that evening building a display only to have it come down that very weekend. My net pay came out to \$2.50 per hour, not even minimum wage.

In the future I hereby request that any business matters that may occur after I have finished my daily duties be postponed until the following business day if they can not be handled by you, or someone else in management. I feel I should not be bothered at home. If it happens again, I will consider it an invasion of my privacy, and will take all necessary action to put an end to it.

On Friday November 5, 1982 my inventory was partially certified by Ms. Virginia Mead (secretary). Virginia was unable to finish the job, due to her other duties. In the past certified inventories have always been conducted by someone in management. Why the sudden change? I hereby request that in the future any certified inventory of my truck be conducted only by management personnel. I also request that my inventory be certified at least once a month.



In recent weeks cash has been deducted from my pay check for inventory shortages. I feel that I should not have to pay for another person's errors, be it the key punch operator, or the company's inability to provide proper security for my truck and paperwork.

Listed below are a few of the problems, and some solutions.

1. As it is now a common key can open both gates and the back of most of the trucks. Different padlocks for each truck should be installed, also installation of an electronic opening and closing device on the gates would help prevent incidents like the ones that happened last week when one trespasser stole some product from the loading dock, and another stole the bumpers from Gerry's car.

2. As it is now anyone can add product to another person's load sheet, then take the product for their own use. Load sheets should be placed in a locked desk or drawer to prevent tampering.

3. As it is now everyone has access to the mail that is going to the office in Santa Fe Springs, and it is very easy to lose or misplace an invoice or other important correspondence.

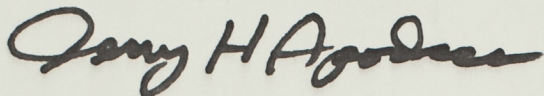
Gordon I am requesting that a complete audit be conducted of my paperwork, and that all monies due me be paid. I also request any future pay deduction be halted until completion of the audit, and the suggested security measures are enacted.

Gordon in 1978 when I was terminated there were several personal items that were confiscated, and never returned to me. One of these items was my five year pin. I would like a replacement. The other items that were taken can never be replaced.

In my letter of August 3, 1982, I wrote that Jim Clarr was working on his day off, a violation of the contract, and that David Akers was loading his truck in the morning, a violation of company policy for which I was terminated. To this date these violations continue, and nothing has been done. I would like to offer a solution. When Vic Starkweather ran the military, as do Jim and David, on Friday he would load his truck for Saturday, then he would pull another load for his Tuesday route, and leave it on the dock to load on Saturday afternoon. That way there is no problem with having his load checked in by the proper personnel. If they lock both gates there should be no safety problem.

Gordon at the salesmeeting this evening you state "they're tracking you up in L.A. and if you don't perform you'll be gone". This kind of intimidadation is no way to win the respect, and work effort of you employees. Let me remind you that I, and the Chicano community are tracking you. To my knowledge there has never been a Chicano promoted to Sales Supervisor or Branch Manager, in fact there are very few Chicanos in routesale. Another fact is that the majority of the workers in the plant are Chicano. Seems to me were good enough for the kitchen, but not good enough for the office.

Sincerely,



Jerry H. Apodaca

c.c.
Teamster Local 683
Mr. Dennis Moses
Mr. Herman Baca
Chairman, Committee on Chicano Rights



Committee on Chicano Rights, Inc

January 19, 1983

Mr. E.J. Jennings, President
Sunshine Biscuit Company
245 Park Avenue
New York, New York 10017

Dear Mr. Jennings:

Our organization, Committee on Chicano Rights, recently received a copy of a complaint filed by Mr. Jerry Apodaca against Bell Brand Foods, Inc. Our organization (which is a Rights monitoring organization) is deeply disturbed and concerned over the complaints filed by Mr. Jerry Apodaca. An Investigation into this matter has been launched by our organization and for that reason we are hereby requesting the following information from Bell Brand Foods, Inc. before a public course of action is taken by us. The information that we are requesting is:

- 1) What response has been given by the Bell Brand management regarding the issues and complaints raised by Mr. Apodaca?
- 2) What steps (if any) have been taken to address and resolve Mr. Apodaca's complaints?
- 3) What policy steps have been taken by the Bell Brand Foods, Inc., to correct the larger issue of discrimination and racism raised by Mr. Apodaca, which appears to be rampant within the corporation.

Our organization as I stated will withhold a decision on this matter until we receive clarification and an official response from Bell Brand Foods, Inc.

Thank You,

Herman Baca
Chairperson



Committee on Chicano Rights, Inc

January 19, 1983

Mr. Tom McCabe
City Manager
1243 National City Blvd.
National City, Ca. 92050

Dear Mr. McCabe:

Our organization, the Committee on Chicano Rights, would like to be placed on the agenda of the next City Council meeting scheduled for January 25, 1983.

The issue to be discussed with the City Council is what is the City's policy in regards to the National City Police Department in enforcing Federal Immigration Law.

Please contact us at 474-8195 as to the time and any other question regarding this matter.

Thank You,

Herman Baca,
Chairperson

cc. City Council c/o Kile Morgan



Committee on Chicano Rights, Inc

January 19, 1983

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Sunshine Biscuit Company
245 Park Avenue
New York, New York 10017

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Thank You,

Herman Baca

Chairperson



Sunshine Biscuits, INC.

BORDENTOWN AVENUE AT JERNEE MILL ROAD
P. O. BOX #7
SAYREVILLE, N. J. 08872

AREA CODE 201
254-2000

TELEX #844422

January 27, 1983

Mr. Herman Baca
Chairperson
Committee on Chicano Rights, Inc.
1837 Highland Avenue
National City, California 92050

Dear Mr. Baca:

This will acknowledge receipt of your letter dated January 19, 1983, addressed to Mr. E. J. Jennings, Jr., President, Sunshine Biscuits, Inc., which has been forwarded to me for reply.

Please be advised that I have initiated an inquiry with Bell Brand Foods, Inc. management as to the points raised in your letter. As soon as I have reviewed this matter, you will be advised of our findings.

As you are aware, Sunshine Biscuits, Inc. is an Equal Opportunity Employer and takes affirmative action to maintain policies and practices which prevent discrimination against its employees because of race, color, creed, sex, age, national origin, handicap or status as a Viet Nam veteran.

Very truly yours,

James D. Ferber
Director, Personnel
and Administration

JDF:jo

cc: R. M. Costello
Bell Brand Foods, Inc.

IT HAS COME TO OUR ATTENTION THAT MR. JERRY APODACA AN EMPLOYEE OF ~~THE~~ BELL BRAND FOODS INC, HAS FILED A WRITTEN BY GRIVIENCE CONCERNING DICRIMINATION PRACTICES BELL BRAND OFFICIALS AGAINST EMPLOYEE'S OF MEXICAN ANCESTRY IN THE SAN DIEGO BASED OFFICE. ON NOVEMBER 17, 1982, MR. APODACA CONTACTED ~~THE~~ BRANCH MANAGER, MR. GORDON FAJMAN, BY CORRESPONDENCE, EXPLAINING HIS GRIVIENCES WITH THE COMPANY. ~~REGARDING DISCRIMINATION AND HARASSMENT~~ MR. APODACA MAKES REFERENCES TO THE TELEPONE CALLS MADE BY MANAGEMENT AFTER WORKING HOURS, REQUIRING MR. APODACA TO WORK EXTRA HOURS WITH- OUT PROPER COMPENSATION, UNAUTHORIZED PERSONNAL CARRYING OUT MANAGEMENT RESPONSIBILITY REGARDING PRODUCT INVENTORY. THIS ACTION HAS CAUSED MR. APODACA TO HAVE HIS PAYCECK REDUCED TO COVER INVENTORY SHORTAGE. AS MR. APODACA POINTS OUT, AN INVENTORY SHORTAGE MAY HAVE BEEN CAUSED BY A PARTIALLY CERTIFIED CHECK, OR HUMAN ERROR DUE TO A LACK OF EX- PERIENCE DOING INVENTORY CHECK, OR LACK OF SUPERVISION BY MANAGEMENT OF OFFICE PROCEDURES, PAPERWORK AND OVERALL OFFICE RESPONSIBLILITY. IN ADDITION, MR. APODACA RAISED OTHER AREAS OF CONCERN, THESE BEING, SECURITY, TAMPERING OF LOAD SHEETS, ACCESS TO MAIL AND CORRESPONDENCE, AND SEVERAL VIOLATIONS OF THE CONTRACT BETWEEN THE COMPANY AND UNION. SPECIFICALLY, ALLOWING OTHER EMPLOYEES TO LOAD IN THE MORNING, ANOTHER VIOLATION OF THE CONTRACT, WORKING ON DAYS OFF AND ACCESS TO KEYS THAT OPEN GATES AND TRUCKS, ALLOWING FOR EASY ACCESS TO PRODUCTS AND THEFT OF PRODUCTS LEFT ON THE DOCKS OR TRUCKS. FINALLY, IT IS OBVIOUS BY THE REMARKS MADE BY MR. FAJMAN TO MR. APODACA, "THEYRE" TRACKING YOU UP IN L.A. AND IF YOU DON'T PERFORM YOU'LL BE GONE", THAT BELL BRAND THROUGH MR. FAJMAN, IS TRYTING TO INTIMIDATE AND "MAKE GOOD THEIR THREATS OF DISMISSING MR. APODACA FOR HIS INTEREST IN JUSTICE, HIS COMPLAINT OF DISCRIMINATION AND FOR SUGGESTING WAYS OF IMPROVING EMPLOYEE/EMPLOYER RELATIONS AT BELL BRAND.

MR. E. J. JENNINGS, PRESIDENT
SUNSHINE BISCUIT COMPANY
245 PARK AVE.
NEW YORK, NEW YORK, 10017

Herman enclosed is a copy of a letter I wrote my boss concerning problems at our branch office. I would appreciate it if you could write a letter of support to my district manager.

JENNIS MOSES
P.O. Box 2402
TERMINAL ANNEX
L.A. 90051

Thanks
Jenny

P.S. - Tell Manuel I haven't forgotten, I'll try and come by Friday