

MY BODY, MY CHOICE

MBMChoice.org

Thursday, June 10, 2021

Daniel T. Bane
CEO, Trader Joe's
800 South Shamrock Avenue
Monrovia, CA 91016
dbane@traderjoes.com

**SENT VIA U.S. CERTIFIED MAIL
& U.S. FIRST CLASS MAIL**

Re: DISABILITY DISCRIMINATION TOWARD EMPLOYEES AT TRADER JOE'S

Dear Mr. Bane,

Thank you for your May 14th announcement that Trader Joe's will be ending face mask requirements for its customers.

Unfortunately, as pointed out in my April 29th letter to you, your organization has a woeful history of disability discrimination, and should not leave any one-size-fits-all policy in place.

I am writing to you on behalf of members of my organization who have reached out to me to complain about their inability to go maskless at work as Trader Joe's employees. I am writing you to drop this policy in its entirety. Your organization has been discriminatory against employees who have an inability to safely wear a face mask. Your organization has had a chilling effect upon such employees invoking their right to be employed regardless of medical condition, disability, health, or other safety concerns around face masks.

You, furthermore, have left in place a vaccine requirement in which a customer is to be vaccinated or to wear a mask, leaving little room for those unable to be vaccinated and unable to wear a mask, thereby paving the way for discrimination against them.

Your business has no right to require a one-size-fits-all health approach for a customer or an employee. Your business has no right to use health or fitness as a condition for entry into your business. Your business is far outside of its bounds in placing such requirements upon its customers or employees. I write you to implore you to withdraw all health mandates at your business and to withdraw them in their entirety.

As I have previously pointed out in my April 29 letter, the extensive disability discrimination at your organization leaves your organization particularly vulnerable to criticism and legal liability in such attempts at mandating medical approaches against your employees and customers and discriminating against your customers and employees. I hope we are in agreement about the following.

- Inquiries about specifics of a condition are not appropriate.
- Demands for a doctor's note are not appropriate.
- Elevated tension with someone seeking accommodation is not appropriate.
- Snide comments are not appropriate.
- Insisting someone wait at the curb for their groceries is not appropriate.
- Insisting someone shop at specific hours is not appropriate.
- Asking someone to constantly cover their mouth with a Kleenex while shopping or working is not appropriate.
- Discriminating against one customer for the comfort of another customer is not appropriate.
- Polling other customers on whether someone looks healthy is not appropriate.
- Encouraging customers to "give a piece of your mind" to someone seeking accommodation is not appropriate.
- Asking someone to "wear a mask until they can't tolerate it any longer," "for the comfort of our customers" is not appropriate.
- It is not appropriate to present other complicated hoops for a customer to jump through in order to obtain accommodation to a face mask policy. It is not appropriate to present other complicated hoops for an employee to jump through in order to obtain accommodation to a face mask policy. An individual asking for an accommodation deserves generosity rather than an attempt to make them pay recompense for an inability to comply.
- Discouraging someone from entering your store in response to a request for accommodation is not appropriate.
- Discouraging an employee from doing their job in response to a request for accommodation is not appropriate.
- Insisting a customer use a third-party shopping service rather than having the ability to read labels, choose produce and select flowers is not appropriate.

- Denying entry to a person with a medical condition because they are “a health hazard” is not appropriate.
- Laughing the phrase “no shoes, no shirt, no service” at a customer seeking accommodation and pointing them out the door is not appropriate.
- “We follow local orders,” is a dishonest statement to make while discriminating against a customer, as every one of the 3,300 plus counties in the United States provide exemptions, as do all state orders, and federal executive orders.

The woeful record of your company in discriminating against customers and employees alike dictates that you have no business making the illegal and unethical stipulations that your company is now making around vaccines.

Please be aware that any customer or employee that comes to us with matters of discrimination will receive the full support of our organization in fighting this illegal discrimination.

Respectfully,

A handwritten signature in cursive script that reads "Allan Stevo".

Allan Stevo
Executive Director
My Body, My Choice
AllanStevo@yahoo.com