

## WHAT TO DO WHEN YOU HAVE BEEN DISCRIMINATED AGAINST

These are options you have for taking action against those who have discriminated against you. Remember that you may be dealing with criminals and those with delusional psychosis, paranoia and other mental illness that prevents them from thinking clearly and rationally. Don't let that stop you from taking the steps below that are appropriate for you. This is not legal advice. These are suggestions that you can pick and choose from. It's important to take action because (1) It educates those who are violating the law; (2) It sends a message to others; (3) You feel better because you took action (4) If more people do this, we have a bigger impact.

1. **Serve a NOTICE OF DISCRIMINATION** against those who harassed you. Give it to them in person and if possible, have them sign it for more impact. Keep a copy on your phone, or a photocopy.
2. **Consider filing a claim in small claims court.** You can ask for damages for the time you spent going there, being hassled, the gas money, your own professional time, what happened to you afterwards (had to buy things at a different place, it took more time, you had to spend more money; you had a stomach ache and headache later from the stress and couldn't sleep, etc.) – list all the facts of what happened and why those people should be liable for the damages and harm they caused you. This can have an impact because you send it to the manager and the clerk (or whoever discriminated against you) and they get a summons in the mail to appear in court. You don't need a lawyer to represent you. It sends a message that your rights matter and it may give pause to others who are harassing you.
3. **SEND LETTER ONE:** to the district manager, the HR director, the CEO and also the Chief Counsel (top legal executive. Don't mention anything about a pandemic or emergency, just the facts of what happened.

Dear \_\_\_\_\_. I am writing to tell you about the experience I had on (this date) at (this location). I arrived at the (NAME OF STORE) at (time) in order to purchase (-----).

Here is what happened: \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_.

I was treated extremely poorly by these individuals: \_\_\_\_\_ and their behavior, which consisted of: \_\_\_\_\_.

As a result, I was unable to shop and I left feeling horrified at the absolutely inhumane treatment I experienced. I did not purchase the ( ITEM ) I had gone there to get, and as a result, my money was spent at one of your competitor's.

I am extremely upset at this treatment, which certainly appeared to be illegal conduct.

Is this the standard of customer service you are promoting? Surely, your Board of Directors and investors would be horrified to hear of this treatment, which could possibly lead to legal action.

I am appalled at the lack of customer service and the harassment and assault I experienced. Surely this is not what (NAME OF STORE) expects of its employees, is it? Is this the way you train these employees to treat its customers? I read your code of ethics, and these employees violated your company's policies in how it treats its customers.

I am asking for an immediate apology from this store, the manager and the employee.

Further I am requesting from you, in writing, a statement that my access to the goods and services of this store shall be unimpeded, and that I shall be treated with dignity and respect, as is stated In your own store policies and code of ethics.

I look forward to hearing from you promptly,  
YOUR NAME

4. **SEND LETTER TWO** after you hear back from the company (who likely stated that their policy is "to protect the health and safety of their employees and customers – because of the pandemic"; and they may also list the "accommodations" they are offering like wearing a shield or having home delivery, you can send something along these lines:

Dear \_\_\_\_\_,

Thank you for your response.

I have a few questions about this policy, and I'm sending this to the VP of Legal as well, because there are some liability issues that appear to have been overlooked.

1. Is the team member doing the health screening a licensed medical doctor? Did (COMPANY) get a special exemption from the (STATE) Medical Licensing Board to conduct health screenings? Who has authorized a "team member" to access my vital statistics, which are my personal data and protected by the 4th Amendment.

2. Does (COMPANY) have insurance for requiring me to undertake the risks associated with the medical intervention of wearing a mask or shield? If so, I am requesting a copy of the insurance binder to see what coverage I have if I have to make a claim against (COMPANY) for any adverse effect I experience for undertaking this medical advice.

3. If I do not consent to taking the medical advice from the team member who have not examined me to determine (1) whether I am capable of restricting my oxygen with a face covering device and (2) to determine the level of threat that I pose to others, what will the outcome be? Will I be discriminated against and denied entry to this private business, which is a public accommodation and therefore open to the public?

4. Is (COMPANY) prepared for legal challenges against these store policies that violate several federal and state laws?

As requested in my first letter, I am asking for an apology and also a written statement expressing your commitment to my equal access to the services and products in your store, as protected by law.

I look forward to your prompt response.

Thank you,  
Your name

5. **Using the same letter, file a complaint** against that store with these agencies (and send a copy to the CEO, H.R. and Chief Counsel):

- DOJ
- Your state's Civil Rights Commission
- Your county District Attorney
- Your state's consumer affairs board / complaints section
- Your city's business licensing agency where the store is located
- The Medical Licensing Board of your state (practicing medicine without a license)
- OSHA (for having a hazardous workplace)
- Health Dept for EPA violations (medical waste on the masks people are wearing and spreading diseases)

6. After you get a response, you can send a sample lawsuit to the CEO, H.R. and Chief Counsel, with this cover letter: (get the sample lawsuit on the website under DOCUMENTS. You can modify it to your own situation.):

Dear \_\_\_\_\_,

I was hoping we could work things out reasonably without the need for legal action.

However, since my request to be treated with dignity and respect, as required by your own store policies, has been ignored, I am attaching a lawsuit I am ready to file in district court to seek legal remedies to the harms I have received from your employees.

This option for (COMPANY) will likely be costly, time-consuming, result in bad press, and involve resources and money from (COMPANY).

A simpler, less expensive and reasonable and acceptable remedy would be for your employees and manager to apologize for their behavior, and for COMPANY to express in writing their commitment to my equal access to the services and products in your store, as protected by law.

I look forward to your prompt response.

Thank you,

Your name