

SPENCER JOHNSON MCCAMMON LLP

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For immediate release

Event: Dozens of Somali Bantu immigrant employees will file unfair labor practice charges at the office of the National Labor Relations Board, San Diego, preceded by a brief protest in front of the building at 555 West Beech Street, San Diego, CA 92101 (between India Street and Colombia Street). Many of the employees will be wearing traditional clothing as in the attached photos.

Date: 1:00 p.m.
Tuesday, July 12, 2016

Contact: Marilynn Mika Spencer
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Attorney for the employees
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after hours: leave a message at extension 107 and Ms. Spencer will be notified

U.S. Military Contractor Abuses Somali Bantu Immigrant Employees

Today, on behalf of hundreds of Somali employees of Glacier Technology Solutions (GTS) in Oceanside, a group of Somali workers is filing an unfair labor practice charge to protest against GTS ordering them not to speak to one another about their complaints that the company discriminates against them on the job.

This discrimination and abuse includes denying Somali workers water on long, hot days of work; ordering Somali women not to wear their traditional clothing (hijabs); repeatedly insulting and degrading Somali workers; ridiculing them for their skin color and ancestry; refusing to allow them their legal right to take prayer breaks during the work day; requiring the Somali workers to clean up messes created by other employees – even ordering them to remove trash from inside the human waste receptacles in portable toilets, and to do so without wearing gloves or other protection; and other mistreatment directed only toward Somali workers.

The employer's order that employees not speak together is illegal because the National Labor Relations Act (NLRA) specifically allows employees to join together for their mutual aid and protection. The employees will file their unfair labor practice charge in the office of the National Labor Relations Board (NLRB) in San Diego.

These employees are Somali Bantu immigrants who were driven from their homeland of Somalia by civil war and terrorism that began 25 years ago and continues through to

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today. All of these immigrant employees of GTS are United States citizens or permanent residents.

Following multiple complaints to GTS management which did not trigger an improvement in working conditions or end the discrimination, earlier this year the Somali employees began filing a series of complaints of discrimination with the U.S. Equal Employment Opportunity Commission (EEOC), the agency that enforces federal anti-discrimination law. These complaints charge that GTS and related companies illegally discriminate against the Somali employees.

GTS contracts with the U.S. Dept. of Defense to help train U.S. Marines in Somali culture, as well as other cultures of interest to the military. To this end, GTS employs Somali Bantu refugees as role-players to work in simulated villages as shopkeepers, village elders, insurgents, and more. The simulations teach Marines how to operate safely and effectively in counter-insurgency operations they may face in future combat or peace-keeping missions. The role-player work of the Somali employees is temporary, part-time, and sporadic, but has continued for several years.

“We just want to work in freedom. [This manager] is treating us like slaves. We are not slaves. We came to this country because it’s a free country.” – Osman Muganga, Somali Bantu role-player

“These Somali immigrants are grateful to the United States for rescuing them from war and terrorism in their homeland. They are proud to support the U.S. Marine Corps and are not complaining about the Marines. The Somali role-players’ discrimination and unfair labor practice charges against GTS and related companies are a test of whether our society will make good on the American promise of fair treatment and respect on the job.” – Marilynn Mika Spencer, attorney for the Somali Bantu role-players

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Laws the Somali Bantu role-players allege the company violated:

Age Discrimination in Employment Act, 29 U.S.C. §§ 621 et seq. (ADEA)

Americans with Disabilities Act of 1990, 42 U.S.C. sections 12101 et seq. (ADA)

Civil Rights Act of 1964, Title VII 42 U.S.C. §§ 2000e to 2000e-17

National Labor Relations Act, as amended, 29 U.S.C. §§ 151 - 169 (NLRA)

Contact information

Equal Employment Opportunity Commission (EEOC)
555 West Beech Street, Suite 594
San Diego CA 92101
(619) 557-7235

Glacier Technology Solutions, LLC
833 Oceanside Blvd., Suite A
Oceanside, CA 92054
(866) 949-9966

National Labor Relations Board
555 West Beech Street, Suite 418
San Diego CA 92101
(619) 557-6559

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Above: Somali Bantu role-players, left to right: Keria Mberwa, Majuma Madende, Sitey Mbere, Hawa Ahmed



Above: Somali Bantu role-player: Barkhadle Sheikh Awong



Above: Somali Bantu role-player: Said Abiyow and future role-player Bisharo