

CHARGE OF DISCRIMINATION
CALIFORNIA CIVIL RIGHTS DEPARTMENT
([REDACTED] v. Chiu 203, Inc.)

My name is [REDACTED]. I work at the KFC/Taco Bell at 1695 Hollenbeck Ave (owned by Chiu 203, Inc.) in Sunnyvale, California. I am writing this California Civil Rights Complaint because I believe my employer is discriminating against and harassing me based on my age, disability, and perceived immigration status.

Currently, workers across the country are being targeted for immigration enforcement, regardless of immigration status, which has created a chilling effect on workers seeking to uphold their rights. My employer has taken advantage of this, so when I have raised concerns with management about how they treat me, management has threatened to report me to Immigration and Customs Enforcement (“ICE”). My employer’s mistreatment is based on the combination of my characteristics. For me, this includes my age, disability, and perceived immigration status. My employer treats me and other older workers differently than younger workers because of our age and appears emboldened to do so because of our perceived immigration status. As a result, I have experienced discrimination because of this combination of characteristics in violation of the California Fair Employment and Housing Act (“FEHA”).

I am [REDACTED] years old and have worked in food preparation for this same KFC/Taco Bell since [REDACTED]. When the current management started working at this location in 2022, they started to discriminate against me and the other older workers. The store manager ([REDACTED]) subjects me and the other older workers to daily harassing and degrading statements about how she dislikes older people and prefers younger workers. She says she wants younger workers in the store because they “make her happier” and “give her more energy.” In contrast, she says that “older workers are useless” and that working with older workers “puts her in a bad mood.” She has told me that older workers are weak and do not have the strength required to do the work, and that she wants to bring in younger workers because she says we the older workers are stupid and the younger workers are smarter. On or around March 7, 2025, she left a note during the morning shift, which is staffed primarily by older workers, saying that we are like “people with no brain.” She says that she will be happier when the older workers are out and replaced with younger workers. Throughout our shifts, she also says terrible things into our headsets about the older customers. On multiple occasions, she has said things like she wants to kill older people and that, even though they are about to die, they are still here to ruin her day. Hearing these things makes me and my older coworkers feel extremely upset and useless, even though we are good workers.

Management has also reduced my schedule and it is my understanding that they have reduced the schedules of other older workers as well. After multiple schedule cuts, with the most

recent cut occurring the week of October 26, 2025, my schedule and my income is now half of what it used to be. Now, I work approximately 16 hours per week compared to the approximately 32-36 hours per week I used to work. This has cut my income by around \$1,280 per month. When I asked for an explanation for why my hours were being cut, management said that they didn't have as much business during my cut time and didn't need workers then, but they have hired new, younger workers to replace me during my cut shifts. Because of this, I feel that I have experienced extreme discrimination based on my age.

Management also told me that I am more fragile and incapable of doing my job because I am older but then refused my request for disability accommodation that I needed after a workplace injury. In [REDACTED] resulting in a shoulder injury that continues to cause me pain because it did not heal well. At the time, I reported the injury to [REDACTED] (the store manager), who referred me to a Workers Compensation clinic, but I could not afford the prescription that I was given for medication, and I did not know about my rights to employer-paid treatment, paid time off to heal, and accommodations at work. I have continued to have pain in that shoulder since then, especially when raising my right arm above my head, because my shoulder never healed properly.

Raising my arm over my head causes me extreme pain. It further harms my injured shoulder and is it not a motion that is essential to my work making and packing mashed potatoes, mac and cheese, biscuits and chicken. On multiple occasions when I told the store manager about the pain I experienced reaching over my head and requested accommodations for my shoulder injury, she refused. She also told me: "I put people where I need them, and that is where I need you, I don't need you anywhere else. You don't have any more sick days, so if you take time off then you won't be paid." [REDACTED] (the store manager) also said that if I had restrictions then management did not need me to work there anymore since there are many other people applying every day who could replace me. On or around [REDACTED], my doctor informed me that I may only engage in light work and may not lift anything over my head until I am medically cleared. However, management continues to require me to reach above my head to access ingredients and other materials on a high shelf, even though they are aware of my disability and need for an accommodation. This has caused further pain to my injured shoulder.

I feel too much stress. I am scared to speak up at work because I am worried my employer will discriminate against and harass me more. My older coworkers and I feel scared of losing our jobs. The store manager ([REDACTED]) told me she can fire me if she wants. When I asked her about cuts to my schedule in July of 2025, the store manager ([REDACTED]) said that the District Manager ([REDACTED]) told her that she was going to send the "Migra" after anyone who bothers her, and "If someone doesn't like the schedule, Immigration should throw them out." This mistreatment makes me feel so bad, sad, and useless. I have raised my concerns directly with management on multiple occasions that I feel like they are discriminating against me, but

nothing has changed. I am a human being. I feel humiliated and stressed. I cry from the stress. I have to work to pay my rent, to survive, and to have money to eat. When I went to the clinic for my shoulder, they wanted to send me to a psychologist because of the extreme stress I am experiencing. I try to be strong. There is a saying “from the fallen tree everyone wants to make firewood,” and I feel like this is what is happening to me, with younger workers getting pieces of my schedule. Imagine how I cried when I saw the schedule cuts! Management doesn’t have a heart. They know I need money to live.

Below is a joint statement from me and my coworker, [REDACTED], providing more details of the mistreatment we have experienced at our workplace.

Joint Statement with [REDACTED]

We are [REDACTED] and [REDACTED] and we work at the KFC Taco Bell at 1695 Hollenbeck Ave in Sunnyvale, CA. We are both over the age of 40 and [REDACTED] has a disability due to a workplace injury. We are filing complaints with the California Civil Rights Department because we both experienced discrimination and harassing statements regarding our age. [REDACTED] also experienced disability discrimination in the workplace. We have heard management make threatening statements about Immigration and Customs Enforcement (“ICE”) and understand that some workers have felt pressured to not raise concerns about their mistreatment because of these kinds of threats.

Working at this KFC/Taco Bell, we are subject to relentless harassment and daily humiliation by the store manager ([REDACTED]), hearing her say vile things about older people throughout our shifts directly to us and broadcast to the whole crew through the headsets that we wear. The store manager says she thinks that older workers are useless (*Los viejos, no sirven para nada*), that we are worthless, and that she wants to bring in younger workers because she says we the older workers are stupid and the younger workers are smarter. She has said that she will be happier when the older workers are out and replaced with younger workers. She also says that she only wants younger workers because, “younger workers know how to work to [her] style.” Throughout our shifts, the store manager also says terrible things into our headsets about the older customers, for example, “that useless old son-of-a-bitch should go fuck herself,” (*Vieja hija de la chingada porque no va a joder*) and “Why did that old lady come here to fuck up my day?” (*Porque viene a chingarme mi día esa vieja*). Hearing these things is upsetting and demoralizing for us, even though we know we are capable and responsible workers.

Management has also made comments to each of us about our bodies. [REDACTED] has told [REDACTED] that older workers “have a belly,” that we are useless because our bodies are weaker, and said we (the older workers) are less attractive at our work posts since we are older. [REDACTED] has heard [REDACTED] say that she wants workers to lose weight. Management told [REDACTED] that she is more fragile and incapable of doing her job because she is older, but then refused [REDACTED]’s request

for a disability accommodation for her disability resulting from a workplace injury, and threatened to fire her if she needs any accommodation.

Not only has management made these kinds of harassing statements to us about our bodies and age, but management has also cut our schedules over the last several years based on this discrimination. [REDACTED] has worked at this location since 2016, and [REDACTED] has worked here since approximately 2017. When the current management started working at this location in 2022, they started reducing our schedules and the schedules of other older workers. Since then, [REDACTED]'s schedule has been cut in half, from around 32-36 hours per week down to 16 hours (a cut of about \$1,280 per month), and [REDACTED] had 5 hours cut from her schedule (a cut of about \$400 per month).

At the same time, management has hired new, younger workers. When we asked for an explanation for why our hours were being cut, management said that they didn't have as much business during our cut time and didn't need workers then, but then management proceeded to replace us with younger workers during those same shifts. Most of the workers at this KFC/Taco Bell are younger workers who were hired in the past 3 years, including everyone promoted to shift lead or supervisor, with at least 3 new young workers hired in just the past few months. Management has continued to make schedule cuts: [REDACTED] had several hours cut from her schedule and [REDACTED] had time cut from her schedule as recently as the week of October 26, 2025. These cuts have had major impacts on our income, and we cry from the stress, humiliation and fear of losing our jobs and not having money to eat and pay rent.

When [REDACTED] raised concerns about cuts to her schedule in July of 2025, the store manager ([REDACTED]) said that the District Manager ([REDACTED]) told her that she would report anyone who complains about hours getting cut to ICE. The store manager also told [REDACTED] that if immigration comes, workers could "hide in the garbage" because she wasn't going to stop them from coming into the workplace. Threatening immigration enforcement on workers for asking questions or raising issues is illegal and harms all workers by creating a workplace environment in which workers do not feel safe to talk to management about workplace problems, including discrimination, abuses, and hazards. This is especially bad since we understand that the franchise group that our workplace is part of has had a lot of complaints about them about bad work conditions.

We are both experienced workers in our 50s, we know our jobs well and we are good workers. We knew the discrimination and harassment we have been experiencing was wrong, but we didn't know there was anything we could do about it until a coworker told us that she talked to someone from the California Fast Food Workers Union, and we should, too. That is how we learned that the discriminatory schedule cuts and harassment we have been enduring are illegal, and that we could get help from attorneys at Legal Aid at Work to file complaints with the CA

Civil Rights Department about it. All fast food workers need training on our rights to be free of discrimination and harassment, and what to do if management ignores abuses and hazards.

[REDACTED]

[REDACTED]

[REDACTED]