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Australian Trucking Corporation Condemned After Firing a Female Driver for Making Emergency Pit Stop at a McDonald's

Male co-workers demand she be reinstated immediately; Toll Group's termination of union-supportive worker reeks of retaliation, discrimination and illegal surveillance

LOS ANGELES – An \$8.8 billion Australian transportation corporation has escalated its attack on its Latino-American workers by firing a mother of three for stopping to use a McDonald's restroom during her delivery route. The cruel termination of Xiomara Perez, a 46-year-old port truck driver who has already been outspoken about the [filthy, unsanitary outhouses](#) that lack running water at her worksite, occurred amidst a rise of pro-union solidarity actions by Perez and her co-workers.

"I simply stopped because it was an emergency," said Ms. Perez, who is one of two female employees out of the 75 who drive trucks for the global logistics giant in a male-dominated industry. "It's not safe to 'hold it' when you have to relieve yourself. Toll's management has been looking for any little excuse to fire those of us that speak out in support of our forming a union with the Teamsters. They have obviously been spying on us and the worst thing they could pin on me as retaliation is a quick stop to use the restroom at a McDonalds."

Toll Group maintains an unreasonably restrictive work policy prohibiting employees from stopping – even to use a restroom – when delivering a load. Friday's discriminatory firing ironically occurred on International Women's Day -- and during the week its local U.S. executives received a visit from three Toll drivers from Sydney and an official for the Transport Workers Union of Australia. The union's rank-and-file and leadership are outraged that the company treats their U.S. counterparts as second-class citizens when Toll allows its 12,000 Down Under drivers to negotiate strong contracts with middle class pay, benefits, and safety improvements. The delegation was the source of [embarrassing international headlines](#) for Toll as it is trying to stake out a growth strategy in the U.S.

"The behaviour by Toll is truly shocking. Our delegates, tough 'truckies' who have worked in the industry for decades, are deeply distressed at the treatment of Xiomara," said Michael Aird, Senior Official of the Transport Workers Union, who headed the solidarity delegation. "It was obvious to them all what a leader she is; her courage in speaking with her workmates to stick together in the true tradition of Aussie mateship for a fair go was truly inspiring. We know Xiomara was sacked for wanting a union, and any worker that must endure management who fires a woman for needing to make a pit stop clearly needs one."

Dozens of Ms. Perez' male co-workers intended to [deliver a letter](#) today to Toll's Southern California management demanding she be reinstated. It states in part:

When a worker can be fired for making a quick stop to use the restroom or grab a quick snack to avoid feeling faint while being behind the wheel of a 18-wheeler, we know it's time for our union. We demand that Xiomara be reinstated at once.

It is unbelievable that "company policy" denies truck drivers the ability to use safety judgment to make a quick rest stop if we feel faint, tired, or have to urinate while we haul cargo.

It is unforgiveable that you have paraded out this policy as a cheap and unconvincing excuse to fire someone simply because you know she would vote yes in a union election.

It is unreal to hammer us with intimidating tactics that are the opposite of the business and cultural values that America or Australia stand for – freedom, rights, respect, and democracy.

As skilled, professional truck drivers, federal regulations require that we uphold our obligations and training as front-line workers to operate safely. The Department of Transportation mandates that if as drivers we feel fatigued, faint, famished, or any other condition that would interfere with our ability to haul safely we must stop to rest or replenish ourselves. Xiomara simply relieved herself and ordered a sandwich at a McDonalds when she takes these rules seriously.

Each of us would have done the same under the circumstances.

The Los Angeles Toll drivers have sought representation by the Teamsters union. Toll has [delayed their legal right to vote on a union](#) by exploiting weak labor laws.

"Driving an 18-wheeler is a lot of responsibility, if a truck driver feels faint or needs to go to the restroom, he or she should have the right to make a quick stop to ensure he is able to continue driving without risking the safety of everyone on the road," said Teamsters Vice President and Port Division Director Fred Potter. The New Jersey-based union official, where Toll is headquartered in the U.S., added: "When a group of American workers can be fired just for using the restroom, then there is absolutely no doubt that port truck drivers need their union to be able to protect themselves from these types of injustices."

As evidence of the degree of outrage the egregious firing has prompted from these two international transportation unions, Teamsters General President James P. Hoffa and Transport Workers Union National Secretary Tony Sheldon arrive in LA this week and have invited Ms. Perez as their special guest to speak on a Thursday plenary panel at a [downtown conference](#) on green jobs this week. Mayor Antonio Villaraigosa will introduce.

Today the Teamsters filed formal unfair labor practice charges on behalf of Ms. Perez with Region 31 of the nation's top labor agency. **Her full story of the experience can be found by [clicking here](#).**

For more information: www.GrimTruthAtTollGroup.com

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