

Jose Herrera

April 24, 2017

Dear Mayors Garcetti and Garcia,

My name is Jose Herrera and for the past 17 years I've been hauling cargo at the ports and rail yards. I came to California from El Salvador in 1977, during the civil war. I had been going to university there for mechanical engineering, but they closed the university so many times during the war that it was impossible to study. Because of the raging civil war I headed to the U.S. It was a long fight, but 16 years after arriving I proudly became a U.S. citizen.

I raised three kids in Los Angeles by working hard at a machine shop. I was there for 23 years and worked my way up from \$20,000 a year to \$55,000, before they closed their doors. It was a union job, so I had good benefits and the company invested in my education. When the company closed, they gave me \$1,000 for every year of service. I heard that I could make good money at the ports, so I used that money to buy a truck.

In 2010, I went to work at Pacer Cartage, which was later bought by XPO Logistics. I used to make good money a week hauling containers, but the deductions from my paycheck keep growing and now I'm lucky if I take home \$800 a week. I remember one week I made \$1,200 for hauling containers but they deducted \$1,300 from my paycheck, so I started the next week owing XPO \$100. I own my house and live with my daughter, so I need at least \$800 a week to survive. I recently I got kidney stones for sitting so long in the truck, and the cost was \$5,000!

I'm fed up with working so hard, making so little, and having no benefits. If I truly was "independent," then I could negotiate rates that would cover my truck expenses and allow us to have a decent life. But there's nothing independent about me - XPO controls my work - so with the Teamsters' help, in 2015 I filed a claim for wage theft. I've also gone on strike 6 times in the last 3 years - 4 times against XPO and the other times I've supported drivers at other companies. Going on strike and filing complaints are all a part of moving forward. Something has to change, so I'm ready to go on strike again with my co-workers. I'm a fighter. I've fought before and I will keep striking and fighting until our conditions change.

Last week I got a letter from the Labor Commissioner proving that I'm really an employee, awarding me \$ [REDACTED] for illegal deductions and unpaid time at work. But the money is only a step. XPO still misclassifies me and I still don't have any rights. And you keep letting XPO and other companies do business at the ports even though we've shown you that they're breaking the law. Please, tell these companies that they have to follow the law or leave the ports.

Thank you,

Jose Herrera

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