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Employees accuse Coke of destroying evidence Please write read in here: Company denies claim by workers who are suing for back wages Employees accuse Coke of destroying evidence

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RANCHO CUCAMONGA -- A group of workers suing bottling giant Coca-Cola for failing to pay them as much as \$200 million in wages has accused the company of seizing and destroying documents that could help prove their case in court.

An attorney for the employees sent a letter to a Coca-Cola lawyer earlier this month suggesting that officials at a Rancho Cucamonga sales center have tried to delete incriminating evidence from an employee's computer, shred other relevant documents and dissuade employees from revealing evidence.

"We demand that Coca-Cola cease and desist from any further activities that threaten the preservation of evidence relevant to the claims in the these lawsuits," wrote Oakland-based attorney **Scott Cole** in a letter dated April 8.

Three class-action lawsuits filed in recent months in West Valley Superior Court allege that Coca-Cola bottling centers in California have shorted employees by illegally modifying timekeeping and payroll records, misclassifying some as salaried employees and fired and demoted employees who refused to go along with alleged wrongdoing.

The litigants have a case management conference scheduled for next Friday.

Officials for Coca-Cola Bottling Co. of Southern California, which owns and operates the Rancho Cucamonga sales center where the allegations came to light, have consistently denied wrongdoing. Coca-Cola is a wholly owned subsidiary of Coca-Cola Enterprises, 40 percent of which is owned by Coca-Cola Co. of Atlanta.

Cole said Friday that a Coca-Cola attorney told him that no potential evidence was being destroyed. That attorney, William H. Lancaster of Los Angeles, did not return a phone message requesting comment.

But three Coca-Cola employees, all plaintiffs in the pending lawsuits, said Friday that Coca-Cola Co. executives from Atlanta came to the sales center on April 26 and took months worth of time-keeping records, employee schedules and other documents.

The documents were taken from eight managers who oversee nearly all of the merchandising sales staff for the office, said Dean Smith, a district sales managers whose files were seized.

He said the executives have returned files to only three or four managers not named in the class-action suit against the company.

"I'm kind of worried about it," Smith said. "They leave me out in the wind and it leaves me to think, am I going to be fired for this?"

Peter Santilli, a former district sales manager who is the lead plaintiff in the suit, said he is concerned that information in the documents may be altered. "We're talking about millions of dollars in shaving," Santilli said. "We've got a couple thousand pages of examples, but we want

to see how widespread the problem is throughout the system in California.'

Al Saucedo, another supervisor at the distribution center, said he lost three months worth of merchandising time logs, weekly reports and time-keeping schedules. All eight managers whose files were seized were called into the office abruptly for questioning.

"I had nothing really to worry about, but I was concerned,' he said.

Bob Phillips, a spokesman for Coca-Cola, said he was not aware of the incident, but reiterated that the company works hard to communicate with its employees and address their concerns. If management strays from policies and procedures regarding the hours employees are paid for, the company wants to know about it, he said.

"If a problem is identified in that area, we'll fix it immediately and take appropriate action to make sure every employee in our company is paid for every hour that's worked,' he said.

Cole, one of the two plaintiffs' attorneys involved in the lawsuits, said he has left open the possibility of adding additional causes of action to the suits for intentionally destroying evidence.

"Even now, we have a shocking amount of information about Coke's misconduct,' he said in a telephone interview Friday afternoon. "I've done a few of these cases before and this is the first time I've seen this amount of material this early in the game. It's as alarming as I've ever seen.'

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