

December 2, 2013

To: Investigator w/ EPA Office of Civil Rights Title 6:

RE: Archer Daniels Midland Company violations

The following is a summary of my current struggles with ADM. In my over 30 years of employment with ADM, I have witnessed continual unethical, unprofessional and illegal practices by ADM against its employees, via, discrimination and retaliation practices. As a government contractor it was my understanding that ADM would be held to the highest standards to be compliant as an equal opportunity employer. It has been my experience that ADM doesn't even make an attempt to be an equal opportunity employer. ADM does, however, make great attempts to manipulate numbers and statistics when probed or investigated about their equal opportunity practices and/or statistics. It has also been my experience over the years that the EPA has literally been the only agency willing to hold ADM's feet to the fire regarding any sort of violations. All other agencies appear to take a "blind eye" attitude with ADM and because of that, ADM continues with all of its deceptive practices. It is for this reason that my last hopes of justice lie at the feet of the EPA. Please take the time to truly investigate my allegations, for the sake of all current and future minority employees of ADM and for the validity of the EEO clause in all government contracts with ADM. I feel that with all information within my possession as well as the statements by Senior VP of HR of ADM, Mike D'Ambrose, made under oath during court proceedings on 9-23, 9-24, & 9-25-13, that you will find sufficient evidence of more violations by ADM, that must be addressed, due to the agreements within the government contracts. Please feel free to contact me at any time if you have any questions. My sincere thanks for any future time spent on my concerns.

Sincerely,

(b) (6) Privacy  
(b) (6) Privacy

cc/ Lisa Madigan, Illinois Attorney General  
Eric Holder, United States Attorney General

REC-11 2013

Contact information: (b) (6) Privacy

Home Phone: Decatur, IL 62521  
(b) (6) Privacy

## Background of ADM

Archer Daniels Midland (ADM) is a government contractor who transforms crops into products. ADM employs 30,000 employees around the globe converts oilseeds, corn, wheat and cocoa into products for food, animal feed, industrial and energy uses. ADM has more than 265 processing plants, 460 crop procurement facilities, and the world's premier crop transportation network.

ADM receives funding for an CO2 emissions project from the EPA.

ADM's world headquarters is located at 4666 Faries Parkway in Decatur, IL. Patricia Woertz is the CEO.

ADM advertises they are an Equal Opportunity Employer but in reality they practice discrimination and retaliation tactics towards African American employees and give advancement and or promotional opportunities exclusively to Caucasian female and male employees. ADM has different standards for promoting Caucasian over African American employees. African American employees are never qualified enough.

Mike D'Ambrose Sr. Vice President of Human Resources under oath in a court of law recently admitted that he was not aware of any company job posting policy or procedure of any kind, external or internal.

## Past History

1. The complainant, (b) (6) Privacy is a male individual of African American, German, American Indian, and East Indian descent who began working for Archer Daniels Midland (ADM) on May 6, 1982 and has worked continuously since that date, presently holding the title of Senior Employee and Labor Relations Representative.
2. The complainant, (b) (6) Privacy has ongoing litigations with ADM since 2009 for race, age, gender discrimination and retaliation practices against for failing to post an open job position of Human Resources Manager in the Milling Division.
3. That on July 20, 2010 Kathie Whitley VP. of Human Resources made an announcement that (b) (6) Privacy has accepted the position as the new HR Manager for the Milling Division which job had not been posted and which job complainant has sought and was fully qualified for. Complainant had sought said position by orally advising Whitley and other agents of ADM that he was interested in the said position.
4. The person picked in 2010 for the position, (b) (6) Privacy was a Caucasian female in her mid to late 40's who had little or no experience with ADM in the job position and less experience than complainant. (b) (6) Privacy ADM's actions as described above violates the anti discriminatory gender clause of the Illinois Human Rights Act and the retaliation clause of the Act.
5. On August 7, 2012 (b) (6) Privacy resigned as HR Manager of the Milling Division and her last day of work was August 16, 2012. (See (b) (6) Privacy (b) (6) Privacy email)  
(See Exhibit #1)
6. Recently, during the discrimination trial Mike D'Ambrose, Sr. Vice President of Human



Resource under oath admitted that he was not aware of any Company job posting policy or procedure.

7. During the recent court trial Mike D'Ambrose, (b)(6) Privacy, (b)(7)(C) Ent. Privacy, Case McGee and (b)(6) Privacy, (b)(7)(C) Ent. Privacy all lied under oath stating that (b)(6) Privacy position did not include labor relations and that was the reason I was not qualified for the position. There was no job description for the HR Managers position at the time (b)(6) Privacy was promoted to the position.

## Present History

Note: Complainant was not given the opportunity to interview for an open position that he applied for because of his age, race, gender and retaliation.

Complainant (b)(6) Privacy, (b)(7)(C) race African American, German, American Indian, and East Indian decent, of male gender. The Company, denied me the opportunity to interview for this open position of Human Resource Manager in Milling, because the Company was looking for a younger white female to fill the position. Complainant (b)(6) Privacy was the only in-house candidate to apply for the position. The Company retaliated against Complainant (b)(6) Privacy because of an ongoing litigations with ADM since 2009 for discrimination practices. Below, is the chain of events.

8. On February 13, 2013 in an email to (b)(6) Privacy, (b)(7)(C) Ent. Privacy I asked when the interviewing process would begin for the HR Manager's position in Milling. (See Exhibit #2)

9. On August 8, 2012 I informed, Case McGee VP of Human Resource, by e-mail, of my interests of applying for this position once the position is posted. Mr. McGee informed me that the position was being reviewed to determine the necessity of filling the open position. (See email train Exhibit #3).

10. The HR Manager position in Milling remained in an undetermined state for whether this position would be filled from August 16, 2012 to January 8, 2013, when I recieved an email from Mr. McGee stating the HR Manager's position in Milling would be posted. (See Exhibit #3)

11. Normally, vacant postions within the company take approximately 60 days to post and fill. I believe that the only reason this took so long is because I applied for the open position. In the Human Resource Department anyone who is white applies for an open position are awarded an interview. Some white employees don't need to even apply for an open position and will get an interview.

12. On Friday January 18, 2013, I applied for the now open position of HR Manager In the Milling Division. (See Exhibit #4)

13. On March 11, 2013, (b)(6) Privacy, (b)(7)(C) Ent. Privacy Director of Labor Relations at a scheduled "goals" meeting she informed me that I would not be allowed to interview because in her opinion I was not qualified because I did not have a college degree. During depositions and supplemental interrogatories of my current and ongoing litigation with ADM, both Mike D'Ambrose Sr. VP. of Human Resources and Case McGee both superior to (b)(6) Privacy, (b)(7)(C) Ent. Privacy stated that NO college degree was required for this position. I informed (b)(6) Privacy, (b)(7)(C) Ent. Privacy this position did not require a college degree and then she stated that I did not have recruiting experience. When I informed her that I had recruiting experience and that I have actively recruited employees in Hazleton, PA and several other Milling locations, then she agreed that I have recruiting experience and then stated that I did not have compensation experience. However, compensation is a huge part of all contract negotiations. I have compensation experience in United States, Canada, and several locations in the Caribbean. The only reason Miss Preston omitted me from the interviewing process was for retaliation for the first two charges and for calling her, Mike D'Ambrose and Case McGee in for a depositions concerning the first two charges. (See email concerning March 11, 2013 meeting) ( See Exhibit # 5)

14. On March 15, 2013 I emailed Case McGee a letter concerning issues I have with [REDACTED] (b)(6) Privacy, (b)(7)(C) Enf. Priv. ommitting me from the interviewing process and other departmental issues. I also emailed this letter as an attachment to Mike D' Ambrose Sr. VP. Human Resources, Marchell Smith SVP. General Counsel, Vanessa Vargus-Land VP Assistant Compliance, Fred Kenney Attorney, Jan Runion Compliance Specialist and Patricia Woertz CEO. (See Exhibit #6)

15. On June 17, 2013, Case McGee sent out an email stating that [REDACTED] (b)(6) Privacy had accepted the Milling Manager Position. ( See Exhibit # 7).

16. [REDACTED] (b)(6) Privacy is a Caucasian female [REDACTED] (b)(6) Privacy, (b)(7)(C) Enf. Priv.

17. Job descriptions for Human Resources Manager in Milling and Labor Relations Representative. (See Exhibit #8 and Exhibit #9).

JUNE 17, 2013  
TO  
DEC 11, 2013 = 177 DAYS  
(EFFECTIVE DATE OF EMPLOY)

MAY 23, 2013  
TO  
DEC 11, 2013 = 196 DAYS  
(ACTUAL NOTICE DATE)