

## California Department of Fair Employment and Housing (“DFEH”) Complaint

**Complainant:** Nasir Abdo (on behalf of Noorah Abdo)

**Date Filed:** April 28, 2014

**Incident Date:** August 8, 2013

**Incident Location:** “Boomers!” 2400 Kitty Hawk Rd., Livermore, CA 94550

### Complainant Narrative:

On August 8, 2013, I took my family with other friends and relatives and their families to Boomers to celebrate our Eid and a joyful day at Boomers. Noorah (my daughter) wanted to go to Boomers to ride the Go Kart. When I got to the ticket window and asked for three tickets for my kids, the lady at the window told me that my son can ride the Go Kart; my youngest daughter can ride the Go Kart with an adult, but Noorah CANNOT ride the Go kart with her head scarf. I told the lady that Noorah is wearing the head scarf for religious reasons, but the lady replied “it is a company policy – NO head gear is allowed”. I asked to speak with a manager, and I got another lady (I assume that is the manager).

I tried to explain the situation to the manager, hoping that she can make exception and allow Noorah to ride on the Go Kart, but she told me “it is a company policy”. I asked the manager “isn't your company discriminating against my daughter and all the girls that are like my daughter (because of their religious belief) by excluding them from riding the Go Kart?” The manager replied, “I am sorry, but for safety reasons, this is our company policy”. I asked the manager “what do you do when a girl with long hair comes to Boomers and wants to ride the Go Kart?” She replied “we ask her to tuck her hair in”. I said to her “Could you treat my daughter the same and ask her to tuck her head scarf in?” She said NO head gear is allowed. I asked the manager, what is the difference between a head scarf and long hair from safety point of view? And I told her, imagine a girl with a long hair came to you; you would ask her to tuck her hair in for her own safety. Now, imagine the same girl went out and then came back in with a head scarf, you wouldn't allow her to ride. Why? Could explain the difference between the two scenarios? The manager reply was “I don't make the rules, I just enforce them”.

When I was standing in the line to get the tickets (before all of this started), I noticed a lady at the next window who bought some tickets for her kids and also asked to rent some shoes. I asked her what are the shoes for, and she told me they don't allow flip flops on the Go Kart. So I told the manager, look, you don't allow flip flops on the Go Kart, and your company is providing rental shoes as an alternative. And since your company cares so much about my daughter's safety and her well being, couldn't your company provide an alternative to my daughter such as wearing a helmet - and I am willing to pay for it? I also told the manager that Noorah brought with her a Hoodie, would you allow her to ride the Go Kart with the Hoodie, and she said NO. The manager said after that, sir I can provide with a company policy, and she suggested that she could elevate this issue and my suggestions to upper management.

She went in and brought a copy of the company policy highlighted in pink. When I read the policy, I was shocked -in disbelief- about the material I was reading. And I will quote two quotations here: 1st Strict Rule – No Headwear on Go Kart “We do not allow ANY headwear on go-karts. This includes: Hats, caps, visors, ear muffs, head phones, bandanas, scarves, turbans, yamakas, Hijabs, doo-wraps, or head wraps of any kind. We do not distinguish amongst headgear based on religious issues, medical conditions, one's fashion desires or anything else.” 2nd quotation, “Is Fashion, Religious Expression, or Your Hair-Style #1 Priority? That's fine. You can do what you want with your life. You just can't do it at our park.”