



Foundlings Press LLC
Buffalo, NY

December 20, 2020

Small Press Distribution
Berkeley, CA

To Mr. Alan Bernheimer and the SPD Board of Directors:

In addition to the demands outlined in the [Open Letter to Small Press Distribution](#), I urge the SPD Board of Directors to take the following actions before the close of business on Friday, December 25, 2020.

1. Engage the former employee known as Damaged Book Worker in good faith and commit to arriving together at an actionable restorative process relative to the claims in the December 1 Medium post "[I was terrorized out of my job by Small Press Distribution](#)."
2. Schedule a timely listening session for the board to hear, directly, the concerns of current workers, including those noted in the December 19 Medium post "[Statement from SPD Staff](#)."
3. Remove existing barriers to communication between the board and staff and create a new process for regularly soliciting direct staff input in the future.
4. Create an *ex officio* board position to be filled by an elected SPD non-management staff representative.
5. Fill SPD's absent HR function either with an appropriately credentialed outside vendor or a new staff position.
6. Place Executive Director Brent Cunningham on leave pending the results of a swift, independent investigation of recent allegations.
7. Provide weekly updates (first to SPD's workers and second to the broader public) on how you are undertaking and making sustained progress on the foregoing.

Additionally, I encourage all current board members not committed to good-faith participation in the important process ahead to resign immediately.

This may seem like too much to accomplish in one week, especially when the board has been able to accomplish comparatively little in the three weeks since Damaged Book Worker first made their allegations public. Luckily for the board, SPD staff members have already submitted detailed plans that address how the board might undertake much of the foregoing.

I do not offer this instruction lightly or in ignorance of the consequences. Aside from representing a small, volunteer-run press dependent on SPD for distribution, I am also a nonprofit board member and an organizational crisis consultant. I understand the fiduciary duty, duty of care, and other legal obligations upon you now, and I am aware of the rights of employees under federal and California law. I am concerned, however, that you are breaching those duties in the scope of the board's response to these recent events, and that the irreversible combination of your action and inaction has jeopardized the near-term and long-term viability of SPD.

Public statements from SPD staff have amounted to a vote of no confidence in SPD's management and board. The organization cannot continue to function under these conditions. In remedying past wrongs and planning for the future, center your staff. We who comprise your publisher community are taking our cues from them.

To that end, as of today and until I am confident that the process outlined above is well underway, Foundlings Press will halt new listings with and shipments of titles to SPD.

Aidan M. Ryan
Publisher, Foundlings Press