

We use cookies. [Learn More](#)

Accept

Litigation

May 21, 2024, 1:48 PM CDT

Tesla Workers Get Class Status for Some Issues in Race Bias Suit

By Bernie Pazanowski

Documents

 [Opinion](#)

 [Docket](#)

-
- Class action will decide if there was race bias at plant
 - Individual workers will have to file own liability suits

Factual matters common to all of the racial discrimination claims against Tesla Inc. will be decided in a class action and then applied to the workers' individual liability claims, a California trial judge said.

The electric car maker faces multiple suits alleging inequitable treatment of workers at its Fremont manufacturing plant, including claims by individual workers, the US Employment Opportunity Commission, and California's civil rights agency.

Almost 6,000 workers are involved in the suit, which was filed in 2017. The lead plaintiff, Marcus Vaughn, claimed that the factory production floor was a "hotbed of racist behavior." He said that co-workers and supervisors routinely used racial slurs, and employee complaints to human resources went largely unanswered.

Now, Judge Noël Wise of the California Superior Court, Alameda County, said that the class certification was "appropriate for fact-finding on particular common fact issues." In particular, she said that the issues were whether there was "a pattern or practice of pervasive race harassment" at the Tesla plant, whether Tesla knew or should have known about it; and whether Tesla failed to "take immediate and appropriate corrective action."

Wise said that she didn't certify "a class of Tesla workers to pursue a class claim for individual liability or damages." Instead, she said that each worker "who wants to recover damages must file a separate lawsuit."

Certifying the class for particular fact issues is “superior to the repeated re-litigation of the common fact issues in what may be hundreds of individual cases,” Wise said. “The classwide findings will establish common facts that the members of the class or Tesla may then use in individual cases, avoiding the time, expense, inefficiency, and potentially inconsistent results of repeated litigation of those common fact issues,” she said.

Class certification is also appropriate for the injunction requested by the plaintiffs, preventing Tesla from discriminating against its workers on the basis of race in the future, Wise said May 17. A class trial on injunctive relief will “ensure that Tesla is not subjected to potentially inconsistent injunctions in separate individual cases,” she said.

The California Civil Rights Law Group and Bryan Schwartz Law PC represented the plaintiffs. Conti Law Inc., Littler Mendelson PC, and Epstein Becker & Green PC represented Tesla.

The case is Vaughn v. Tesla Inc., Cal. Super. Ct., No. RG17-882082, 5/17/24.

To contact the reporter on this story: Bernie Pazanowski in Washington at bpazanowski@bloombergindustry.com

To contact the editor responsible for this story: Blair Chavis at bchavis@bloombergindustry.com

© 2024 Bloomberg Industry Group, Inc. All Rights Reserved