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Confirmation

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Confirmation Number: 1000171469

Date Submitted: 10/25/2017 12:16:25 PM (UTC-08:00) Pacific Time (US & Canada)

Charge Type : CA

Unit Location: Fremont, CA

Employer: Tesla, Inc.

Submitted E-File To Office: Region 32, Oakland, California

Contact Info:

Feinberg, Margo A.

6300 Wilshire Boulevard

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Attached E-File(s):

Signed Charge Against Employer 2017_10_25_12_07_48.pdf

DO NOT WRITE IN THIS SPACE

Case

Date Filed

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer
Tesla, Inc.

b. Tel. No.

c. Cell No.

f. Fax No.

d. Address (Street, city, state, and ZIP code)

45500 Fremont Boulevard
Fremont, California 94538

e. Employer Representative

Gaby Toledano, Chief People Officer

g. e-Mail

gaby@tesla.com

h. Number of workers employed
10,000

i. Type of Establishment (factory, mine, wholesaler, etc.)
Factory

j. Identify principal product or service
Automotive Manufacturing

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) and (4) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

See Attachment A

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), AFL-CIO

4a. Address (Street and number, city, state, and ZIP code)

8000 East Jefferson
Detroit, Michigan 48214

4b. Tel. No. (313) 926-5000

4c. Cell No.

4d. Fax No.

4e. e-Mail

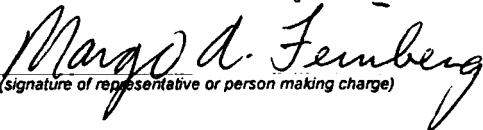
sreed@uaw.net

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), AFL-

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By 
(Signature of representative or person making charge)

Margo A. Feinberg, Esq.,
Attorney for Charging Party
(Print/type name and title or office, if any)

Tel. No.

(323) 655-4700

Office, if any, Cell No.

Fax No.

(323) 655-4488

e-Mail

margo@ssdslaw.com

Schwartz, Steinsapir, Dohrmann & Sommers LLP
6300 Wilshire Blvd., Suite 2000, Los Angeles, CA 90048

10/25/17

(date)

Address

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Attachment A

Within the past six months and ongoing, Tesla, Inc. has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the National Labor Relations Act by, among other things, terminating and/or disciplining employees in retaliation for participating in protected concerted activities and National Labor Relations Board activities.

Within the past six months and ongoing, Tesla, Inc. has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the National Labor Relations Act by, among other things, terminating and/or disciplining employees for violating a confidentiality agreement that restricts protected concerted activities.

Within the past six months and ongoing, Tesla, Inc. has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the National Labor Relations Act by, among other things, terminating a group of employees to discourage protected concerted activity by other employees.

Within the past six months and ongoing, Tesla, Inc. has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the National Labor Relations Act by, among other things, terminating a group of employees in retaliation for members of that group participating in protected concerted activities.

Within the past six months and ongoing, Tesla, Inc., through its agents, has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act by, among other acts, restricting employees' right to engage in protected concerted activity, including, but not limited to, wearing items with the Union's logo in Tesla facilities.

Within the past six months and ongoing, Tesla, Inc., through its agents, has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act by, intimidating and harassing employees for their Section 7 activities.

By these and other acts, Tesla, Inc. has violated Section 8(a)(1), 8(a)(3) and 8(a)(4) of the National Labor Relations Act.

1 PROOF OF SERVICE

2
3 RENEE CARNES certifies as follows:

4 I am employed in the County of Los Angeles, State of California; I am over the
5 age of eighteen years and am not a party to this action; my business address is 6300
6 Wilshire Boulevard, Suite 2000, Los Angeles, California 90048-5268. My electronic
7 notification address is rac@ssdslaw.com

8 On October 25, 2017, I caused the foregoing document(s) described as **UNFAIR
9 PRACTICE CHARGE AGAINST EMPLOYER** to be served upon the person(s) shown
10 below as follows:

11
12 Gaby Toledano, Chief People Officer
13 Tesla Motors Corporation
14 45500 Fremont Boulevard
15 Fremont, California 94538-6326

16 X placing it (them) for collection and mailing on that same date following the
17 ordinary business practices of Schwartz, Steinsapir, Dohrmann & Sommers LLP,
18 at its place of business, located at 6300 Wilshire Boulevard, Suite 2000,
19 Los Angeles, California 90048-5268. I am readily familiar with the business
20 practices of Schwartz, Steinsapir, Dohrmann & Sommers LLP for collection and
21 processing of correspondence for mailing with the United States Postal Service.
22 Pursuant to said practices the envelope(s) would be deposited with the United
23 States Postal Service that same day, with postage thereon fully prepaid, at Los
24 Angeles, California, in the ordinary course of business. I am aware that on
25 motion of the party served, service is presumed invalid if the postal cancellation
26 date or postage meter date on the envelope is more than one day after the date of
27 deposit for mailing in the affidavit. (C.C.P. §1013a(3))

28 _____ I sent a copy of the above-described document(s) via e-mail to the individual(s)
set forth above.

I declare under penalty of perjury under the laws of the State of California that
the foregoing is true and correct.

Executed on October 25, 2017, at Los Angeles, California.

25
26 
27 _____
28 RENEE CARNES