


UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

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.

<b>1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT</b>	
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) _____ 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)	
On May 20, 2018, Tesla, Inc., through its CEO Elon Musk, violated the National Labor Relations Act by threatening to take away employee stock options in retaliation for Tesla employees engaging in protected union activity. Specifically, Musk stated in a public tweet, "[n]othing stopping Tesla team at our car plant from voting union. Could do so tmrw if they wanted. But why pay union dues & give up stock options for nothing?" This tweet went out to Musk's 21.8 million twitter followers, has been shared and republished by numerous individuals and media outlets, and remains publicly accessible at the time of this filing.	
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 Ave. 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-CIO	
<b>6. DECLARATION</b>	
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)
Schwartz, Steinsapir, Dohrmann & Sommers LLP 6300 Wilshire Blvd., Suite 2000, Los Angeles, CA 90048	
5/23/18 (date)	
Tel. No. (323) 655-4700	
Office, if any, Cell No.	
Fax No. (323) 655-4488	
e-Mail margo@ssdslaw.com	

**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.