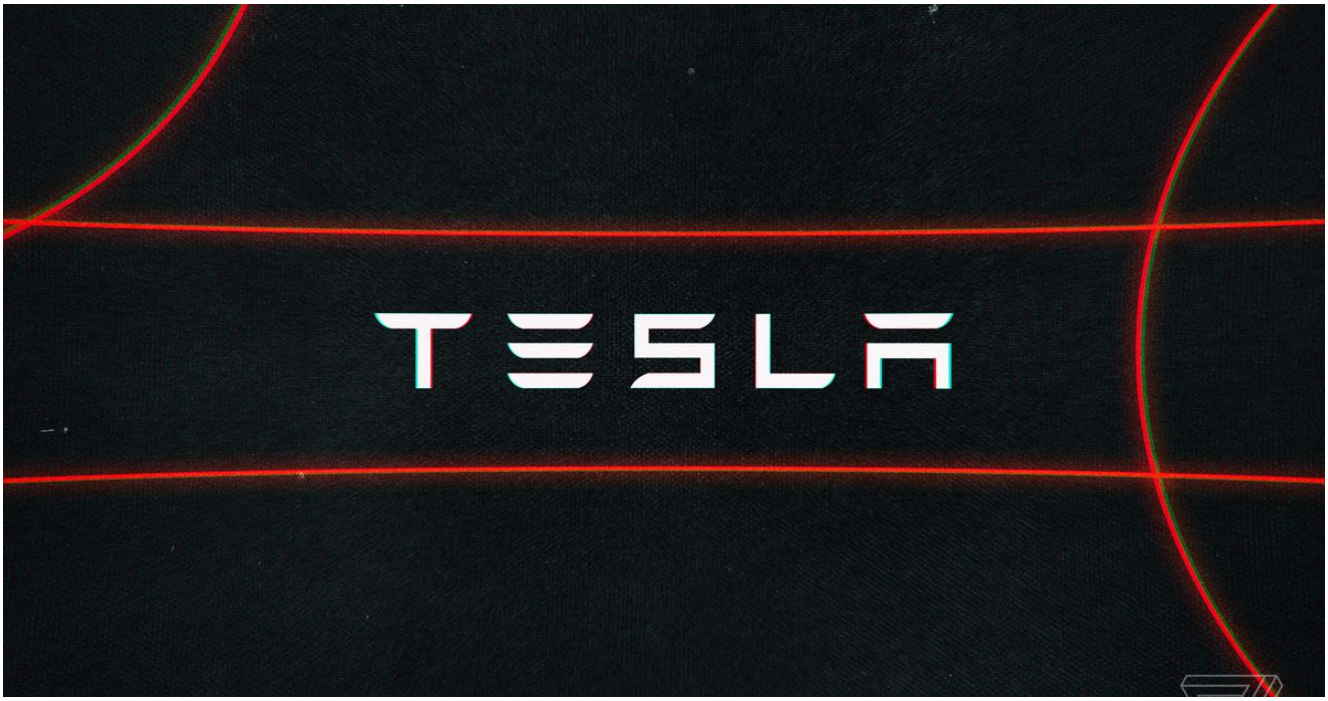
Judge rules Tesla can’t hide behind arbitration in sexual harassment case



A lawsuit that accuses Tesla of fostering a workplace with “rampant” sexual harassment will continue in court after a California judge denied the company’s motion for arbitration, as first reported by *Bloomberg*. Although the female worker who brought up the case signed an arbitration agreement at Tesla, terminating her rights to sue, Alameda County Superior Court Judge Stephen Kaus still moved forward with the decision on Monday.

Jessica Barraza filed the lawsuit last year, claiming she was subject to catcalling, lewd comments, and inappropriate touching while working as a production associate at Tesla’s Fremont, California factory. At least seven more female workers have since come forward with sexual harassment complaints, with some alleging that Tesla CEO Elon Musk’s suggestive tweets only made it worse.

“This is a victory for public accountability”

In a copy of the court documents viewed by *The Verge*, Judge Kaus said Barraza was “ambushed” by Tesla’s arbitration policies, as Tesla didn’t give “any indication that she would have to agree to arbitrate employment claims and give up her right to a jury trial.” As *Bloomberg* points out, President Joe Biden signed a bill in March that ends forced arbitration in sexual assault cases, but because this case began before the bill became law, it doesn’t apply.

“This is a victory for public accountability,” David Lowe, Barraza’s attorney said in a statement. “Because of this ruling, Tesla will not be able to hide behind the closed doors of confidential arbitration. Instead, Tesla will be judged by a jury of Ms. Barraza’s peers in a public courtroom.”

The ruling comes as Musk faces sexual misconduct allegations of his own, which came to light in a recent report from *Insider*. During a corporate flight, Musk allegedly exposed himself to a female flight attendant and gave her an ultimatum to perform a sexual act. SpaceX reportedly gave the attendant a $250,000 severance agreement after she brought the complaint to management.

Musk and his team have vehemently denied the accusations, with SpaceX president Gwynne Shotwell calling the allegations “false” in a company-wide email to employees. Musk himself said the accusations are “utterly untrue.” Musk has also claimed that the piece was written to “interfere with the Twitter aquisition,” which he had previously placed “on hold” over a dispute about the measurement of automated accounts.

https://www.theverge.com/2022/5/24/23140051/judge-rules-tesla-hide-behind-arbitration-sexual-harassment-case-elon-musk