



Workers Defense Project

Proyecto Defensa Laboral

November 15, 2022

R. Casey Perkins
OSHA Austin Area Office
La Costa Green Bldg.
1033 La Posada Dr., Suite 375
Austin, TX 78752

Larry D. Turner
DOL Office of Inspector General
200 Constitution Avenue, NW
Room S-5502
Washington, DC 20210

Dear Area Director Perkins and Inspector General Turner:

Workers Defense Project is a nonprofit organization that supports low-wage workers in employment disputes. We represent Victor XXXXXXXX, who was jointly employed by XXXXXXXX and XXXXXXXX to perform carpentry work at the Tesla Gigafactory in Travis County, located at 13101 Tesla Rd., Austin, Texas 78725 (formerly 13101 Harold Green Rd., Austin, Texas 78725). XXXXXXXX is a labor broker. It paid Victor, but XXXXXXXX controlled his schedule, directed his work, and even promoted him to a XXXXXXXX during the night shift.

On or about May 13, 2021, Victor began working at the Travis County Tesla Gigafactory. On or about May 14, 2021, XXXXXXXX, CEO of XXXXXXXX, sent him a fake, digital OSHA 10 certificate without providing any training. Victor had already received OSHA 10 training at another job. XXXXXXXX told him not to worry about it, that he was going to need this certificate, and that he should use this certificate instead of his legitimate OSHA 10 card. Victor showed XXXXXXXX, the safety director for XXXXXXXX, the fake, digital OSHA 10 certificate to begin working on the Tesla Gigafactory worksite.

On or about June 18, 2021, XXXXXXXX, XXXXXXXX night foreman, told Victor that he wanted to promote him to XXXXXXXX during the night shift and that he needed OSHA 30 for the job. That same shift, Victor asked XXXXXXXX for OSHA 30 training and even offered to pay for it himself if he could be reimbursed later. A few days later, on or about June 21, 2021, XXXXXXXX said that he had already paid for the fake OSHA 30 certificate. On or about June 22, 2021, XXXXXXXX gave Victor a fake, digital certificate that stated he had completed OSHA 30 even though he never received OSHA 30 training.

In unity there is strength

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Victor gave XXXXXXXXX the fake, digital OSHA 30 certificate. Given that Victor was working full time during this period, XXXXXXXXX knew or should have known there was no way Victor could have completed 30 hours of OSHA training in the intervening days between being told he needed an OSHA 30 certificate and providing it to XXXXXXXXX.

Both the fake OSHA 10 and OSHA 30 certificates stated that the training was conducted by XXXXXXXXX and XXXXXXXXX. Victor has knowledge of other subcontractors at the Travis County Tesla Gigafactory giving fake OSHA certificates to workers while providing no training, including other subcontractors of XXXXXXXXX. Victor knows other workers who received fake OSHA certificates, including those from other OSHA instructors. Additionally, Victor has evidence to support these allegations.

Please let me know if you have any questions or concerns. I look forward to being in communication with you about this matter. Many thanks for your assistance.

Sincerely,

Hannah Alexander
Staff Attorney

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