



## BUREAU OF LABOR AND INDUSTRIES

Civil Rights Division Complaint of Unlawful Practice

**COMPLAINANT:**

Case #EEEMRC140925-11355 Attorney:

Brad Avakian, Commissioner of the  
Bureau of Labor and Industries  
800 NE Oregon St Ste #1045  
Portland, OR 97232

Phone #:

Phone #:

**RESPONDENT:**

Headquarters:

Daimler North America Corporation  
*dba*  
Daimler Trucks North America LLC  
4747 N Channel Ave  
Portland, OR 97217

Phone #:

Contact: Human Resources

Daimler North America Corporation  
36455 Corporate Dr  
Farmington Hills, MI 48331

County: Multnomah

# of Employees: 200+

Phone #:

ORS 659A.030

The Commissioner of the Bureau of Labor and Industries, having reason to believe that Respondents may have committed unlawful practices, hereby sets forth the following allegations, so the Bureau of Labor and Industries may ensure that the public's interest in this and similar matters is protected:

1. At all times relevant to this complaint, Respondent has employed more than one individual in the state of Oregon.
2. The Commissioner has reason to believe that Respondent has subjected minority employees (including but not limited to black, African American, Egyptian and Vietnamese) to a hostile work environment based upon protected classes of race, color and national origin, and such employees have been treated differently than white and Caucasian employees.
3. Respondent was aware of unlawful discrimination against its minority employees and failed to take immediate and appropriate corrective action.
4. The employees of Respondent, the aggrieved persons, express fear of coming forward and complaining of the alleged unlawful practices due to the potential for retaliation.

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**PORTLAND**

800 NE Oregon St., Suite 1045  
Portland, Oregon 97232-2180

**SALEM**

3865 Wolverine Ave. NE; E-1  
Salem, Oregon 97305-1268

**EUGENE**

1400 Executive Parkway, Suite 200  
Eugene, Oregon 97401-2158





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- V. Minority employees made numerous complaints pursuant to Respondent's established policies regarding the harassment. Respondent failed to take immediate and appropriate corrective action, the harassment continued, and in some instances the harassment escalated.
- VI. Minority employees have been subjected to a hostile work environment that has continued over a period of years and as recently as at least December 2013. This constitutes a continuing violation.
- b) During the course of their employment, minority employees of Respondent were subjected to different terms and conditions of employment based on their race, color and/or national origin in that:
- I. White or Caucasian employees intentionally sabotaged minority employees' work product, which resulted in discipline against the minority employees.
  - II. White or Caucasian employees intentionally failed to adequately train minority employees, which resulted in discipline against the minority employees.
  - III. White or Caucasian supervisors based the level of production and job assignments on race, color and/or national origin.

### Termination or Constructive Discharge (ORS 659A.030)

6. Respondent failed to take immediate and appropriate action in response to numerous reports of discrimination based on race, color and/or national origin. When the Respondent did take action, the discipline was inadequate and failed to deter future discriminatory actions. This has a chilling effect and minority employees are discouraged in reporting discriminatory treatment.
7. Respondent's failure to take immediate and appropriate corrective action has maintained the discriminatory working conditions. Those working conditions were so intolerable that a reasonable person in the individuals' circumstances would have resigned. Respondent should have known that individuals were certain, or substantially certain, to leave employment because of those working conditions.
8. Respondent's failure to address the intentional sabotage of minority employees' work and withholding of adequate training from minority employees resulted in minority employees being terminated from employment.
9. Respondent's actions were overt and public. Minority employees report decades of discriminatory treatment that Respondent failed to correct.

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