

# Lawsuit launched by family of Austin, Texas worker killed at Tesla

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The family of a Tesla worker, Victor Joe Gomez Sr., filed a wrongful death lawsuit last week against Tesla and two other corporations in an Austin, Texas court. On August 1, Gomez was “immediately electrocuted” and knocked unconscious at the electric vehicle company’s Gigafactory while inspecting an electrical panel. The shock sent him into cardiac arrest, and he was transported to Dell Seton Medical Center where he was pronounced dead. The family is seeking over \$1 million in damages.

Gomez was not a full-time Tesla employee, but a licensed journeyman electrician from Tesla contractor Belcan Services Group. The family is also suing Colorado River Project, LLC, which owns the land that the plant sits on.

They allege Gomez’ death was due to negligence on the part of the three corporations named in the suit. According to court filings, the defendants have not responded to the family’s request to inspect the scene where Gomez was electrocuted, effectively preventing them from gathering evidence. The family has asked that the scene be preserved, and that all attempts to alter, salvage, sell or destroy evidence be prevented through a temporary restraining order while evidence is gathered.

OSHA previously announced an investigation but will not release any more information until its inquiry is complete.

Tesla’s massive Gigafactory, designed to employ as many as 20,000 people, is one of the most dangerous workplaces in the country. Over 1,000 injuries were recorded in 2023 alone, and two deaths have taken place so far this year. One of the few workplaces with

more injuries is another Tesla factory in Fremont, California.

Another Belcan contractor, 57-year old Antelmo Ramirez, died in 2021 during the plant’s construction from excessive heat on a 96 degree day.

In the US as a whole, 5,486 workers lost their lives in 2023—15 deaths per day. In 2022, 2.8 million injury and illness cases were reported by private sector employers. Temporary and contract workers are particularly abused, experiencing higher rates of injuries compared to permanent workers.

A co-worker who knew Gomez and worked side by side with him told the WSW, “Victor Gomez was a very hard worker and always seemed to want to make sure his job was done correctly and on time.”

The co-worker confirmed that the company made no announcements even to plant workers after Gomez’ death. The workers at the plant feel unsafe, he says, and there have been no safety changes since the death.

“I would say that [Tesla should be] simply not pushing people as hard and not making them hurry,” he added. That would be “enough to make workers more aware and also allow them to properly do their jobs, including testing equipment. Most workers are usually always forced to do work ‘ASAP.’”

The co-worker also said that lockout-tagout (LOTO), a basic safety procedure in any workplace dealing with heavy machinery, is loosely enforced. They should “enforce LOTO more and actually have a crew or a system to verify that LOTO is being properly done,” he said.

According to the worker, Tesla does not enforce LOTO for inspections like the one that Gomez was carrying out. This means that there are no checks to ensure that equipment is de-energized, creating situations where stored-up energy can be released

unexpectedly. The panel Gomez was inspecting should have been de-energized beforehand, meaning a strictly LOTO policy could have prevented the entire incident. The same worker said, “LOTO is usually required to be used by contractors but it is rarely verified by Tesla employees.”

“There were multiple injuries through my time there. A lot of the time it seemed they were caused by people not being fully aware of their surroundings while trying to quickly do their jobs.”

Gomez was told to inspect the panel “ASAP” by management, which may also have contributed to his death.

The co-worker described grueling conditions in the plant. “I was almost forced to work endless hours—90-plus hours weekly—in order to meet their deadlines, and was expected back to work early morning every day for daily meetings and inspections.”

“I really would hope something changes in that environment, as it already had to cost the life of a great man.”



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