

Outgoing Biden EEOC filed 11th hour lawsuits

Federal civil rights agency accuses UAW and GM of age discrimination and Stellantis of abetting sexual harassment

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On January 17, in the waning days of the Biden administration, the U.S. Equal Employment Opportunity Commission (EEOC) filed separate lawsuits against General Motors and the Stellantis alleging age discrimination and sexual harassment. In the lawsuit against GM over age discrimination, the United Auto Workers is named as a codefendant.

The EEOC said the age discriminatory policy covered at least 50 GM facilities nationwide.

These EEOC lawsuits were two of several filed in the last days of Biden's term. The fate of the lawsuits is uncertain, given that within hours of being inaugurated January 20 Trump sacked EEOC head Charlotte Burrows and installed the extreme right winger, Andrea Lucas. Lucas is a bitter opponent of abortion rights and a supporter of the ultra-right Alliance Defending Freedom which has defended individuals and businesses who claim their bigoted religious beliefs, for example against gays, should nullify anti-discrimination laws.

In relation to the UAW and General Motors, the EEOC alleges that, at least since the 2019 national contract, GM has discriminated against workers age 66 and older by deducting from sickness and accident benefits "the weekly equivalent of any Social Security retirement insurance benefits to which the employee is entitled for the same period."

Pointing to Article II of the 2019 Supplemental Agreement appended to the national contract, the EEOC complaint states, "By bargaining for, and agreeing to, the terms of Article II of the Supplemental Agreement, Defendant UAW has caused Defendant General Motors, LLC, to engage in the acts described in Paragraph 10."

In other words, the UAW negotiated blatantly illegal

and discriminatory language in the 2019 agreement, which carried forward to the 2023 contract. It should be restated that both the 2019 and 2023 agreement, like all deals negotiated by the corrupt union apparatus, were pro-company agreements.

Despite outsized claims by apologists for Solidarity House, they maintained a low wage, highly exploitative regime in the plants of the US-based automakers, and the 2023 contract has been used by the automakers to lay off thousands.

The discriminatory language in the GM contract on sickness and accident benefits dovetails with the drive by all the Detroit automakers to force out older, higher compensated workers. This has taken various forms, including harassment, victimization, assignment to overly demanding jobs as well as offering the carrot of buyouts and early retirement packages. The EEOC does not clarify if similar discriminatory language exists in the agreements for Ford and Fiat Chrysler (which became Stellantis in 2021 following a merger with French automaker Peugeot) that were patterned after the GM settlement.

The EEOC also filed a civil suit against Stellantis US over the sexual harassment of female workers at the Detroit Assembly Complex – Mack in Detroit. The complaint details the complaints of several female employees who complained of unwanted sexual advances, inappropriate touching and lewd language by male employees including supervisory personnel. According to the EEOC filings the incidents of harassment date back to at least December 2020.

During that time frame, management ignored repeated complaints by employees and refused their requests for transfers to other areas away from the abusers. In fact, the

abuse only intensified.

At least one of the complainants was forced to quit her job to escape the torment. Nowhere does the EEOC filing reference the attitude of the UAW to the allegations of sexual harassment or indicate any action on the part of the union on behalf of the women. The fact that the women had to go to the EEOC to seek redress, and not the UAW, speaks volumes about the role of the UAW in the auto plants. The UAW work as enforcers for management, suppressing grievances and imposing intimidating shop floor opposition.

In 2017 Ford settled harassment claims with the Equal Employment Opportunity Commission (EEOC) for \$10.1 million over complaints by female autoworkers that they were sexually and racially harassed by both company supervisors and union officials at two Chicago-area plants.

As the WSWS noted at the time, “The conditions faced by these workers today hearken back to the 1930s in the United States—prior to the formation of the UAW and the mass industrial unions—when workers labored under conditions of extreme exploitation and industrial slavery.”

It is highly significant that the Biden administration sat on these complaints that reference actions dating back to 2019 and 2020, respectively, until January 2025—days before the ascension of the fascist Trump. In the case of age discrimination against GM retirees sanctioned by the UAW, this coverup by the Biden administration is particularly egregious since the facts of the case are cut and dried.

By holding off the filing of the complaints until just before the Trump inauguration, the EEOC also ensured that the report would be quickly buried in the news cycle by reports of Trump’s blizzard of reactionary executive actions.

The cover-up by the Biden administration of the UAW’s role is hardly surprising. Throughout his administration, Biden relied on the UAW and the American labor bureaucracy more broadly to suppress the class struggle and attempt to tie the working class to US imperialism’s preparations for global war against Russia, China and other capitalist rivals.

The US Labor Department-sponsored 2022 UAW election that installed current UAW president Shawn Fain was marked by egregious irregularities, including massive voter suppression, aimed at denying workers the opportunity to engage with or vote for socialist autoworker Will Lehman, who challenged the hand-picked candidates of the UAW apparatus.

To this day, many autoworkers are unaware there even was an election where they had the right to vote for UAW president. Biden’s Labor Department refused to consider a detailed protest filed by Lehman, which fully documented deliberate voter suppression by the UAW.

After the election the Biden administration heavily promoted the newly installed Fain. The White House hailed the UAW’s bogus “Stand Up” strike against the Detroit Three in 2023 and the resulting sellout contract, with Biden even visiting a picket line in Michigan. Last year Biden appointed Fain to the Export Council, whose duties are now focused on securing domestic supply chains in preparation for total war.

In its turn, the UAW mobilized its resources behind the presidential campaign of Kamala Harris. Fain even appeared as a featured speaker at the Democratic National Convention.

Now, with the installation of the fascist Trump, Fain has switched sides with the ease of changing his necktie, pledging to work with the new administration on its ultra-nationalist agenda of tariffs and trade war, which is part of preparations for shooting war. The inevitable result will be ever more savage attacks on workers at home.

The defense of jobs, the end of harassment and the establishment of genuine shop floor democracy require that workers take the initiative by building rank-and-file committees independent of the UAW apparatus. Workers must reject the pro-war and anti-foreigner nationalism of the UAW bureaucracy and seek to unite with their working class brothers and sisters around the world against the transnational corporations.

This requires a new leadership and a socialist strategy in opposition to the capitalist profit system and class of capitalist billionaires represented by both Trump and the Democrats.



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