

N & S Tractor Co. employee harassed and discriminated against, then forced to quit, lawsuit claims

N&S Tractor Co. employee harassed and discriminated against in the workplace, then forced to quit after reporting the harassment to his superiors, lawsuit claims

LOS ANGELES, CA, UNITED STATES, November 3, 2021 /EINPresswire.com/ -- Jose Pena, a former Field Technician at the Merced store location of N & S Tractor Co., ("N & S") faced racial harassment and discrimination in the workplace, a lawsuit alleges, in the months and years following the 2016 election of former President Donald Trump. Pena alleges that this treatment escalated after an October 2020 meeting with store staff, in which he voiced anger and frustration about the racial climate being fostered by the predominantly white managerial and leadership staff of N & S's Merced location. Pena alleges he was harassed and retaliated against by his supervisor because of his race and for being vocal about racial bias in the workplace.

In the lawsuit, case number 21CV-029878 in the County of Merced court, Pena alleges that his supervisor Paul Da Silva ("Da Silva"), as well as other managers at the Merced N&S location, would frequently make incendiary comments about Spanish-language and other "non-white" forms of music that were played by employees in the workplace. Pena also alleges a manager said to "turn that coon music off," in response to rap music being played. Pena alleges that Da Silva was particularly prejudice towards non-English speakers in the workplace, claiming that Da Silva once said of Spanish-speaking customers in front of Hispanic employees, "If [they] don't speak my language, [they] can wait." Mr. Pena alleges that he and other Hispanic employees tried to get the harassment to stop by filing anonymous complaints through N&S's website for years, but the complaints generally un-addressed.

Pena alleges that following the October 2020 store meeting to address anonymous complaints about racial harassment in the workplace, as well as a spate of resignations of Hispanic employees at the Merced store, he began receiving increased scrutiny and biased treatment from management. During this meeting, Pena alleges that he was under the impression that staff were encouraged to speak openly. Pena alleges that he addressed what he felt was a climate of racial bias against himself and other Hispanic employees. Pena alleges that, following this meeting, most white employees no longer spoke to him.

Pena alleges that shortly after this meeting took place, he began to notice the biased treatment from his supervisors. Pena alleges that he was unfairly suspended, and that the suspension did not follow proper N & S protocol. Pena alleges that Da Silva responded by saying he didn't

“believe” in following said procedures, and Mr. Peña was suspended for one week, effectively immediately.

Pena alleges that he told both Cook and Cousins that he intended to file a complaint with the California Labor Board. Pena alleges that both men, who are both white, told him that if he did, N&S “wouldn’t be happy.” Pena alleges he was forced to submit his resignation as a result of--and management’s indifference to--the overarching racial and bigoted work culture of N&S.

Pena is represented by attorney Kyle Todd, of Kyle Todd, P.C. Requests for comment can be directed to attorney Todd, at kyle@kyletodd.com or (323) 208-9171.

Kyle Todd

Kyle Todd, P.C.

+1 323-208-9171

[email us here](#)

This press release can be viewed online at: <https://www.einpresswire.com/article/554733141>

EIN Presswire's priority is source transparency. We do not allow opaque clients, and our editors try to be careful about weeding out false and misleading content. As a user, if you see something we have missed, please do bring it to our attention. Your help is welcome. EIN Presswire, Everyone's Internet News Presswire™, tries to define some of the boundaries that are reasonable in today's world. Please see our Editorial Guidelines for more information.

© 1995-2021 IPD Group, Inc. All Right Reserved.