

United States Senate

October 15, 2020

Jeff Bezos
Chief Executive Officer
Amazon dot com, inc.
410 Terry Ave. N
Seattle, WA 98109

Dear Mr. Bezos:

We write to express our serious concerns regarding several recent reports that Amazon is actively interfering with workers' rights by tracking and monitoring employees who are exercising their rights to freedom of association, collective action, and union organizing.

Based on these reports, your company has been actively monitoring select internal listservs "related to underrepresented employees and employee activism issues,"¹ infiltrating private social media groups created by Amazon employees to track any potential discussion of unionization,² planning to install new technologies and spend significant sums of money to track labor organizing,³ and hiring intelligence analysts to track "labor organizing threats" and employee involvement in unrelated external protests.⁴ In addition, it was reported that a worker at Amazon's MSP1 facility who recently spoke out about safety concerns was retaliated against by your company through suspicious "time off task" violations.⁵ This incident demonstrates that Amazon's extensive worker surveillance monitoring in its warehouses can be turned against workers who speak out.⁶ Each of these reports is deeply troubling, and taken together, they suggest a pattern of significant abuse of workers and their rights.

The fact that Amazon has decided to heavily invest in systems to retaliate against freedom of expression about unsafe and unhealthy working conditions, and to refer to organizing and

¹ Vox, "Amazon employees fear HR is targeting minority and activism groups in email monitoring program," Shirin Ghaffary and Jason Del Rey, September 24, 2020, <https://www.vox.com/recode/2020/9/24/21455196/amazon-employees-listservs-minorities-underrepresented-groups-worker-dissent-unionization>.

² Vice, "Inside Amazon's Secret Program to Spy on Workers' Private Facebook Groups," Lauren Kaori Gurley and Joseph Cox, September 1, 2020, <https://www.vice.com/en/article/3azegw/amazon-is-spying-on-its-workers-in-closed-facebook-groups-internal-reports-show>.

³ Vox, "Leaked: Confidential Amazon memo reveals new software to track unions," Jason Del Rey and Shirin Ghaffary, October 6, 2020, <https://www.vox.com/recode/2020/10/6/21502639/amazon-union-busting-tracking-memo-spoc>.

⁴ CNBC, "Amazon deletes job listings for analysis to track 'labor organizing threats' following public outcry," Annie Palmer, September 1, 2020, <https://www.cnbc.com/2020/09/01/amazon-seeks-intelligence-analyst-to-track-labor-organizing-threats.html>.

⁵ Vice, "Amazon Warehouse Workers in Minnesota Walk Off the Job, Protest Alleged Retaliation," Lauren Kaori Gurley, October 2, 2020, <https://www.vice.com/en/article/xg8nvq/amazon-warehouse-workers-in-minnesota-walk-off-the-job-protest-alleged-retaliation>

⁶ *Id.*

workers' rights mobilization efforts as threats against the company equal to those posed by hate groups and terrorism, is unacceptable. Freedom of speech and expression, and labor organizing, and workers' rights campaigns are legally protected activities. The National Labor Relations Act affirms that "protection by law of the right of employees to organize and bargain collectively safeguards commerce from injury, impairment, or interruption, and promotes the flow of commerce."⁷ Further, the law expresses a federal mandate to "[encourage] the practice and procedure of collective bargaining" and to protect the exercising of such rights "for the purpose of negotiating the terms and conditions of their employment or other mutual aid and protection."⁸ Equating such organization activities and exercising fundamental freedoms to hate groups and terrorism reflects a concerning hostility towards the Constitution and federal labor law, and paints workers and their representatives as enemies of the company when, in fact, they are a major part of Amazon's success.

In addition, we wrote to your company on May 14, 2020, expressing concern about reports that Amazon's Whole Foods was monitoring workers' rights and potential unionization activity. In Amazon's June 1st response, Amazon stated that the company "does not conduct internal tracking to identify or monitor individual Team Members that may be organizing, planning strikes, or talking to the media... [and] does not track which Team Members choose to participate in these activities." The recent reports of worker surveillance activities and personnel dedicated to exactly such activity contradict this answer and contradict your company's public statements regarding previous support for its workers. This lack of candor is unacceptable. It appears you are seeking to mislead Congress and the American public regarding your contempt towards the opinions and needs of your workforce and the extent of anti-worker and anti-unionization activities at your company.

These actions are all the more shocking in the context that nearly 20,000 of your employees contracted the coronavirus. Since the beginning of the COVID-19 pandemic, numerous reports have surfaced that show that workers at Amazon feel they lack healthy and safe working conditions. It is deeply concerning that Amazon has prioritized tracking workers who would look to improve their working conditions over addressing the underlying health and safety concerns that those workers face.

In light of the unethical and anti-worker actions occurring at your company and your misleading responses to our previous letter, we request the following information:

1. What steps does Amazon take to discourage workers from organizing?
2. Explain in detail the duties that workers in Amazon's employee relations, Global Intelligence Unit (GIU), and Global Intelligence Program (GIP) perform, and how those duties specifically relate to labor organizing campaigns.
3. If possible, please include a copy of the company's rules or best practices for the employee relations, GIU, and GIP specifically related to employee privacy, union activity, and protests.

⁷ 29 USC 151.

⁸ 29 USC 151.

4. Amazon took down job listings for the GIP positions that included tracking “labor organizing threats,” and said in a statement that, “[t]he job post was not an accurate description of the role — it was made in error and has since been corrected.”
 - a. How did this “error” occur?
 - b. What was inaccurate about the description of the role?
 - c. Who at Amazon wrote the job post?
 - d. Who at Amazon reviewed the job post?
 - e. Who at Amazon approved the job post?
 - f. Does Amazon have any employees currently on payroll whose job descriptions include any of the following duties, which were part of the job postings you recently deleted:
 - i. “[E]ngaging and informing L7+ ER Principals (attorney stakeholders) on sensitive topics that are highly confidential, including labor organizing threats against the company, establish and track funding and activities connected to corporate campaigns (internal and external) against Amazon, and provide sophisticated analysis on these topics”
 - ii. “[C]ompile and provide assessments for use in court filings, up to and including restraining orders against activist groups”
 - iii. “[C]reating and deploying sophisticated search strings tailored to various business interests and used to monitor for future risk; Engaging business leaders (L6+) directly is core to this support, and may cover topics including organized labor, activist groups, hostile political leaders”
 - iv. “Monitor various collection platforms for incidents that pose direct and indirect risk to Amazon operations, personnel, or brand”
 - g. Please provide an updated “accurate description of the role” for this position.
5. Again, what actions does Amazon take to internally track to identify or monitor workers that may be organizing, planning strikes, or talking to the media?
6. How does Amazon track workers that participate in walk-outs, strikes, or other organizing activities? What department is responsible for these actions, how is this information recorded, and how is it used in the future?
7. How does Amazon decide which internal listservs to monitor for organizing activity, and why does the company seemingly target activist groups and affinity groups including employees of color and Muslim employees according to such criteria?
8. At any point during their employment are employees provided with notice that they are regularly monitored both during and after work hours?
9. How does Amazon use the information it gathers about labor organizing campaigns? Please describe in detail and include information on how it treats labor organizers who are employees of the company.
10. If so, please provide information on what law firm or other organization Amazon contracts with to perform union avoidance consulting or legal work.
11. What steps does Amazon plan to take in the future to improve employee privacy, if any?
12. What steps is your company currently taking to reduce the number of OSHA violations and employee health and safety concerns, and would your company be willing to accept third-party audits of workplace safety and health conditions and to publish the results of such audits publicly?

13. Has Amazon conducted an internal investigation of the allegations of retaliation against workers? Who conducted these investigations? What were the findings?
14. What policies are in place to ensure that managers are not using productivity monitoring to retaliate against workers who are organizing for better conditions? How is it verified that managers are following such policies, if they exist?
15. Will you commit to ending any and all company practices that involve monitoring workers activities related to union organizing and protesting inside and outside of work? In this process will you inform your employees of the past practices the company has engaged in?
16. Will you amend your Global Human Rights Principles by removing references to the non-existent right “not to join” a union, removing your anti-union preference “for our employees to continue working directly with their managers,” and positively stating your support for your workers’ right to collective bargaining.
17. Will you commit to meet with unions in the retail, logistics, and technology industries so you can learn how unions improve workers’ lives and contribute to the prosperity of our economy?
18. Is your company using, or has it considered using, geoSPatial Operating Console (SPOC) to monitor labor organizing activity? What datasets were considered relevant to monitor through this program?

Among the purposes of our country’s labor laws is to encourage organization and collective bargaining and to curtail private sector management practices that may harm workers’ general welfare. We take those purposes very seriously. In these difficult times, it is paramount that we empower workers to use their voices, both individually and collectively. We encourage you to end your company’s union suppression and avoidance tactics, and we respectfully request a response to these questions by November 1, 2020.

Sincerely,



BRIAN SCHATZ
United States Senator

/s
ELIZABETH WARREN
United States Senator

/s
BERNARD SANDERS
United States Senator

/s
KIRSTEN GILLIBRAND
United States Senator