

AMNESTY INTERNATIONAL PUBLIC STATEMENT

13 October ACT 30/3204/2020

IT IS TIME FOR AMAZON TO RESPECT WORKERS' RIGHT TO UNIONIZE

As consumers prepare for Amazon Prime Day – a massive global sale event for its Prime customers starting on Tuesday, 13 October - Amnesty International calls on the e-commerce company to respect workers' rights, in particular, the right to join and form trade unions.

Amnesty International is alarmed by the growing evidence in recent months that Amazon is interfering with workers' rights to organize, and investing significant resources in monitoring workers and the perceived 'threat' of potential trade union activity. Recent examples from media reports include:

- On 6 October, media site Recode reported that a leaked internal memo obtained included plans by Amazon to invest hundreds of thousands of dollars to monitor union 'threats' through a new technology system called "geoSPatial Operating Console". While Amazon did not comment whether the memo was genuine, its spokesperson told Recode that the company respects "employees' right to join, form or not to join a labor union or other lawful organization of their own selection, without fear of retaliation, intimidation or harassment."¹
- In September, Amazon put out job advertisements for intelligence analysts responsible for tracking risks including "labor organizing threats against the company". Amazon has since removed the job advertisements and stated that their posting was an error.²
- Also in September, internal Amazon documents obtained by Vice News show that the company has been secretly monitoring and analyzing workers' private Facebook groups, including for the purpose of tracking plans for strike action or protests.³

While Amazon claims that they respect workers' right to join and form trade unions, it has not publicly disavowed the claims about surveillance and tracking of worker organizing and labour union activity. In a letter on 21 September 2020, Amnesty International asked Amazon for further information on this issue. On 5 October, Amnesty International sent further correspondence to Amazon but has not received a reply yet.

Amazon's efforts to discourage workers from organizing are not new, and the company's own annual reports have identified the existence of works councils or labour unions as a risk factor in their international operations.⁴ For example, in the UK, Amazon has repeatedly in the past years issued legal notices for alleged trespassing and threats of injunctions to GMB union organizers who have attempted to approach and talk to workers outside of Amazon facilities. Furthermore, GMB organizers told Amnesty International that staff from Amazon human resources have confiscated and ripped up their pro-union leaflets handed out to workers once the worker was onsite

In the US, warehouse workers who spoke out for their rights and raised concerns about working conditions during COVID-19, appear to have faced disciplinary action or have been subsequently fired.⁵

¹ Leaked: Confidential Amazon memo reveals new software to track unions, 6 October 2020.

<https://www.vox.com/recode/2020/10/6/21502639/amazon-union-busting-tracking-memo-spoc>

² Lorenzo Franceschi-Bicchierai, "Amazon Is Hiring an Intelligence Analyst to Track 'Labor Organizing Threats'", *Vice*, 1 September 2020.

³ Lauren Gurley and Joseph Cox, "Amazon Is Spying on Its Workers in Closed Facebook Groups, Internal Reports Show", *Vice*, 2 September 2020, https://www.vice.com/en_ca/article/3azegw/amazon-is-spying-on-its-workers-in-closed-facebook-groups-internal-reports-show

⁴ Amazon, 2018 Annual Report. https://s2.q4cdn.com/299287126/files/doc_financials/annual/2018-Annual-Report.pdf; Amazon, 2019 Annual Report. https://www.annualreports.com/HostedData/AnnualReports/PDF/NASDAQ_AMZN_2019.pdf

⁵ Alison Griswold. "An Amazon executive quits over the company's firing of activist employees", 5 May 2020, <https://qz.com/1850893/amazon-vp-tim-bray-quits-over-amazon-firing-activist-employees/>; Monica Nickelsburg, Federal lawmakers press Bezos on Amazon's firing of employee activists as antitrust probe looms, *GeekWire*, 7 May 2020, <https://www.geekwire.com/2020/federal-lawmakers-press-bezos-amazons-firing-employee->

International human rights law is clear that everyone has the right to form and join the trade union of their choice,⁶ and that trade unions play a fundamental role in ensuring respect for the right to work, including the right to just and favourable conditions of work.⁷ Under International Labour Organization (ILO) standards, union membership or participation in union activities must not be a cause of a dismissal or otherwise prejudice against a worker.⁸

Amazon also has a responsibility to respect human rights, as articulated in the UN Guiding Principles on Business and Human Rights (UNGPs).⁹ The UNGPs make clear that the responsibility to respect human rights "...is a global standard of expected conduct for all business enterprises wherever they operate... and it exists over and above compliance with national laws and regulations protecting human rights." This includes the responsibility to respect the rights to freedom of association, assembly and expression.

The importance of respecting the role of unions at workplaces became even more apparent during the COVID-19 pandemic. There have been numerous examples demonstrating how unions and workers organizations were critical in protecting the human rights of Amazon's workforce and obtaining better health and safety measures and other protections from the company. These experiences show the close link between the right to organize, collective bargaining and the health and safety of workers.

For example, in France, unions helped to secure "health guarantees, a voluntary return to work for workers, adjusted schedules to help with distancing, and increased pay of EUR 2 per hour through the end of May."¹⁰ In Italy, unions helped to secure in an agreement "constant cleaning processes and programmed and traced sanitizations; scheduling of work activities and organization of workstations with the guarantee that there is always at least two meters of distance between workers".¹¹

Despite Amazon's public expressions of appreciation and gratitude to the company's workers,¹² these sentiments do not seem to extend to the right to unionize. Amnesty International has communicated these concerns to Amazon in letters in April and September 2020. In its response to Amnesty International letter in April 2020 it stated "(o)ur approach on human rights is informed by international standards; we respect and support the Core Conventions of the International Labour Organization (ILO), the ILO Declaration on Fundamental Principles and Rights at Work, and the UN Universal Declaration of Human Rights".¹³

Amnesty International calls on Amazon to genuinely respect the rights of workers to join and form trade unions and to protect the rights of workers who speak out on human rights issues within their workplace.

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⁶ International Covenant on Economic, Social and Cultural Rights. Article. 8. <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>

⁷ As noted by the UN Committee for Economic, Social and Cultural Rights in its General Comment no. 18., para. 54.

<https://www.refworld.org/docid/4415453b4.html>

⁸ Article 1.2.b, Convention 98: Right to Organise and Collective Bargaining Convention, 1949

⁹ OHCHR, Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework (UN Doc. HR/PUB/11/04), 2011

<https://sustainability.aboutamazon.com/governance/amazon-global-human-rights-principles>

¹⁰ Chaim Gartenberg, "Amazon is reopening its French warehouses after COVID-19 labor dispute", The Verge, 19 May 2020,

<https://www.theverge.com/2020/5/19/21263462/amazon-france-fulfillment-centers-reopen-union-dispute-health-safety>

¹¹ "Siglato l'accordo sulla sicurezza dei lavoratori, sospeso lo sciopero ad Amazon", 27 March 2020, <https://www.piacenzasera.it/2020/03/siglato-laccordo-sulla-sicurezza-dei-lavoratori-sospeso-lo-sciopero-ad-amazon/335679/>

¹² A message from our CEO and founder. 21 March 2020, <https://blog.aboutamazon.com/company-news/a-message-from-our-ceo-and-founder>; "Amazon rewards front-line employees with appreciation bonus", 30 June 2020. <https://employeebenefits.co.uk/amazon-front-line-employees-bonus/>

¹³ For more details about Amazon's human rights commitments, see: Amazon Global Human Rights Principles, <https://sustainability.aboutamazon.com/people/human-rights/principles>