

Amazon Appealing ‘Willful’ Safety Violations in Washington Warehouses

Glenn Taylor

Thu, July 20, 2023 at 9:38 AM EDT



[Amazon](#) will address its often-criticized [workplace safety](#) in Washington State next week in hearings that could set a tone for how both state and federal officials approach worker injuries at the company’s U.S. warehouses.

On Monday, the e-commerce giant will appeal several citations issued by Washington State [OSHA](#) (WISHA), which has flagged three [Amazon warehouses](#) in Dupont, Sumner and Kent since 2021 for violating the Occupational Safety and Health Act (OSHAct).

Amazon is set to address the state’s Board of Industrial Insurance Appeals (BIIA), which holds hearings on disputes involving OSHA violations. Hearings are expected to last six weeks.

WISHA cited the Dupont warehouse twice in May 2021 and January 2022, and flagged the Sumner facility in December 2021. In all three warehouse inspections, WISHA found that [Amazon](#) required employees to perform manual material handling tasks without the assistance of appropriate equipment.

Jobs at these warehouses involved repetitive motions like lifting, carrying, twisting and other physical work that increased the risk of employees ending up with musculoskeletal disorders (MSDs) and other injuries.

Amazon was slapped with a \$7,000 fine for each citation, with the state agency specifically ordering the tech titan to reduce its pace of work and eliminate ergonomic hazards to improve worker safety.

The fourth and final citation at the Kent warehouse is where the situation escalates. While the facility was cited for largely the same criticisms as the previous two warehouses, WISHA said

Amazon intentionally failed to fix the hazards, noting that the company “is demonstrating plain indifference in that they have been made aware of the hazards and increased injury rates yet are making no effort to take corrective action.”

Only 0.4 percent of citations in OSHA’s 50-year history have been categorized as “willful.” It is the most serious safety violation designation that OSHA can issue. It applies when companies are found to have either knowingly failed to comply with a legal requirement (purposeful disregard) or acted with plain indifference to employee safety.

Amazon has since appealed all the citations, including the last one, which included a fine of \$60,000.

“We look forward to showing that The Washington State Department of Labor and Industries (L&I’s) allegations are inaccurate and don’t reflect the reality of safety at Amazon,” said Amazon spokesperson Maureen Lynch Vogel. “The truth is that we’re always investing in safety and our efforts are working, with recordable injury rates at our sites in Kent and Dupont improving by 16 percent and 40 percent since 2018. We’re proud of our progress and we’ll continue working to get better every day.”

According to data reported to OSHA highlighted by SOC in an April report, the serious injury rate at [Amazon warehouses](#) was 6.6 per 100 workers—more than double the rate at non-Amazon warehouses (3.2 per 100). But the tech titan argues that SOC reports the stats without proper context, further noting that there is no official “serious injury” metric OSHA measures.

Amazon also contends that its warehouse-related injury totals appear outsized compared to brick-and-mortar mass merchants because OSHA’s reporting requirements don’t mandate that retailers categorize where injuries take place.

“There will always be ways for our critics to splice data to suit their narrative, but the fact is, we’ve made progress and our numbers clearly show it,” Vogel told Sourcing Journal. “Since 2019, we’ve reduced our rate of recordable injuries across the U.S. by more than 23 percent, and we’ve reduced our Lost Time Incident Rate by 69 percent. This is easily verifiable by examining the data we report to OSHA.”

Nevertheless, “the risk factors in these jobs are preventable,” said Laura Punnett, an ergonomist and epidemiologist and chair of biomedical engineering at the University of Massachusetts Lowell during a briefing by [The Strategic Organizing Center](#) (SOC).

“The frequency of repeating hazardous motions and the lack of recovery time have been cited for decades as important causes of MSDs,” Punnett said. “A reasonable work pace and adequate breaks during the shift are essential. And unfortunately, we can compare this to Amazon’s actual production rate system with daily target goals set for the employees.”

Eric Frumin, health and safety director of SOC, a labor group that has been critical of [Amazon’s injury rates](#), said that while a monetary fine is a mere drop in the bucket for the company, the end goal is about enforcing remedies for workers.

“It’s not about cash, it’s not about money,” Frumin said. “It’s about forcing the company to change the way their jobs are organized, change the equipment that workers use so that they face a much lower risk of the kinds of injuries that they are already suffering. That will make a huge difference for many workers for their ability to keep working there.”

For example, Frumin suggested Amazon would likely have to use pallets to move large quantities of boxes, instead of having people move boxes off of conveyors by hand if WISHA’s citations were upheld.

“Why Amazon makes workers reach to the bottom of a bin to pick up a package and put it on a conveyor rather than a bin with a floating bottom in 2023 is beyond me,” said Frumin. “It is just one of the worst forms of disregard and disrespect that they have for their employees.”

During the briefing, Punnett called Amazon out for funding a research-heavy \$12 million MSD prevention initiative with the National Safety Council, instead of actively trying to stop the problem by implementing more material handling technology.

“I would love to hear reporters ask them why they didn’t use the same \$12 million on fixes within their own workplaces,” said Punnett. “That would have gone a long way toward reducing the kinds of hazards that we’ve been talking about today.”

The trial will start just a week after OSHA said it is expanding requirements for employers to disclose workplace injuries, and 11 days after the agency launched a [national emphasis program](#) to prevent workplace hazards in warehouses, processing facilities distribution centers, and high-risk retail establishments.