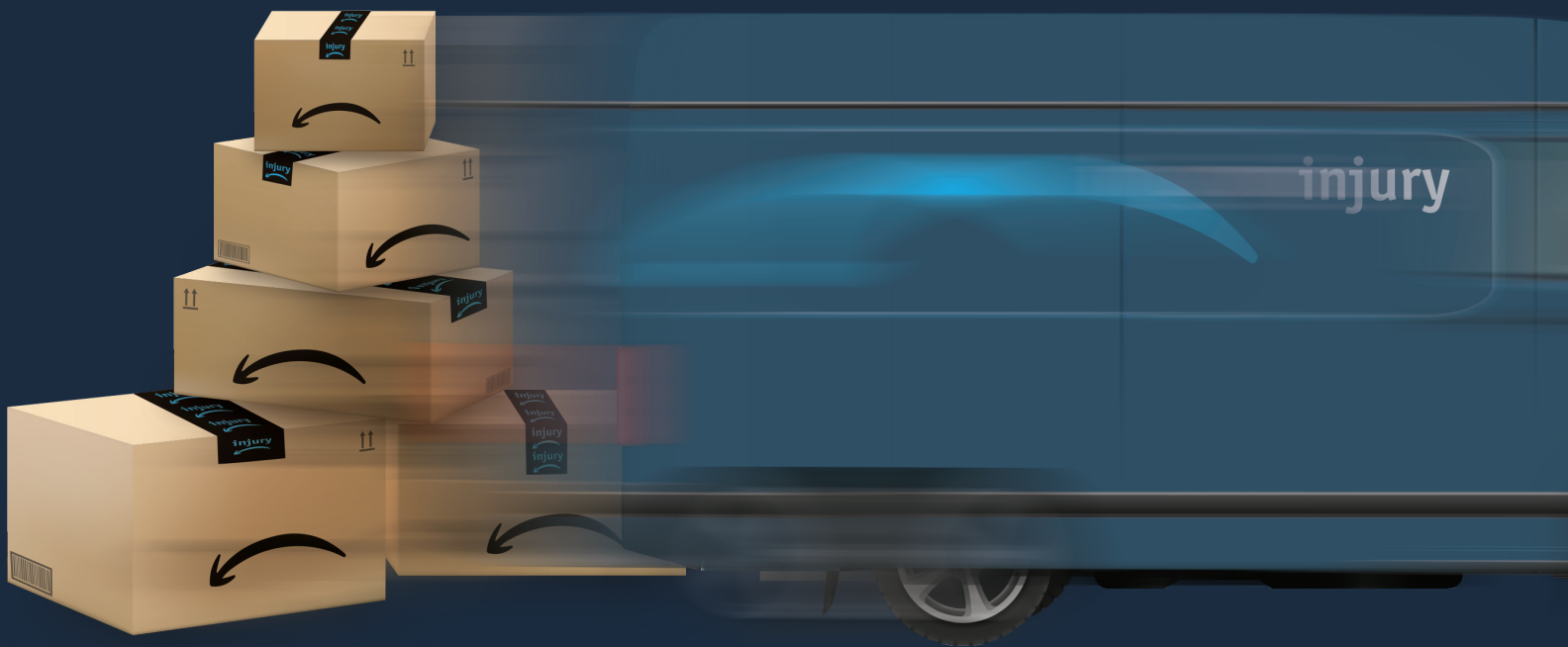


PRIMED FOR PAIN:

Amazon's Epidemic of Workplace Injuries



May 2021



STRATEGIC
ORGANIZING
CENTER

ABOUT THE SOC

The **Strategic Organizing Center (SOC)** is a democratic coalition of four labor unions representing more than 4 million workers. We are a labor union innovation center dedicated to improving the lives of working people, partnering with our affiliates to develop effective strategies to support workers organizing for better lives for themselves and their families. We stand against structural racism in all its forms and fight not only for jobs, but good jobs: safe, equitable workplaces where all employees are respected, paid living wages and have real power at work.

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As the largest e-commerce retailer in the US, Amazon took advantage of the massive shift to online shopping during the COVID-19 pandemic and saw its US sales increase 39 percent during 2020.¹ The company's size and influence has expanded at an extraordinary pace. In the ten years between 2010 and 2020, Amazon's workforce grew from 33,700 to nearly 1.3 million and its annual net income increased from \$1.1 billion to \$21.3 billion.²

Amazon's obsession with speed in every part of its business has been a key element of its growth strategy. Amazon's founder, Jeff Bezos, has personally touted his focus on speed going back to the company's first job posting in 1994.³ Speed is at the core of the company's brand promise dating back to 2005 when Amazon introduced its Prime program, with free, two-day shipping guaranteed on most items. Most recently, in 2019, the company raced to introduce one-day shipping and even same-day shipping on many items.⁴



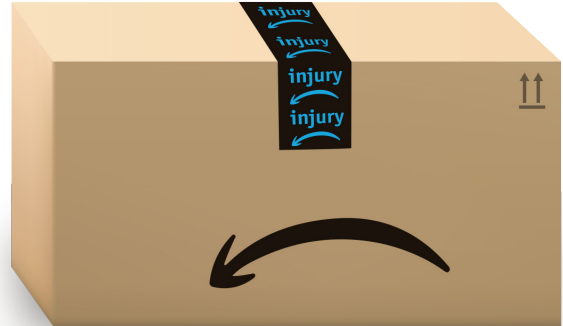
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“Fast and low cost delivery to the customer is our obsession, and we want to keep going faster and faster and faster”

– Philippe Hémar, Vice President for Amazon Logistics Europe⁵

But the company's obsession with speed has come at a huge cost for Amazon's workforce. For more than a decade, Amazon has made headlines for dangerous health and safety conditions in its facilities.⁵ In 2019, multiple groups of researchers and journalists analyzed

standardized records of worker injuries maintained at Amazon facilities. They found that Amazon's injury rates were more than double the injury rate in the notoriously hazardous general warehousing industry.⁶



The Strategic Organizing Center (SOC) analyzed recently-released data reported by Amazon and its competitors to OSHA to compare the experiences of Amazon workers to the experience of other workers in the warehousing and last mile delivery sectors during the most recent period for which data are available – 2017 to 2020.

SOC's analysis found that workers at Amazon experienced substantially higher rates of workplace injuries than non-Amazon workers in the same industries during these four years. Amazon workers continued to suffer these higher rates of injury despite years of protests against the company's high-pressure environment and production quotas.

In 2020, in response to the COVID-19 pandemic, protests from workers forced Amazon to finally make massive operational changes to its warehouse operations that temporarily reduced production pressure on workers. [See Appendix A for a detailed discussion of Amazon's COVID-related changes to productivity rates and workplace policies]. As a likely result of these COVID-related changes, the injury rate in Amazon warehouses for 2020 was lower than in previous years, although it still remained substantially higher than the injury rates for other warehouse employers. Further, Amazon's internal data demonstrate that the poor safety performance is present across the entire Amazon system

and is not driven by a few outlier facilities. In addition, SOC's analysis found that Amazon's injury rates in facilities that use robots and automation are even higher than in non-automated facilities, suggesting that the way Amazon uses automation to maximize speed may be contributing to its worsening injury rates overall.



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Lastly, an examination of the injury data at various points along a package's trajectory from warehouse to customer reveals that workers are injured far more frequently as packages get closer to arriving at customers' homes. This suggests that the pressure associated with rapid delivery is especially dangerous to delivery workers. In 2020, Amazon did not implement changes to reduce pressures on its delivery workers during COVID as it did in its warehouses, and the severity of injuries among delivery workers actually increased during the pandemic.

To supplement the analysis of Amazon's injury data, the SOC conducted an online survey of Amazon workers related to health and safety issues at their Amazon workplaces between February 12 and February 18, 2021.⁷ Of the 996 Amazon workers who responded to the survey, virtually all reported working in one of four segments of Amazon's operations: fulfillment centers (52%), last mile delivery (24%), delivery stations (9%), and sortation centers (8%).⁸ Workers reported working at facilities in forty-two different states, with the largest concentrations in Florida, California, Texas, Ohio and

New Jersey.⁹ Of the Amazon workers who responded, 4 in 10 (42%) reported experiencing pain or injury from their job that caused them to miss work, and 8 in 10 of the workers who reported being injured further reported that their pain or injury was related to production pressure or speed. These results are consistent with the analysis of Amazon's injury data. Further results from this survey are included later in this report. (For a full summary of survey results, see Appendix B, page 14).

OVERVIEW OF INJURY DATA

Our findings are based on data that Amazon and other employers provided to OSHA annually from 2017 to 2020 within the General Warehouse and Storage industry (NAICS: 493110) and the last mile delivery industries (NAICS 492110 & 492210).¹⁰ Amazon reported injury and illness information for 191 facilities in 2017, 287 facilities in 2018, 366 in 2019, and 658 in 2020. Those reports covered an average annual workforce that grew from 208,764 workers in 2017 to 581,624 in 2020.¹¹



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All employers are legally required to submit annual injury and illness reports to OSHA for any warehouse, delivery, grocery, or wholesale trade facility with 20 or more employees annually, so these records should include every significantly-sized facility in Amazon’s US logistics network.

These reports show that each year, tens of thousands of Amazon workers are injured on the job. Table 1 displays the number and types of injuries that Amazon reported to OSHA for the years 2017 through 2020.

TABLE 1: Injuries at Amazon Facilities by Injury Type, 2017–2020

Year Filing For	Annual Average Employees	Full Time Equivalents	Lost Time Cases	Lost Time Days	Light Duty Cases	Light Duty Days	Total Other Cases	Total Cases
2017	208,764	159,233	8,037	500,964	2,284	211,160	1,562	11,883
2018	227,650	175,787	9,526	498,740	2,521	242,669	1,675	13,722
2019	643,789	242,475	12,053	633,562	6,475	468,859	2,850	21,378
2020	581,624	416,376	10,829	502,783	13,676	890,484	2,673	27,178

COMPARING AMAZON INJURY RATES WITH OTHER EMPLOYERS

In all four years for which data are available, Amazon’s rate of injuries per 100 warehouse workers is substantially higher than it is for non-Amazon employers in the general warehouse industry.¹²

For example, even in 2020, (when Amazon’s injury rates were likely lower due to major COVID-related operational changes), there were 6.5 injuries per 100 Amazon warehouse workers as compared to 4.0 injuries per 100 at all other warehouses (See FIGURE 1).

Workers at Amazon warehouses are not only injured more frequently than in non-Amazon warehouses, they are also injured more severely. In 2020, for every 100 Amazon warehouse workers there were 5.9 serious injuries requiring the worker to either miss work entirely (lost time) or be placed on light or restricted duty (light duty). This rate is nearly 80 per-

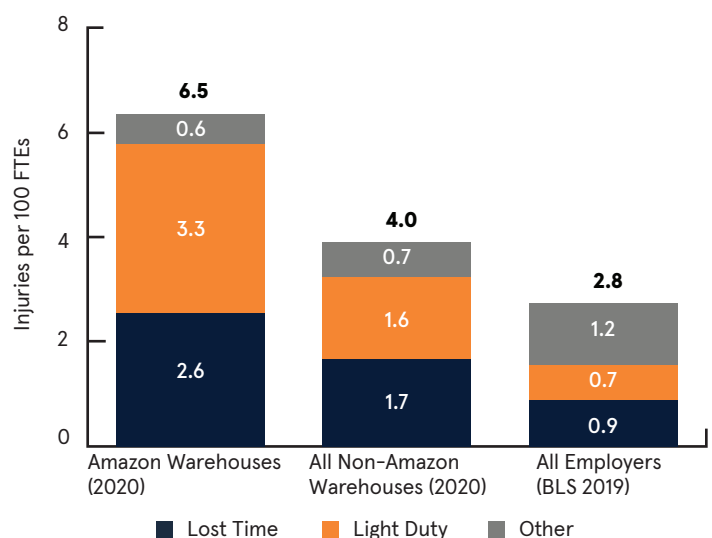
cent higher than the serious injury rate for all other employers in the warehousing industry in 2020 (3.3).

Amazon workers who were injured at work also took longer than other workers in the warehousing industry to recover. In 2020 Amazon workers who experienced lost time injuries were forced off work for an average

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FIGURE 1: Injury Rates at Amazon and Other Employers, by Injury Category, 2020



of 46.3 days – more than a month and a half. That is a week longer than the average recovery time for workers injured in the general warehouse industry and more than two weeks longer than the recovery time for the average worker who suffered a lost time injury.

In addition to comparing Amazon's injury rates with those of the general warehouse industry, SOC's analysis looked at Amazon's injury rates in comparison with Walmart, Amazon's strongest competitor in retail e-commerce.¹³ In all four years covered by this report, SOC's analysis found that Amazon warehouses were far more dangerous than Walmart's. In 2020, Amazon's overall warehouse injury rate (6.5/100 FTEs) was over twice that of Walmart (3.0), while Amazon's severe injury rate (2.6) was more than two-and-a-half times Walmart's (1.0).¹⁴ Figure 2, below, breaks down the overall injury rates at each company's warehouses by injury type.

This analysis of Amazon's injury data is supported by Amazon workers' response to the SOC's on-line survey. More than 4 in 10 (42%) respondents reported having experienced pain or injury from their job that caused them to miss work. Moreover, this suggests that the injury reports which Amazon submits to OSHA may be undercounting the number of injuries affecting Amazon workers.¹⁵

To keep me safe at work, Amazon should:

“Understand that we are humans, not robots. . . Look at the people who form your team as individuals with different strengths and ambitions instead of an army of faceless numbers to manipulate into improving your metrics.”

– Fulfillment Center Worker, Ohio

“Do not demand so much production, since we are people, not machines.”

– Fulfillment Center Worker, Kentucky (translated from Spanish)

*Source: SOC Survey of Amazon Workers, February 2021

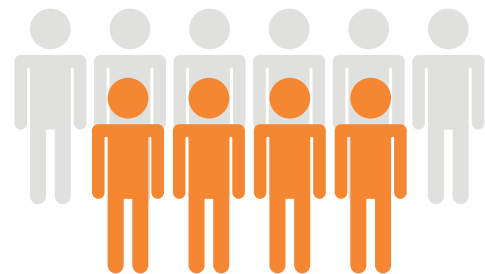
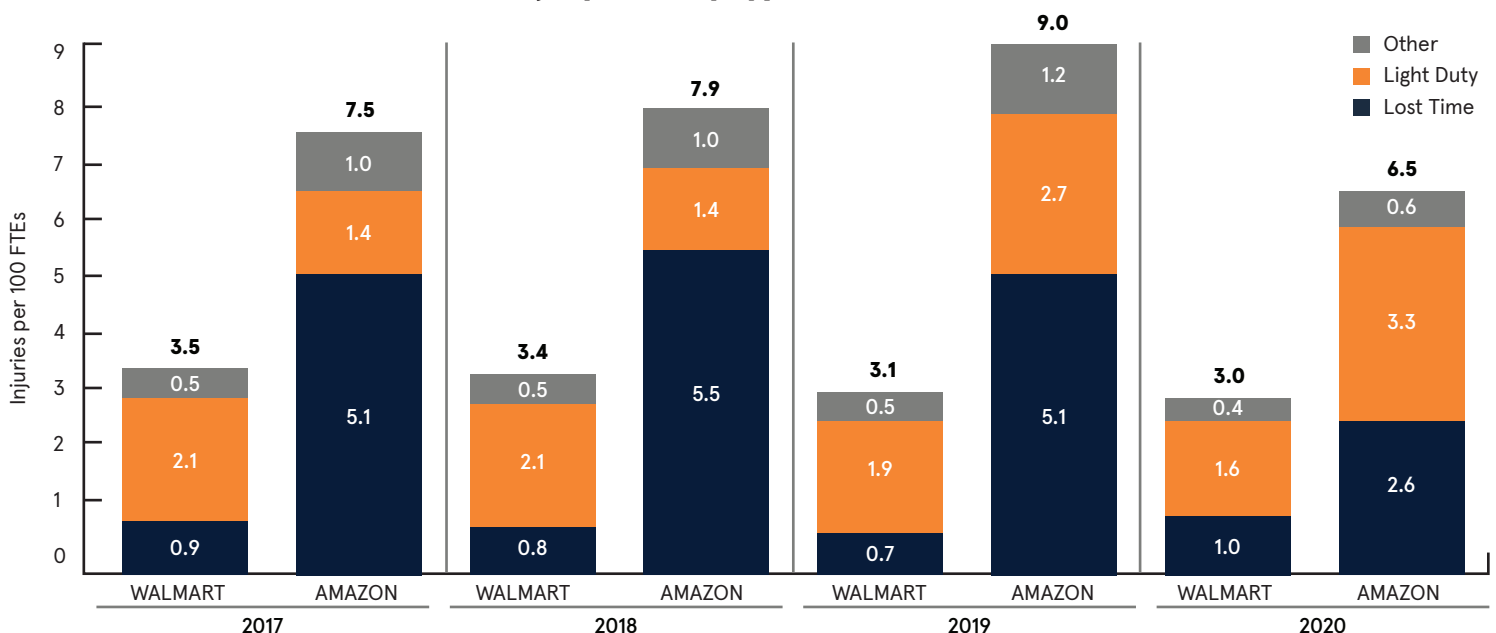


FIGURE 2: Warehouse injury rates by type, Walmart and Amazon, 2017-2020



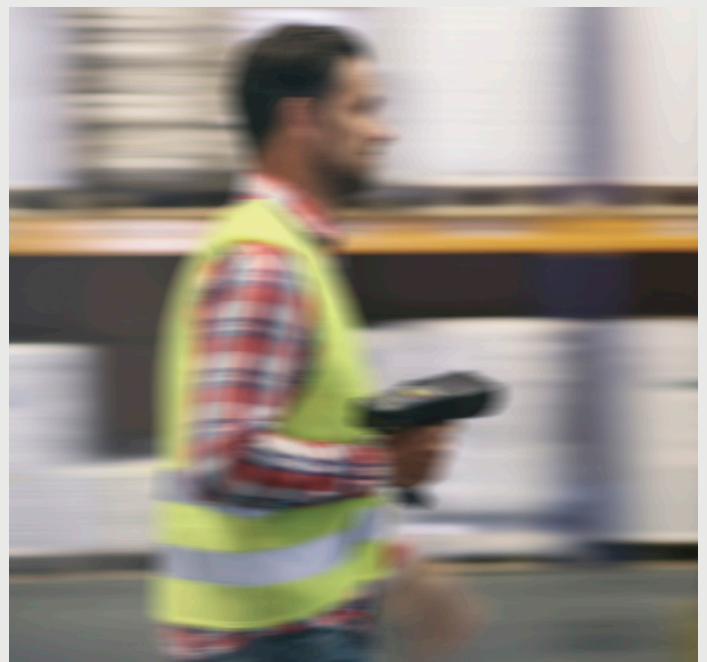
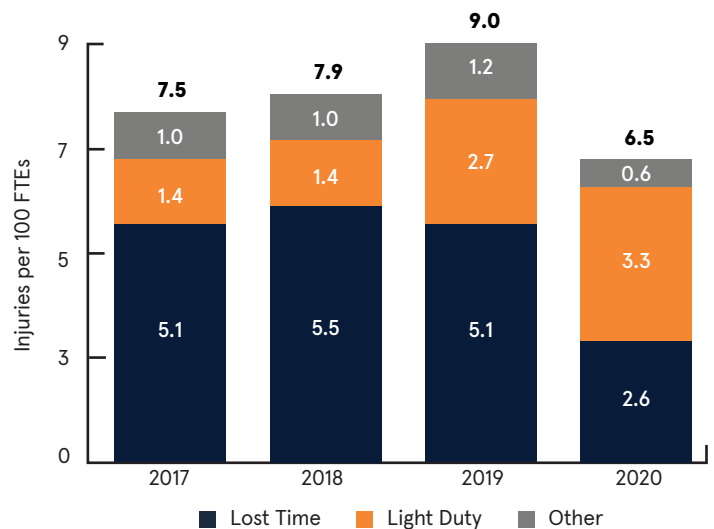
SAFETY AT AMAZON WAREHOUSES GOT WORSE UNTIL COVID FORCED A TEMPORARY CHANGE

The data Amazon submitted to OSHA show that, even as public awareness of safety issues at Amazon increased, injury rates at Amazon warehouse facilities got substantially worse between 2017 and 2019, until Amazon made major temporary changes to warehouse operations in response to the COVID-19 pandemic. Indeed, it seems likely that these changes caused the decreased injury rates at Amazon warehouses in 2020, the only decrease observed throughout this 2017-2020 period. As shown in Figure 3, from 2017 to 2019, the total recordable injury rate climbed 21 percent from 7.5 injuries per 100 workers to 9.0 injuries per 100 workers, and then decreased 28 percent to 6.5 injuries per 100 workers in 2020. According to Amazon's own legal filings, in March 2020, in response to the COVID-19 pandemic, the company suspended warnings and disciplinary action against workers for under-performance on productivity metrics, temporarily easing some of the immense pressures Amazon places on warehouse workers.¹⁶ These changes to work-speed quotas and "time off task" are ones that workers and outside health and safety experts had been recommending for years in order to reduce the rates of injury.¹⁷ Nevertheless, In October 2020, Amazon instituted a "revised" version of productivity rates in its warehouses that it claimed takes into account time for COVID-related safety protocols but that apparently reinstated many of the old pressures on workers.¹⁸

Indeed, workers who responded to the SOC survey in February 2021, reported that many of the negative consequences of Amazon's focus on production speed had returned. Of the Amazon workers who reported serious pain or injuries in the online survey, 8 in 10 reported that their pain or injury was related to production pressure or speed.¹⁹ Respondents reported that

when workers fail to keep up with Amazon's required production speed or "rate," Amazon imposed severe consequences. More than 5 in 10 (52%) of Amazon workers who responded to the online survey reported that, since the beginning of the COVID-19 pandemic, Amazon has terminated, disciplined or threatened to discipline workers for failing to keep up with the pace of work.²⁰ Thus, workers' accounts of extreme production pressure in 2021 suggest that Amazon's reduced injury rates during COVID may not be sustained as the company returns to its previous practices.

FIGURE 3: Injury Rates at Amazon Warehouses by Injury Type 2017-2020



SOC's analysis of the data that Amazon submitted to OSHA also found a shift in the way that Amazon responded to workplace injuries. Between 2018 and 2020 the rate of injuries classified as light duty more than doubled while the rate of lost time injuries fell. This shift coincides with the rollout of Amazon's "temporary light duty" policy, which created positions for workers who were hurt too badly to perform their normal jobs. This program did not reduce the overall number of serious injuries that workers experienced, but offering more light duty work did cause more injured workers to return to work rather than receiving workers compensation, which could reduce Amazon's costs for workers compensation insurance.²¹

More than one third (37%) of injured Amazon workers who responded to SOC's online survey reported that management pressured them to return to work before they felt ready to do so.²² For most injured workers in the SOC survey, the pain and injury continued after they returned to work at Amazon. Almost three-quarters (74%) of injured workers reported that after they returned to work at Amazon, they continued to experience pain or further injury at work.²³ Being pressured to continue working after being injured, especially for workers who continue to experience pain while working, clearly puts workers at greater risk of repeated injury, and thus could be contributing to Amazon's high overall injury rates.

To keep me safe at work, Amazon should:

"Think of their employees as human beings that have mental needs and physical needs."

- Fulfillment Center Worker, Oklahoma

"Actually care about our safety over production rate and blue lights."

- Fulfillment Center Worker, Wisconsin

*Source: SOC Survey of Amazon Workers, February 2021



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INJURY RATES HIGHER AT ROBOTIC FACILITIES – A WARNING SIGN FOR THE FUTURE

Not only are injury rates increasing generally at Amazon warehouses, but the company's newest automation technologies may make working conditions even more dangerous. Over the past two decades Amazon has made significant investments in warehouse automation, and in 2012 it made a major step in this direction by purchasing the robotics company Kiva for \$775 million.²⁴ Kiva was an attractive acquisition because the company had developed a new robot that could move around a warehouse floor to automate the laborious task of stowing new merchandise on shelves and picking merchandise for assembling customer orders. The production advantage is that the robots can move quickly throughout the warehouse and, unlike humans, they do not experience fatigue. The downside for workers is that they are not being assisted by equipment

to make their jobs easier and more efficient. Instead, Amazon's robots drive the workers' production speed.

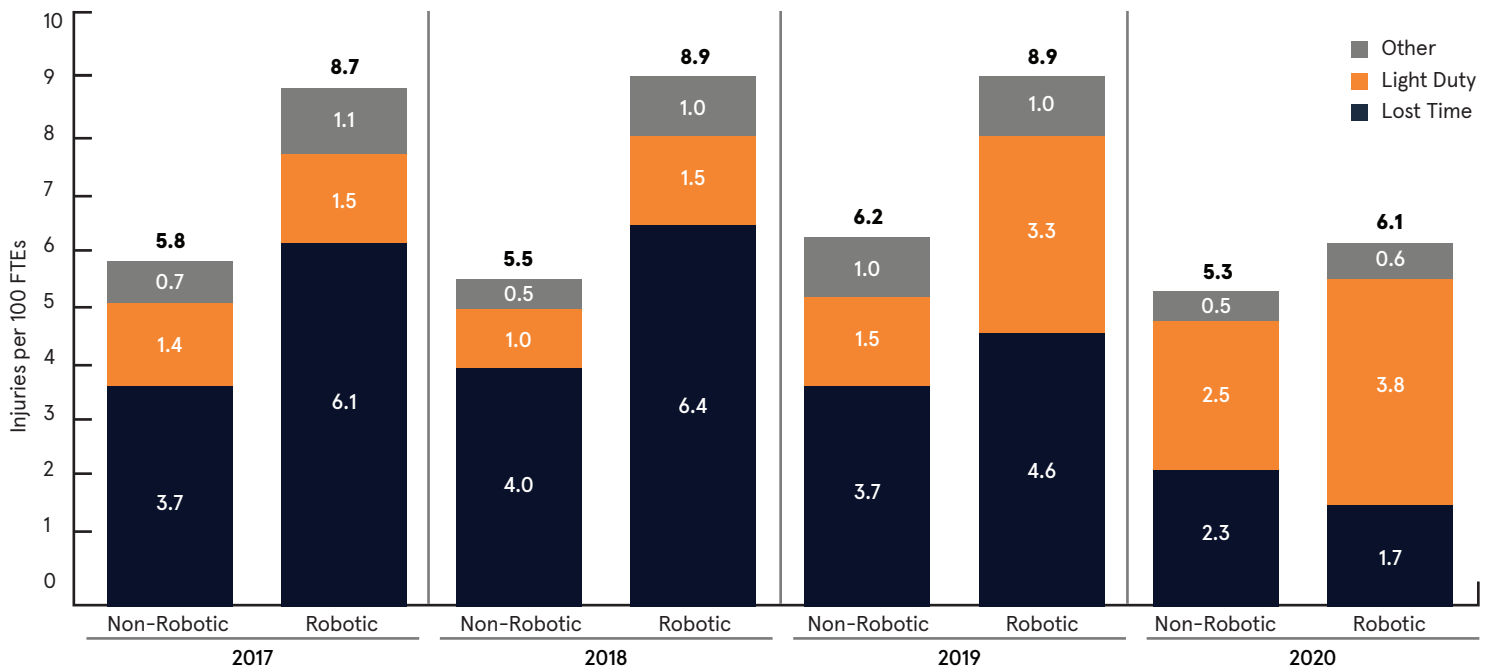
Kiva robots are used in some, but not all of Amazon's fulfillment centers. This analysis focuses on sortable warehouses, which ship small-and-medium-sized items and are both the most common type of Amazon fulfillment center and the type of facility which most frequently includes robotic technology.²⁵ In each of the four years covered by this analysis, the serious injury rate at sortable Amazon fulfillment centers with robotic technology was higher than the serious injury rate at the sortable Amazon fulfillment centers without robotic technology. In 2019, the last year of injury data available prior to the COVID-19 pandemic, Amazon's sortable facilities with robotic technology had a serious injury rate of 7.9 per 100 workers, more than 54 percent higher than the serious injury rate at non-robotic sortable facilities in the same year (5.1).²⁶

The higher rates of injury in these robotic warehouses are not a surprise given the ways in which the technology interacts with workers. For example, this technology also allows management to more closely monitor workers to make sure that they are keeping up with the robots. When a worker picks or stows an item, a timer starts counting down, tracking the seconds until the worker picks or stows the next item. If the lag between tasks is too long, the time is logged as "time off task." Amazon's computer systems track both the number of items workers pick each shift and their time off task, alerting managers to discipline, or even fire, workers who are not able to keep up with the robots.²⁷

The robotic system also forces workers to perform the same movements over and over again. These repetitive motions can increase the risk of injury, which becomes even more acute if workstations are not designed to properly fit individual workers or if the movements require excessive twisting, bending and awkward postures. The risk of injury related to these motions dramatically increases with the pace of work.²⁸ In 2020, as discussed earlier in this report, Amazon suspended enforcement of its production rate and

"time off task" policies for the majority of the year. This appears to have reduced the differential between the total injury rate at robotic and non-robotic facilities. This result is consistent with the theory that the worker surveillance and speed-up capabilities of the robots is a key driver of higher injury rates in these facilities. It is remarkable that even in a year with substantially adjusted production quotas, injury rates at robotic facilities still exceeded those of non-robotic facilities by 14 percent. As the company reinstated productivity quotas and "time off task" in late 2020, the company's consistent drive for greater worker production raises an urgent question: Will Amazon's managers at robotic facilities return to their prior production practices -- and the much higher worker injury rates that resulted?



FIGURE 4: Injury Rates at Amazon Robotic and Non-Robotic Facilities 2017-2020

INJURY RATES INCREASE AS PRODUCTS MOVE CLOSER TO CUSTOMERS' HOMES

Amazon's relentless drive to provide fast deliveries at low cost has created dangerous workplace conditions and even higher injury rates in the final segments of its delivery operations. SOC's analysis of OSHA injury data from Amazon delivery stations and delivery contractors has found that these workers experience injuries at a rate that is even higher than workers in Amazon's fulfillment centers.

After an embarrassing 2013 holiday shopping season when Amazon's delivery network failed to meet delivery time promises at Christmas, Amazon began shifting away from its legacy carriers – USPS, UPS and FedEx – and investing heavily in building out its own last mile delivery network. To facilitate this shift, Amazon built a network of smaller warehouses that it calls delivery stations to augment its network of massive fulfillment centers.

Delivery stations are generally smaller facilities located near major population centers. At delivery stations,

workers prepare packages that have already been assembled and labeled for delivery and help drivers load them into their vehicles. From there, delivery drivers transport the packages directly to customers' homes. The majority of delivery drivers work for one of Amazon's last mile delivery contractors, which the company calls Delivery Service Partners (DSPs).

Amazon advertises its DSP program as a low-capital start-up opportunity, inviting aspiring entrepreneurs to apply to launch a delivery company to provide last mile delivery services exclusively for Amazon.²⁹ Amazon reports that there are more than 1,300 DSPs operating across the US, Canada, UK, Spain and Germany, employing a total of 85,000 drivers.³⁰

While DSP owners are the employer of record for delivery service drivers, Amazon maintains near-total control over every aspect of the delivery work. Each shift, drivers report to an Amazon delivery station to pick up packages for their route that have been set out for them by Amazon employees.³¹ Most DSP drivers wear Amazon uniforms and drive Amazon-branded vehicles. Throughout their shifts, drivers follow turn-by-turn instructions on a device called a "Rabbit," navigating from drop-off location to drop-off location.

The company uses Mentor, an app installed on each Rabbit navigation device as well as many of the newer Amazon branded vehicles, to track drivers' speed, braking, swerving around corners, rapid acceleration and other behaviors.³² Based on those behaviors, the Mentor app provides each worker with a FICO Safe Driving Score, utilizing FICO's proprietary predictive analytics platform.³³ More recently, Amazon has announced plans to install AI-powered cameras in DSP vehicles that capture the road, the driver and both sides of the vehicle.³⁴ A privacy policy provided to drivers notes that footage from cameras is available to Amazon management as well as to DSP management.

This last mile delivery network has grown rapidly in a very short period of time. In 2017, Amazon reported injury data to OSHA for 31 delivery stations with a combined workforce of 11,147 employees. By 2019 the number of Amazon delivery stations had increased to 137, and the average annual workforce employed at delivery stations had increased nearly twenty-fold to 199,447. By the end of 2020 there were more than 300 delivery stations across the US.

Delivery drivers working in Amazon's DSP network report that they are under intense pressure to rush to meet the company's ambitious delivery timetables. One driver told the publication Business Insider that he was forced to "park illegally, stuff a backpack full of packages, and then physically sprint to complete deliveries on time."³⁵

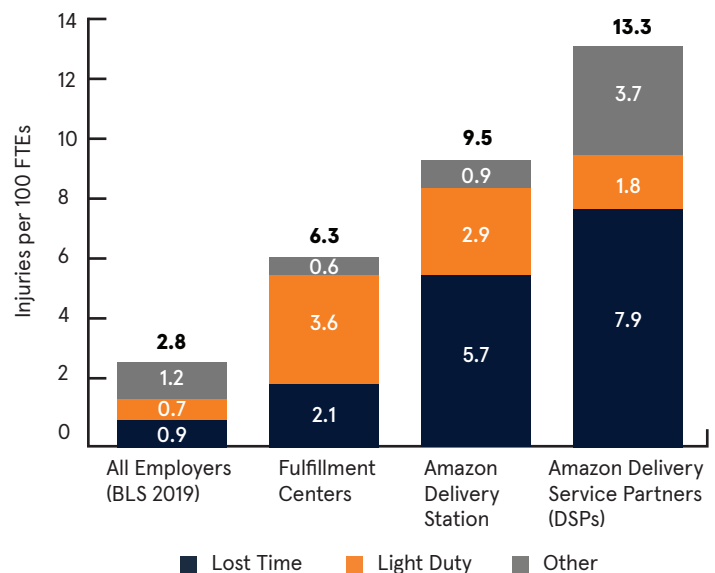


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Another driver described driving a van overloaded with packages, "packages are [jammed] so tightly into your van that you can't even see. You have packages in the front seat, and you have packages sliding from the back to the front, smacking you in the face."³⁶

This fast-growing final segment of Amazon's logistics chain has injury rates even higher than in Amazon's fulfillment centers. As shown in Figure 5, in 2020, the recordable injury rate for Amazon's network of fulfillment centers was already high, at 6.3 injuries per 100 workers. The same year the injury rate among the company's network of delivery stations was 51 percent higher at 9.5 injuries per 100 workers.

FIGURE 5: Injury Rates Across Amazon's Logistics Chain by Injury Category, 2020



To keep me safe at work, Amazon should:

“Be more understanding about rate of delivery of packages and not reprimand you when you [are] not delivering fast enough for them.”

- DSP Driver, Indiana

“Care for the workers and drivers without threats of punishment.”

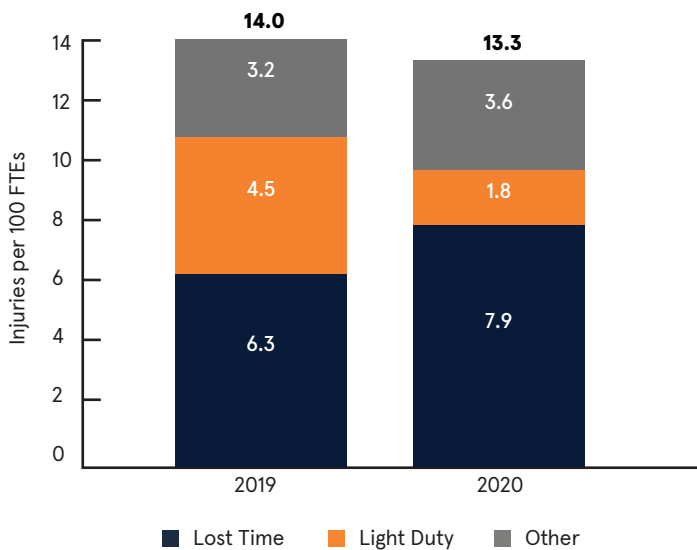
- DSP Driver, Texas

*Source: SOC Survey of Amazon Workers, February 2021

Because Amazon does not treat the drivers that deliver packages to customers' homes as employees, the company does not report injury rates among drivers. In addition, it appears that many of Amazon's DSPs have not complied with the requirement to submit injury data to OSHA, but in 2019 and 2020 at least 129 DSPs did submit injury records covering more than six thousand workers.³⁷ Across all DSPs reporting injury data in 2020, the recordable injury rate was 13.3 injuries per 100 workers.

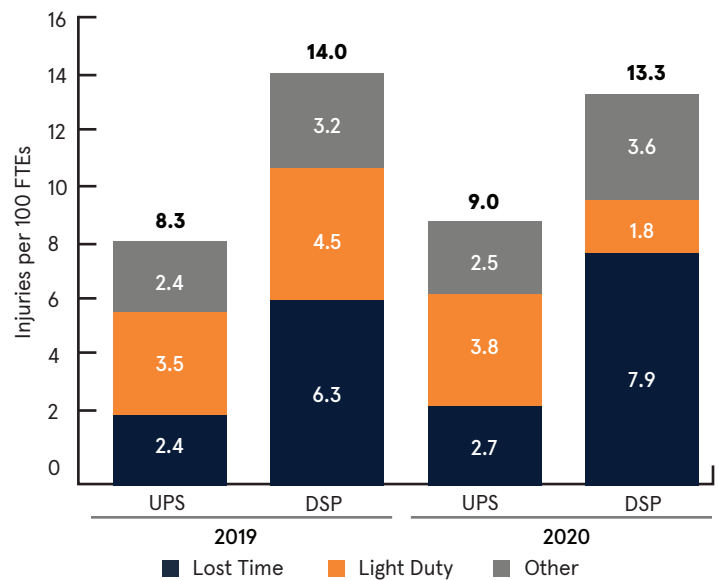
Amazon DSP drivers were injured at a similar rate in 2019 and 2020 (13.9/100 FTEs vs. 13.3/100 FTEs) but the nature of these injuries changed. As seen in Figure 6, the rate of severe injuries that required employees to take time off of work in order to recover (lost time), increased by 25 percent.

FIGURE 6: Amazon DSP injury rates by type, 2019-2020



To better understand the high injury rates among Amazon DSP drivers, the SOC analyzed data from one of Amazon's major last mile delivery competitors, UPS. In 2020, Amazon DSPs reported total injury rates that were nearly 50 percent higher than the rates of UPS' last mile operations (13.3/100 FTEs vs. 9.0/100 FTEs). As illustrated in Figure 7, the lost time rate, which is the most severe injury metric, constituted the bulk of the difference in performance. Amazon DSP workers experienced severe, lost time injuries at nearly three times the UPS rate in 2020 (7.9/100 FTEs vs. 2.7/100 FTEs).

FIGURE 7: Last Mile Delivery Injury Rates by Category, UPS and Amazon DSP, 2019-2020



In SOC's online survey, nearly half (49%) of delivery workers reported experiencing pain or injuries that caused them to miss work, and nearly nine in ten (89%) injured delivery workers reported that their injuries were related to production pressure or speed.³⁸

To keep me safe at work, Amazon should:

“Give us more time to load our vans so that we can do it safely and organize our vans in a way so that packages don't fall and hurt us. Also give us more time to do deliveries safely.”

- DSP Driver, California

“To understand that not everyone can keep pace with others. That sometimes a worker may need to stop due to stress or injury and they should slow down.”

- Delivery Station Worker, Michigan

*Source: SOC Survey of Amazon Workers, February 2021

“When the weather is bad we shouldn't have to drive and deliver in 9 inches of snow.”

– DSP Driver, Illinois

*Source: SOC Survey of Amazon Workers, February 2021

AMAZON MANAGEMENT CHOOSES GROWTH OVER SAFETY

Amazon's own records show that, year after year, workers are injured in its operations at alarming rates and that Amazon is not taking meaningful and consistent steps to improve occupational health and safety.

In 2017, Amazon reported that 7.5 out of every 100 workers in its logistics network suffered recordable injuries at work. That year 7,945 Amazon workers were injured so badly that they were forced to miss work while they recovered. The next year, Amazon management could have made a decision to implement safety procedures and protocols that would make the company's workplaces safer. Amazon management could have reduced the grueling rate and time off task quotas that they subject workers to. Management could have hired ergonomists to implement effective improvements to the design of workstations. But it chose not to. And it chose not to make these improvements despite protests and cries for help from Amazon workers across the country.

Instead, Amazon chose to expand its empire, adding 70 new facilities in 2018. That year, the company generated \$10 billion in profits and CEO Jeff Bezos increased his net worth to \$123 billion, becoming the richest person in the world.³⁹ Also in 2018, 9,448 Amazon workers were injured so badly that they were forced to miss work while they recovered. By 2019, the number of severe injuries grew to 12,053.

Not until 2020, amid a rising chorus of demands from workers and their supporters for radical changes, did Amazon begin to institute safety improvements that made a dent in its warehouse injury rates. However, even during this period of unprecedented global public health emergency, Amazon failed to make any improvements to safety for its last mile delivery drivers, whose work pace, volume and real-time surveillance are entirely under Amazon's control. At the company's earliest opportunity, in advance of the 2020 “peak” e-commerce shopping season, Amazon reinstated substantial production pressure in its warehouses, suggesting that the modest decrease in injury rates during the COVID period will prove to be a fleeting improvement.

The online survey of Amazon workers confirms that workers' experiences are consistent with the analysis of Amazon's injury data. Among workers responding to the survey, serious pain and injuries were widespread, as well as injuries connected to production pressure and speed. Amazon workers' survey responses also suggest these injuries are connected to an atmosphere of fear in which workers see co-workers being fired, disciplined and threatened if they do not keep up with Amazon's speed quotas, and injured workers are pressured by their managers to return to work before they are ready. The fact that a vast majority of injured workers who responded to the survey reported further pain or injury after returning to work further suggests that workers feel tremendous pressure to work through pain.

Amazon's abysmal health and safety record is not an accident. Rather, it is the predictable outcome of a company that prioritizes speed, growth and profits over the health and safety of its employees. Unfortunately, this alarming rate of serious workplace injuries is likely to continue unless Amazon is forced by workers and others to take long-term meaningful action to make its workplaces safer.



APPENDIX A: AMAZON'S COVID-RELATED CHANGES TO WORKPLACE POLICIES

Changes regarding productivity rates

Since the start of the pandemic, Amazon has claimed that it implemented over 150 process changes to “promote social distancing, hygiene, and the safety of its associates.” In a lawsuit filed against the New York Attorney General in February 2021, Amazon claimed to have made the following process changes that impacted productivity in its warehouses:

- “On March 18, Amazon ceased providing feedback to associates based on their productivity rates, as measured by the units per hour that the associate processed, and ceased taking any action against employees as a result of extremely low productivity rates.”⁴⁰
- “On April 29, Amazon indefinitely extended the cessation of productivity rate feedback to associates and stopped taking any action against employees as a result of extremely low productivity rates.”⁴¹
- According to the company, its revised productivity goals allowed enough time for associates to wash their hands, sanitize their stations, and maintain social distancing. Time spent by associates using the bathroom and washing their hands would not count as time spent off an assigned task. The company reduced the number of associates eligible for feedback based on productivity to the bottom three percent of performers.⁴²



Other temporary changes

In March 2020, Amazon temporarily expanded its paid and unpaid leave programs. In the lawsuit against the NY AG, Amazon claimed to have made the following changes:

- “On March 6, 2020, Amazon temporarily modified its unpaid time off policy to provide associates with unlimited unpaid time off to ease pandemic-related burdens such as school closures, short absences, or other exigencies. While Amazon has now returned to its ordinary unpaid time off program, it continues to offer many other forms of paid and unpaid leave for associates.”⁴³ Amazon terminated this unlimited unpaid time off policy on May 1, 2020.⁴⁴
- “On March 11, Amazon also established a COVID-19 paid leave program through which associates placed into quarantine or diagnosed with COVID-19 receive up to two weeks of additional paid time off so they can focus on their health and not lost income. This COVID-related paid time off does not count against the associates’ paid and unpaid time off accruals.”⁴⁵
- “Associates are paid for time spent on testing. Taking time to get tested does not count towards productivity, and associates do not need to schedule testing during their breaks.”⁴⁶ Amazon Reinstates Productivity Rate in October 2020
- According to Amazon’s own legal filings, “Amazon suspended this part of its performance management process in order to determine what, if any, changes were needed in light of COVID-19. In October 2020, Amazon implemented revised measures that take into account the amount of time necessary to engage in the health and safety practices that Amazon has put in place since the onset of the pandemic.”⁴⁷ According to court filing in a lawsuit filed by three employees at Amazon’s Staten Island facility, Amazon reinstated its productivity feedback policies regarding “rates” and “time off task” at least in this facility on October 7, 2020, in anticipation of peak season.⁴⁸ In response, an Amazon spokesperson said, “We have reinstated a portion of our process where a fraction of employees, less than 5% on average, may receive coaching for improvement as a result of extreme outliers in performance.”⁴⁹



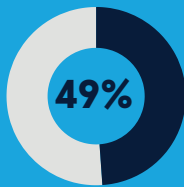
APPENDIX B: SOC SURVEY OF AMAZON WORKERS – ANALYSIS OF RESPONSES RELATED TO WORKPLACE INJURIES

From February 12 to February 18, 2021, the Strategic Organizing Center (SOC) conducted an online survey of Amazon workers related to health and safety issues at their Amazon workplaces.⁵⁰ 996 Amazon workers responded to the survey.⁵¹ Virtually all of the workers who responded reported working in one of four segments of Amazon's operations: fulfillment centers (52%), last mile delivery (24%), delivery stations (9%), and sortation centers (8%). Respondents reported working at facilities in forty-two different states, with the largest concentrations in Florida, California, Texas, Ohio and New Jersey.

INJURIES ON THE JOB

MORE THAN 4 IN 10 (42%)

of Amazon workers reported having experienced pain or injury from their job that caused them to miss work.



Among delivery workers (delivery stations and drivers), **NEARLY HALF (49%)** of workers reported missing work for pain or injury.

Of the workers who had serious pain or injuries, **8 IN 10** reported that their pain or injury was related to production pressure or speed.

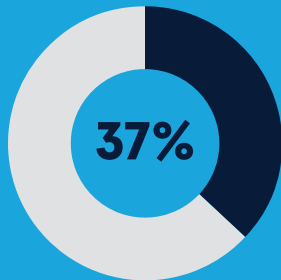


Among delivery workers, **NEARLY NINE OF TEN (89%)** reported that their pain or injury was related to production pressure or speed.



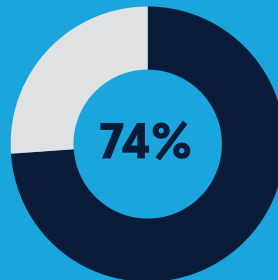
MORE THAN A THIRD (37%)

of injured workers reported that management pressured them to return to work before they felt ready to do so.



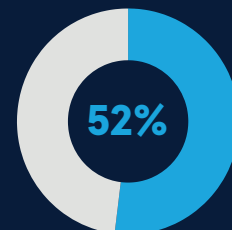
ALMOST THREE-QUARTERS (74%)

of injured workers reported that after they returned to work, they continued to experience pain or further injury at work.



MORE THAN HALF (52%)

of workers reported that, since the beginning of the COVID-19 pandemic, Amazon has terminated, disciplined or threatened to discipline workers in their workplace for failing to keep up with the pace of work, also known as the rate.



PRODUCTION PRESSURE

*SOC Survey of Amazon Workers, February 12 to 18, 2021.

- ¹ Fareeha Ali, "US Ecommerce Grows 44.0% in 2020," Digital Commerce 360, January 29, 2021, <https://www.digitalcommerce360.com/article/us-ecommerce-sales/>.
- ² Amazon: Number of Employees 2006-2020 | AMZN," Macrotrends, 2021, <https://www.macrotrends.net/stocks/charts/AMZN/amazon/number-of-employees>. "Amazon Financial Statements 2005-2020," Macrotrends, 2021, <https://www.macrotrends.net/stocks/charts/AMZN/amazon/financial-statements>
- ³ Isobel Asher Hamilton, "A Single Line from Jeff Bezos' First Amazon Job Ad, Posted 27 Years Ago, Tells You Everything about His Obsession with Speed," Business Insider, February 3, 2021, <https://www.businessinsider.com/jeff-bezos-first-amazon-job-ad-reveals-obsession-with-speed-2019-7>.
- ⁴ Ben Fox Rubin, "Amazon Prime Two-Day Shipping Drops down to One Day," CNET, April 26, 2021, <https://www.cnet.com/news/amazon-prime-two-day-shipping-drops-down-to-one-day/>.
- ⁵ See, for instance; Spencer Soper, "Inside Amazon's Warehouse," The Morning Call, September 18, 2011, <https://www.mcall.com/business/mc-xpm-2011-09-18-mc-allen-town-amazon-complaints-20110917-story.html>.
- ⁶ Awood Center et al., "Packaging Pain: Workplace Injuries in Amazon's Empire," Packaging Pain, 2019, [https://www.amazonpackagingpain.org.](https://www.amazonpackagingpain.org/), Will Evans, "Behind the Smiles," Reveal (blog), November 25, 2019, <https://www.revealnews.org/article/behind-the-smiles/>.
- ⁷ SOC Survey of Amazon Workers, February 12-18 2021; the survey was conducted in Spanish and English and was advertised via Facebook and Google.
- ⁸ SOC Survey of Amazon Workers, February 12-18 2021. This total includes workers who currently work at Amazon and those who no longer work there, but who worked at Amazon during the past six months. This total also includes workers who work for Amazon sub-contractors, including delivery service providers (DSPs).
- ⁹ SOC Survey of Amazon Workers, February 12-18 2021.
- ¹⁰ Unless otherwise noted, all data on hours worked, injury numbers, and injury types are based on records submitted by Amazon to OSHA through OSHA's Injury Tracking Application ("ITA"). They are available in full at <https://www.osha.gov/Establishment-Specific-Injury-and-Illness-Data>. Injury rates including Total Recordable Injury Rate ("TRIR" or "Case Rate") and Serious Injury Rate, were calculated as aggregates, not simple averages, of the various rates at individual locations. Injury counts and hours worked were summed before calculating rates to ensure that rates were properly weighted and not skewed by smaller facilities. We use the term "injuries" to include both those cases recorded by Amazon as "injuries" and those recorded by Amazon as meeting OSHA's definition of work-related "illnesses". Work-related "illnesses" account for less than three percent of cases during the period covered by this analysis and could include heat-related conditions, skin diseases, respiratory conditions and poisoning, among others.]In the 2016 data set, only three Amazon facilities reported injury information through the OSHA's public Injury Tracking Application (ITA). Based on a database compiled by the supply chain consulting firm MWPVL, there appear to have been as many as 176 Amazon facilities in operation that year (https://www.mwpvl.com/html/amazon_com.html). Because Amazon failed to report for the vast majority of its facilities in 2016, we are unable to include that data in this analysis. Amazon's reports for 2017-2019, however, appear to be largely consistent with the list maintained by MWPVL.
- ¹¹ SOC Analysis of Amazon injury data submitted to OSHA for 2017-2020. OSHA assumes that 2,000 employee-hours equals one full-time annual employee. There are some inconsistencies in the NAICS codes reported for Amazon facilities in the ITA data. For the purposes of this analysis we included facilities that are categorized as Fulfillment Centers, Sortation Centers, Delivery Stations, and Redistribution/Inbound Cross Docks. For purposes of consistency, all Amazon Pantry/Fresh and PrimeNow locations are omitted from this analysis, as many of these are categorized under the NAICS for Supermarkets and Other Grocery Stores (445110) or are reported by Amazon as a separate business (Prime Now LLC).
- ¹² SOC Analysis of Amazon injury data submitted to OSHA for 2017-2020. Benchmark injury rates are typically calculated per 100 "Full-Time Employee" equivalents, based on the total number of hours worked, which accounts for part-time schedules and turnover. For the purposes of this analysis, 2,000 hours worked is equivalent to one full-time employee.
- ¹³ In 2020, Amazon remained the top e-commerce giant by market share (38.7%) while Walmart climbed up to second place (5.3%) and E-Bay took third place (4.7%). <https://www.emarketer.com/content/top-10-us-ecommerce-companies-2020>
- ¹⁴ SOC Analysis of Amazon and Walmart warehouse injury data submitted to OSHA for 2017-2020.
- ¹⁵ SOC Survey of Amazon Workers, February 12-18 2021.
- ¹⁶ AMAZON.COM, INC. v. ATTORNEY GENERAL LETITIA JAMES, Case 1:21-cv-00767, Complaint, paragraphs 87-88.
- ¹⁷ Shapiro, Nina. "Under pressure, afraid to take bathroom breaks? Inside Amazon's fast-paced warehouse world." Seattle Times, July 2, 2018. Accessed via <https://www.seattletimes.com/business/amazon/under-pressure-afraid-to-take-bathroom-breaks-inside-amazons-fast-paced-warehouse-world/>
- ¹⁸ AMAZON.COM, INC. v. ATTORNEY GENERAL LETITIA JAMES, Case 1:21-cv-00767, Complaint, paragraph 92, see also: <https://www.cNBC.com/2020/10/14/amazon-resumes-policy-that-dings-workers-for-taking-too-many-breaks.html>
- ¹⁹ SOC Survey of Amazon Workers, February 12-18 2021.
- ²⁰ SOC Survey of Amazon Workers, February 12-18 2021.
- ²¹ Will Evans, "How Amazon Hid Its Safety Crisis," Reveal (blog), September 29, 2020, <https://revealnews.org/article/how-amazon-hid-its-safety-crisis/>
- ²² SOC Survey of Amazon Workers, February 12-18 2021.
- ²³ SOC Survey of Amazon Workers, February 12-18 2021
- ²⁴ Eugene Kim, "Amazon's \$775 Million Deal for Robotics Company Kiva Is Starting to Look Really Smart," Business Insider, June 15, 2016, <https://www.businessinsider.com/kiva-robots-save-money-for-amazon-2016-6>.
- ²⁵ Non-sortable fulfillment centers and facilities that are not fulfillment centers are excluded from this analysis. Data on the presence of Kiva Robots at different fulfillment centers comes from "How Amazon Hid Its Safety Crisis," Reveal (blog), September 29, 2020, <https://revealnews.org/article/how-amazon-hid-its-safety-crisis/>. For sortable facilities not included in the Reveal report, local news reports regarding the opening of each facility were consulted to note the presence or lack of Kiva robots. This analysis includes Forty-six sortable fulfillment centers that are equipped with robotic technology, twenty sortable fulfillment centers that are not equipped with robotic technology, and excludes 34 facilities for which the presence (or lack) of robotic technology could not be determined along with six robotic non-sortable facilities.
- ²⁶ SOC Analysis of Amazon injury data submitted to OSHA for 2019.
- ²⁷ Colin Lecher, "How Amazon Automatically Tracks and Fires Warehouse Workers for 'Productivity,'" The Verge, April 25, 2019, <https://www.theverge.com/2019/4/25/18516004/amazon-warehouse-fulfillment-centers-productivity-firing-terminations>.
- ²⁸ Occupational Safety and Health Administration, "Ergonomics - Solutions to Control Hazards" (US Department of Labor, n.d.), <https://www.osha.gov/SLTC/ergonomics/controlhazards.html>.
- ²⁹ Amazon.com, Inc., "Amazon Delivery Service Provider Program Brochure," https://d3a8hw3k243rpe.cloudfront.net/static-assets/Download_Brochure.pdf.
- ³⁰ "Two Years of Empowering Entrepreneurs, with More to Come," About Amazon, August 7, 2020, <https://www.aboutamazon.com/news/transportation/two-years-of-empowering-entrepreneurs-with-more-to-come>.
- ³¹ Details on the business relationship between Amazon and various DSPs are made available in "Work Orders" obtained by BuzzFeed News and posted on DocumentCloud. <https://www.documentcloud.org/documents/6368697-Amazons-Work-Order-Tenet.html>
- ³² Hayley Peterson, "Amazon Is Tracking Delivery Workers' Every Move with an App That Assigns Them Scores Based on Their Driving," Business Insider, December 18, 2019, <https://www.businessinsider.com/amazon-scores-delivery-workers-driving-skills-using-tracking-app-2019-12>.
- ³³ "FICO® Safe Driving Score" (Fair Isaac Corporation (FICO), 2017), https://www.fico.com/sites/default/files/2018-06/FICO_Safe_Driving_Score_PS_4459PS_EN.pdf.
- ³⁴ Annie Palmer, "Amazon Is Using AI-Equipped Cameras in Delivery Vans and Some Drivers Are Concerned about Privacy," CNBC, February 4, 2021, <https://www.cNBC.com/2021/02/03/amazon-using-ai-equipped-cameras-in-delivery-vans.html>.
- ³⁵ Hayley Peterson, "Missing Wages, Grueling Shifts, and Bottles of Urine: The Disturbing Accounts of Amazon Delivery Drivers May Reveal the True Human Cost of 'free' Shipping," Business Insider, September 11, 2018, <https://www.businessinsider.com/amazon-delivery-drivers-reveal-claims-of-disturbing-work-conditions-2018-8>.
- ³⁶ Ibid.
- ³⁷ It appears that the vast majority of Amazon DSPs did not submit reports through OSHA's ITA system in 2019 or 2020, either because they were not required to report (employers with fewer than 20 employees are not required to report) or because they failed to comply with the reporting requirement.
- ³⁸ SOC Survey of Amazon Workers, February 12-18 2021
- ³⁹ Paige Leskin, "The Richest Person in the World, Amazon CEO Jeff Bezos, Added More Money to His Fortune in 2018 than Any Other Billionaire," Business Insider, December 31, 2018, <https://www.businessinsider.com/jeff-bezos-amazon-ceo-123-billion-net-worth-2018-12>.

⁴⁰ AMAZON.COM, INC. v. ATTORNEY GENERAL LETITIA JAMES, Case 1:21-cv-00767, Complaint, paragraph 87.

⁴¹ AMAZON.COM, INC. v. ATTORNEY GENERAL LETITIA JAMES, Case 1:21-cv-00767, Complaint, paragraph 88.

⁴² AMAZON.COM, INC. v. ATTORNEY GENERAL LETITIA JAMES, Case 1:21-cv-00767, Complaint, paragraph 93.

⁴³ AMAZON.COM, INC. v. ATTORNEY GENERAL LETITIA JAMES, Case 1:21-cv-00767, Complaint, paragraph 51.

⁴⁴ <https://www.businessinsider.com/amazon-set-to-end-unlimited-unpaid-time-off-policy-2020-4>

⁴⁵ AMAZON.COM, INC. v. ATTORNEY GENERAL LETITIA JAMES, Case 1:21-cv-00767, Complaint, paragraph 52.

⁴⁶ AMAZON.COM, INC. v. ATTORNEY GENERAL LETITIA JAMES, Case 1:21-cv-00767, Complaint, paragraph 101.

⁴⁷ AMAZON.COM, INC. v. ATTORNEY GENERAL LETITIA JAMES, Case 1:21-cv-00767, Complaint, paragraph 92.

⁴⁸ <https://www.cnn.com/2020/10/14/amazon-resumes-policy-that-dings-workers-for-taking-too-many-breaks.html>

⁴⁹ <https://www.cnn.com/2020/10/14/amazon-resumes-policy-that-dings-workers-for-taking-too-many-breaks.html>

⁵⁰ The survey was conducted in Spanish and English and was advertised via Facebook and Google.

⁵¹ This total includes workers who currently work at Amazon and those who no longer work there, but who worked at Amazon during the past six months. This total also includes workers who work for Amazon subcontractors, including delivery service providers (DSPs).