

# EXPLAINER: What to know about the Amazon union vote count

April 8 2021, by Joseph Pisani

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In this Tuesday, Feb. 9, 2021, file photo, Michael Foster of the Retail, Wholesale and Department Store Union holds a sign outside an Amazon facility where labor is trying to organize workers in Bessemer, Ala. Nearly 6,000 Amazon warehouse workers in Bessemer, Alabama, have voted on whether or not to form a union. But the process to tally all the ballots and determine an outcome will continue for a second week, according to the National Labor Relations Board, a government agency that's conducting the election.(AP Photo/Jay Reeves, File)

Amazon is known for quick delivery. But finding out whether Amazon warehouse workers voted for or against unionizing is going to take some more time.

The final day for the nearly 6,000 workers in Bessemer, Alabama, to cast their ballots was more than a week ago. But it could still take a few more days—or longer—to tally all the votes before the outcome is known.

The [vote](#) itself has garnered national attention because of the potentially wide-reaching implications. Labor organizers hope a win in Bessemer will inspire thousands of workers nationwide—and not just at Amazon—to consider unionizing. For Amazon, it would mean a big blow to its profits and could alter its business operations.

Here's what we know about the vote:

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## WHAT DO ORGANIZERS WANT?

Besides higher pay, they want Amazon to give warehouse workers more break time and to be treated with respect. Many complain about their back-breaking 10-hour workdays with only two 30-minute breaks. Workers are on their feet for most of that time, packing boxes, shelving products or unpacking goods that arrive in trucks.

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## WHY IS THIS HAPPENING NOW?

Labor historians point to two reasons, the pandemic and the Black Lives Matter movement.

Workers feel betrayed by employers who didn't do enough to protect them from the virus. At the start of the pandemic, for example, Amazon workers held walkouts because they said they weren't given protective gear or told when coworkers tested positive for the virus.

The Black Lives Matter movement, meanwhile, has inspired people to demand to be treated with respect and dignity. Most of the workers in the Bessemer warehouse are Black, according to organizers.

The last time Amazon workers tried to unionize was in 2014, when a small group of mechanics working at a warehouse in Delaware tried to organize. But that effort was ultimately voted down.

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## WHAT'S AMAZON'S RESPONSE?

Amazon argues the Bessemer warehouse, which opened about a year ago, created thousands of jobs with an average pay of \$15.30 per hour—more than twice the minimum wage in Alabama. Workers also get benefits including health care, vision and dental insurance without paying [union](#) dues, the company said.

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## HOW ARE THE VOTES BEING TALLIED?

Since March 30, the National Labor Relations Board, which is overseeing the process, went through the votes with representatives from Amazon and the Retail, Wholesale and Department Store Union. Names

and signatures were reviewed, but not how those workers voted, which will be done afterwards in an anonymous tally. Voters put their ballots in two envelopes to keep the vote secret.

Amazon or the retail union could contest those votes for various reasons, such as the person no longer works at the warehouse or has a job title that disqualifies them.

Any contested votes will be set aside and remain unopened. Starting on Thursday or Friday, the other "yes" or "no" votes will be counted. Members of the media will be able to watch that count through a livestream. Which side wins is determined by a majority of the votes cast.

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## WHEN WILL WE KNOW THE RESULTS?

That's still unclear. A lot depends on how many people voted. The retail union said Wednesday that more than 3,200 votes were sent in and that there were hundreds of contested votes, but didn't give a specific number. The labor board did not immediately respond to a request for comment Wednesday night. If the number of contested votes are enough to change the final outcome, hearings may be held to have those votes counted.

Part of the reason why the process is taking longer than usual is because of the coronavirus. Union elections are typically done in-person at the workplace, said Andrew MacDonald, a partner at law firm Fox Rothschild.

But the labor board ruled it would be unsafe to have in-person voting and instead asked workers to vote by mail. In-person elections are typically

speedier, because labor board agents can check if a [worker](#) is eligible to vote when they show up, instead of reviewing each envelope with votes are mailed in, MacDonald said.

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## WHAT HAPPENS IF THE UNION WINS?

Typically, Amazon would need to start negotiating a contract with the New York-based RWDSU, which is leading the organizing efforts for Bessemer warehouse employees and represents 100,000 workers at poultry plants, soda bottling facilities and retailers such as Macy's and H&M. But the company could file objections against the union, delaying the contract negotiations by weeks or months.

In the past, labor experts said employers have done all kinds of things to not recognize a union, including closing stores or warehouses. In 2005, for example, Walmart closed a store in Canada where some 200 workers were close to winning a union contract. At the time, Walmart said demands from union negotiators made it impossible for the store to sustain itself.

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## WHAT HAPPENS IF THE UNION LOSES?

The retail union could file unfair labor practice charges against Amazon based on the Seattle-based company's conduct during the election to influence the outcome. Under that scenario, the union says the NLRB would schedule a hearing and determine if the election results should be set aside because the employer "created an atmosphere of confusion or fear of reprisals" for workers. If that happens, another election may take place.

In cases where the labor board finds that the employer did something extremely egregious to violate [labor](#) laws, it may overturn the elections results, said MacDonald.

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