

Amazon COVID-19 changes and CEO's anti-union comments broke law, Labor Board alleges

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Amazon.com Inc. repeatedly violated federal labor law by unilaterally changing policies and terminating union supporters at its sole unionized

warehouse, US labor board prosecutors alleged in a complaint, which also accuses Chief Executive Officer Andy Jassy of personally making illegal anti-union comments.

In a Monday filing, a National Labor Relations Board regional director wrote that Amazon illegally restricted employees' ability to visit their unionized New York City warehouse during their time off, in order to discourage them from engaging in labor activism.

The agency alleges Amazon changed its policy on off-duty workers' access to the premises, as well as its practices on announcing and providing paid leave for COVID-19 cases, without negotiating with the union at the Staten Island facility. It also accuses the company of terminating two employees because of their involvement in the Amazon Labor Union. Amazon should be forced, among other measures, to rescind its off-duty access policy for at least three years, the complaint says.

The complaint also accuses Jassy of violating federal labor law by saying, during a live interview as part of the New York Times Dealbook summit, that union representation would make workers less empowered and would make it harder for them to have direct relationships with managers. Jassy made the comments in November, a month after the NLRB issued a prior complaint saying similar comments the CEO had made to CNBC and to Bloomberg News also violated the law.

Federal labor law allows companies to vocally oppose unionization, but restricts them from threatening or retaliating against workers for organizing, and requires them to negotiate over working conditions if employees do vote to unionize.

Amazon has repeatedly denied violating the law. "These complaints are completely without merit and we look forward to showing that through

the [legal process](#)," company spokesperson Eileen Hards said Tuesday in an email. While the NLRB has certified ALU as the representative of the Staten Island workers, the Seattle-based company has argued that the union's landmark election victory last year should be overturned due to misconduct, an argument it has signaled it will pursue in federal court.

In November, a [federal judge](#) in New York ordered Amazon to cease and desist from retaliating against employees for workplace activism.

Complaints issued by NLRB prosecutors are heard by agency judges, whose rulings can be appealed to the [labor](#) board members in Washington, and then to federal court. The agency has the authority to order employers to reinstate workers and change policies, but not to fine them punitive damages or hold executives personally liable for violations.

The NLRB's Monday complaint alleged that Jassy's comments were "interfering with, restraining and coercing employees" in their ability to exercise their rights. ALU argued that the comments constituted a threat to cut off workers' access to supervisors if they unionized.

Complaints issued by NLRB officials personally naming prominent executives are relatively unusual. Under the agency's current general counsel, President Joe Biden appointee Jennifer Abruzzo, the agency is also prosecuting a case accusing Starbucks Corp.'s former CEO Howard Schultz of making an anti-union threat during a meeting last year. A pro-union [worker](#) said Schultz asked them at the meeting, "If you hate Starbucks so much, why don't you work somewhere else?" Starbucks has denied wrongdoing.

"All these Succession-style billionaires should be held accountable for unlawful actions, and that's what we're doing," ALU attorney Seth Goldstein said Monday. The complaint, he said, "is going to send a

strong message to the union-busters and to CEOs like Jassy who think that they can say whatever they want to and they won't be held accountable."

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