

Judge clears Amazon in high-profile warehouse safety probe by WA regulators

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Amazon did not endanger warehouse workers at three Washington facilities, a state judge who oversaw a months-long trial on claims brought by safety regulators has ruled.

Judge Stephen Pfeifer, of the state Board of Industrial Insurance Appeals, threw out four citations issued by Washington's Department of Labor & Industries against the e-commerce giant. Pfeifer, who sits on a board that adjudicates appeals of L&I decisions, determined the company had a robust health and safety program, according to a copy of the ruling viewed by The Seattle Times.

The judge's order, issued on July 24 and not yet publicly available, rejected allegations that have been brewing for years.

Following inspections that started in 2020, L&I accused Amazon of creating an unsafe environment in three Washington warehouses. L&I alleged Amazon put workers at risk of [injury](#) due to repetitive motions and a fast pace of work. In one of the four citations, L&I, Washington's workplace safety regulator comparable to the federal government's Occupational Safety and Health Administration, claimed Amazon was willfully putting workers in harm's way, prioritizing speed over safety.

The ruling is one of the first amid a flurry of allegations about the safety of Amazon's warehouses. It's also a setback to workplace activists who have long said there is not enough action being taken to protect warehouse workers.

If L&I had prevailed, Amazon would have been forced to change its operations, following suggestions from the department's experts. It also could have set a precedent for other ongoing investigations into Amazon warehouses—in Washington and around the country.

Pfeifer ruled that L&I's evidence, offered over the course of a months-long trial that started last July, had been "unpersuasive for several reasons."

L&I failed to establish a link between high injury rates and specific jobs

at Amazon warehouses, Pfeifer found. It also did not establish that the pace of work at Amazon was hazardous, he continued, and did not prove that the alleged violations were "the result of intentional disregard and plain indifference."

A spokesperson from L&I said the department disagrees with Pfeifer's "characterization of the facts and interpretation of the law." L&I is preparing its appeal, the spokesperson said.

"Employers have a duty, well established in state law and the Washington Constitution, to provide a safe workplace," the spokesperson said. "Our investigation showed that Amazon did not protect their workers."

Amazon spokesperson Maureen Lynch Vogel said in a statement July 25 that Pfeifer's ruling "reinforces what we've said all along: there's nothing more important than our employees' health and safety."

"We offer good, safe jobs; we're putting employees' feedback into action; we're committed to continuously improving; and we're making progress toward our goal to be the safest company in the industries in which we operate," she said.

The full text of the ruling is not publicly available as it is being reviewed for potential trade secrets. A spokesperson for the Board of Industrial Insurance Appeals confirmed Thursday that the citations had been dropped. Pfeifer wrote that the citations against Amazon "were not and still are not final," as L&I may appeal the decision.

What did regulators claim?

The ruling comes more than a year after Amazon and L&I went to court to litigate four citations issued against Amazon for purported violations

of Washington workplace safety regulations.

With Wednesday's ruling, Amazon also avoids paying an \$81,000 fine.

The citations, issued in 2021 and 2022, accused Amazon of putting employees at an increased risk of injury because workers had to perform repetitive motions, like lifting, twisting and bending. Those motions were likely to cause [musculoskeletal disorders](#), or MSDs, a type of injury that can impact the muscles, nerves, tendons or joints, L&I said. MSDs can range from carpal tunnel to back pain to wrist strains.

At Amazon, L&I found in its inspections, employees were often expected to work at such a fast pace that they could not perform these motions safely and did not have time for breaks. As the workers tired, the risk of injury went up, L&I experts testified.

Three Amazon facilities were targets of the citations: fulfillment centers in DuPont and Kent, as well as a delivery station in Sumner. The delivery station has since shut down, a decision that Amazon said predated L&I's inspection.

In March 2022, L&I accused Amazon of "knowingly putting workers at risk" at its Kent warehouse because the department had accused Amazon of similar violations at other facilities in the state.

Amazon appealed all four citations, arguing that employees work at a comfortable pace and that the company's investment in training, equipment and safety protocols has led to a decrease in injuries over the years.

Attorneys for Amazon argued in court that L&I does not understand how the company's warehouses operate and that the agency's proposed changes would not only be "tremendously disruptive," but could also

open workers up to new injuries. The company accused L&I's experts of miscalculating the risk of injury in several of the work processes the department measured.

Washington's Board of Industrial Insurance Appeals, an independent state agency responsible for hearing appeals related to workers' compensation, safety citations and other decisions made by L&I, grouped together the four citations issued against Amazon.

Other claims remain

In the years since those citations, Amazon has faced more scrutiny over working conditions at its warehouses across the country.

Federal safety regulators from OSHA have accused Amazon of failing to provide a safe workplace and not properly recording work-related injuries. Attorneys with the U.S. Department of Justice's civil division are investigating whether Amazon "engaged in a fraudulent scheme designed to hide the true number of injuries" to its workers.

U.S. Sen. Bernie Sanders, I-Vt., and the Senate Health, Education, Labor and Pensions Committee opened their own investigation into Amazon's safety record and the company's treatment of workers who are injured on the job.

In a [preliminary report](#) released earlier this month, Sanders found Amazon's injury rate was even higher than previously reported. Citing internal data that Amazon shared with the committee, the interim report found that Amazon's injury rate during Prime Day 2019 was roughly 45 injuries per 100 workers.

Amazon disputes those findings. The company says its warehouses are getting safer and its annual safety report showed a decrease in injury

rates in 2023 for the second year in a row.

Amazon reported 4.7 injuries per 200,000 working hours at its global facilities last year, compared with 5.1 injuries per 200,000 working hours the year before.

In Washington, L&I issued another citation in June 2023 following allegations that Amazon forced its delivery drivers at a Sumner facility to work at an unsafe pace. Last July, L&I issued yet another citation over allegations that Amazon knowingly put workers at risk of injury in its Spokane fulfillment center.

L&I's "willful" citation in Spokane hinged on the fact that the department's experts had raised similar concerns about repetitive motions at Amazon's warehouses in DuPont and Kent, according to inspection records viewed by The Seattle Times.

It's not clear what Pfeifer's ruling vacating citations related to those earlier investigations will mean for the pending claims in Spokane.

Amazon has appealed last year's [citations](#) in Spokane and Sumner as well—meaning the future of Amazon's warehouses in Washington is still far from decided.

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