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AMAZON PRIME TIME FOR COLLECTIVE BARGAINING

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Vote counting is underway for the biggest push towards unionization of Amazon employees since the company's founding in 1995.¹ 6,000 workers in Bessemer, Alabama voted on a collective decision as to whether the warehouse employees should formally unionize and bargain for a contract with Amazon through the Retail, Wholesale, and Department Store Union.² The last attempt to unionize was in 2014 at an Amazon warehouse in Delaware, where the 30 workers ultimately turned it down.³ While the employees in Bessemer only represent a fraction of Amazon's more than 500,000 front line workers, the decision to unionize will likely provide momentum for other Amazon employees to begin collectively bargaining.⁴

Amazon has faced scrutiny for its questionable labor practices and working conditions for employees.⁵ Workers in the Bessemer warehouse and throughout the country have frequently complained of the grueling nature of the work, such as the required performance quotas and even some positions that require walking twelve miles throughout the day across the warehouse floor.⁶ While Amazon has introduced some forms of automation to its operations, workers have complained that it pressures human workers to meet higher quotas.⁷ Additionally, in light of the increased discussion surrounding racial inequality in the U.S., Amazon has been under fire for its alleged mistreatment of workers given the substantial quantities of people of color that it employs.⁸ Workers in Bessemer, and Amazon in general, received support from politicians on

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¹ Joseph Pisani, *Amazon faces biggest union push in its history*, ASSOCIATED PRESS, (March 29, 2021).

² Jason Del Rey, *The results of Amazon's historic union vote are days away*, VOX, (March 31, 2021).

³ *Supra* note 1.

⁴ *Supra* note 2.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

both sides such as Senators Bernie Sanders and Marco Rubio.⁹ President Joe Biden referenced the vote in Alabama as being a “vitaly critical choice” and cautioned against employers attempting to intimidate voters.

Amazon fired back at many of these criticisms, frequently citing its \$15.30 per hour minimum wage, which is double the federal minimum.¹⁰ In response to a tweet that accused Amazon of forcing employees to urinate in bottles because of a lack of adequate bathroom breaks, Amazon’s corporate twitter responded, “You don’t really believe the peeing in bottles thing, do you? If that were true, nobody would work for us.”¹¹ Similarly, in response to criticism by Senator Elizabeth Warren, Amazon tweeted, “One of the most powerful politicians in the United States just said she's going to break up an American company so that they can't criticize her anymore.”¹² At the front of the lines, Amazon management has been accused of promulgating anti-union messages to employees, as well as creating barriers to discourage union officials from leafleting workers.¹³ Given the monumental steps that the formation of a union would be for Amazon workers, the pushback from Amazon itself is understandable, as it attempts to quash the potential for employees to collectively bargain.

⁹ *Historic Amazon union drive set to conclude*, BBC, (March 29, 2021).

¹⁰ Joseph Pisani, *EXPLAINER: What we know about the Amazon union vote count*, YAHOO NEWS, (April 2, 2021).

¹¹ Paris Marx, *Amazon’s anti-union PR efforts amid Alabama vote are a very bad look*, NBC NEWS, (April 1, 2021).

¹² *Id.*

¹³ Jake Wakefield, *Amazon v the union: The vote the online giant fears*, BBC NEWS, (April 1, 2021).