

Statement by

Cynthia Murray

United for Respect Leader

Testimony before the House Select Subcommittee on the Coronavirus Crisis

Hearing on

“Underpaid, Overworked, and Underappreciated: Hourly and Low-Income Women’s Experiences and Gender Disparities in the Pandemic Economy”

May 17, 2022

Good afternoon, Chairman Clyburn, Ranking Member Scalise, and members of the House Subcommittee on the Coronavirus Crisis. Thank you for the opportunity to testify today. My name is Cynthia Murray, and I have been a Walmart associate for 21 years. I work at a store not far from where we’re sitting today—just 20 miles away in Laurel, Maryland. I’m here today on behalf of all retail workers, who have been on the frontlines keeping our country running during this pandemic. We were dubbed essential but treated as expendable. But the truth is, that’s been our reality working at a large retail corporation for quite some time now, and it is NOT okay.

For you to understand how truly unjust large corporate practices have become during this pandemic, I have to first provide some vital context. People who work in retail are overwhelmingly women and/or people of color. Walmart is the largest private employer of American women, and the largest corporate employer of people of color in the country.¹ And our fight to end the exploitation of our labor has been going on well before the pandemic. As a founding member and board member of United for Respect, I’ve witnessed and been a part of our fight for dignity and respect at work. Since our founding in 2010, we have won corporate policies that put working people first, such as living wages and essential protections like worker pregnancy accommodations. In my 20+ years of advocacy, I’ve provided senate testimony multiple times, and this month, I will bring a resolution to Walmart shareholders that would create a first-ever National Pandemic Advisory Task Force for Walmart made up of Walmart associates like me. I’m doing this because we can’t afford to wait for change. My colleagues are literally dying on the clock.

Colleagues like Janikka Perry, who was a Walmart associate in North Little Rock, Arkansas.² Janikka clocked in for her shift at Walmart on Sunday, January 16. She felt sick that day, but knew all too well that calling in could result in retaliation, or worse, termination. Eventually, her

1

https://corporate.walmart.com/media-library/document/better-together-cdei-fiscal-year-2022-mid-year-report/_proxyDocument?id=0000017c-0f42-da02-a37d-9f6fea510000

² <https://arkansasworker.com/justice-for-janikka-perry/>

symptoms were too much to bear. Janikka finished her shift feeling ill and then went to the bathroom. Paramedics found her unconscious on Walmart's bathroom floor two hours later. She was pronounced dead that night.

Instead of Walmart prioritizing the health and safety of Walmart associates—the workers who have provided them windfall profits—they chose to pre-emptively end COVID-19 leave as workers still calling in sick from this virus present day. They chose to rescind daily health screenings and revoked a mask mandate for employees.³ At my store, they couldn't even provide us with soap or hot water so we could wash our hands during this deadly pandemic. Things got so bad, that after the second outbreak in my store, we filed an OSHA complaint that led to Senator Van Hollen getting involved.

Unfortunately the failures of Walmart's policies aren't new or unique to the coronavirus. Associates like myself have raised concerns about the impact of broken paid sick leave policies for years. We've been telling management, the press, and even policy makers like you, how low-wages and lack of paid leave policies incentivize Walmart associates to come into work sick. Part-time associates have it even worse—they get less time off, and many don't even qualify for health insurance. This crisis only exacerbated systemic issues within Walmart and now is the time to act!

And Walmart isn't the only company sacrificing people for profit. At Amazon, the COVID-19 Pandemic resulted in rapid growth, expansion, and profits.⁴ But for the workers who made that success possible, it's been a very different story as they battled illness, injuries, and unpredictable schedules. Thousands of workers contracted Covid-19, and many, tragically, passed away.⁵ The company, meanwhile, was accused of concealing cases from workers and health agencies, and retaliating against employees that advocated for better safety precautions.^{6 7}

Along with confronting COVID-19, Amazon workers suffer from injury rates well above industry averages. They're working in a high-tech sweatshop. I testify for you today on behalf of Amazon Associate Daniel Olayiwola, who will make history this month by presenting a resolution to Amazon shareholders to end the productivity quotas and workplace surveillance that drive Amazon's injury crisis.⁸ From the moment a customer clicks the purchase button until the second the product reaches their home, Amazon workers, like Daniel, are monitored, timed, and punished if they don't meet superhuman standards for fulfilling orders. These dangerous

3

<https://www.bloomberg.com/news/articles/2022-02-12/walmart-drops-mask-rule-for-vaccinated-workers-ends-covid-leave>

⁴ <https://www.nytimes.com/2021/04/29/technology/amazons-profits-triple.html>

⁵ <https://www.cnn.com/2020/10/01/amazon-says-more-than-19000-workers-got-covid-19.html>

6

<https://www.nelp.org/press-clips/amazon-settles-california-claims-it-concealed-covid-19-cases-from-workers/>

⁷ <https://www.axios.com/2021/02/17/new-york-sues-amazon-workers-protection-pandemic>

8

https://thesoc.org/wp-content/uploads/2022/04/The-Injury-Machine_How-Amazons-Production-System-Hurts-Workers.pdf

workplace practices produce high levels of stress, anxiety, and depression among workers, and injuries that are more frequent and more severe than at competing businesses.⁹ ¹⁰ When you factor in Amazon's unpredictable work schedules, which can include mandatory overtime during holidays and mandatory time off during slow periods, it's no surprise the company has a 150% turnover rate.¹¹

But you don't have to take my word for it. I'm also testifying today on behalf of Amazon Associate Courtenay Brown, who has worked at an Amazon fulfillment center for 5 years and developed plantar fasciitis working at Amazon due to the minimal, if any, break times she gets at work.¹² As a trainer at Amazon, Courtenay says that, in the worst cases, only 10% of the cohorts she trained at Amazon reached the two month mark at the corporation. The other 90% are forced to quit due to injuries and overexertion. This is partially because of the breakneck pace of the work, and partially because jobs meant to be done with 40 people are now operating with 25 people or less.

I'm also testifying on behalf of workers at PetSmart, including women and transgender associates. PetSmart is owned by the private equity firm BC Partners. At the start of the pandemic, PetSmart workers, like many across retail, demanded to be paid what they deserved as frontline workers in the pandemic, and to receive vaccination bonuses as well as health care for all employees. By speaking out, PetSmart workers were able to win a \$100 vaccination bonus and other pandemic bonuses, but that has paled in comparison to everything PetSmart has not done to support their workers during the pandemic.¹³ The corporation relies significantly on part-time workers who cannot get access to full-time hours or stable schedules despite the high turnover rate. PetSmart workers care deeply about the pets in their stores, and the understaffing puts pressure on fewer workers to do more with less. It's important you hear about workers like Isabela Burrow, who knows the emotional difficulty of trying to take care of sick animals while the store is understaffed in the grooming salon, at the register, and in pet care. Isabela continues to live with her parents at eighteen years old and contributes to her family's bills. She is working to save, but on \$14 per hour at PetSmart, she has not been able to save enough to move out and live independently despite working full-time hours, while also in school. With a passion for providing quality care for pets, Isabela just wants to receive the support, policies, and pay she needs to succeed at the job she loves.

The consequences of these terrible conditions are not just physical and financial, but also emotional. Frontline workers are constantly anxious about being exposed to COVID and then

9

<https://humanimpact.org/wp-content/uploads/2021/01/The-Public-Health-Crisis-Hidden-In-Amazon-Warehouses-HIP-WWRC-01-21.pdf>

¹⁰ <https://thesoc.org/amazon-primed-for-pain/>

¹¹ <https://www.nytimes.com/interactive/2021/06/15/us/amazon-workers.html>

¹²

<https://www.finance.senate.gov/imo/media/doc/United%20for%20Respect%20Leader%20Courtenay%20Brown%20Written%20Submission%20to%20the%20Subcommittee%20on%20Fiscal%20Responsibility%20and%20Economic%20Growth.pdf>

¹³

<https://www.retaildive.com/news/private-equity-owned-petsmart-under-scrutiny-from-elizabeth-warren-after-ac/607680/>

exposing their vulnerable family members to the virus. Never before have we seen this rate of worker burnout, leading to mental health crises. I'm also speaking to you today on behalf of people like Tammy McGill, a Walmart associate who had a mental breakdown on the job and was sent to the Emergency Room. Under constant pressure due to severe understaffing at her Walmart store and trying to support her COVID-stricken coworkers, Tammy broke down one day at work. After this episode, she spent a month inquiring about her employment status at Walmart, only to find out that they terminated her.

As you can see, large corporations like Walmart and Amazon have ravaged essential workers in what amounts to the largest shakedown we've ever seen. Since the onset of the pandemic two years ago, shareholders and executives have amassed \$1.5 trillion in what they call "profits" from the fruits of OUR labor – my fellow retail workers and I. Historic profits were made at our expense—at the expense of our health, our family's health, and in many cases, our lives.¹⁴ In return we've seen little to no increase in wages, had to fight for our right to personal protective equipment, and are still dealing with inadequate paid leave and unpredictable scheduling that affects our work-life balance. Even after more than two decades at Walmart, I myself made less than \$15/hour until last year. I had risked my safety and my son's safety day in and day out, to keep my Walmart store up and running, and so I called out the need for higher wages to support my family and I prevailed.

Now, I make just over \$16 dollars an hour. As an employee of a corporation owned by the Waltons—some of the richest people in the world—I know there's a lot more room to put people over profit and invest the money back into the workforce keeping the corporation afloat.

And it's no coincidence that these stories haven't reached you until today. Walmart lobbyists and Amazon lobbyists won't tell you the truth about how working people, your constituents, are suffering. Motivated by greed, corporations engage in double speak before you to make sure that you pass policies that fatten their bottom lines.

In 2020, we were heartened to witness Congress pass the Families First Coronavirus Response Act providing paid sick leave as an emergency pandemic measure. However, we were baffled when we learned that the act would exclude companies with 500 or more employees. This type of gaping exclusion left millions of workers unprotected during the pandemic.

Corporate policies that prioritize profits over people cost Tammy McGill her job.

They are taking a physical, emotional, and mental toll on Courtenay, Daniel, and Isabela.

And they led Janikka Perry to go work when she was sick. Janikka did not return home to her family after collapsing in the Walmart bathroom.

I'm urging you today to act on behalf of the essential workers like myself, like Courtenay, like Daniel, like Janikka, like Isabela and like Tammy who are the only thing standing between our economy and a complete and catastrophic standstill. We have more than proven our

14

<https://www.brookings.edu/blog/the-avenue/2020/12/22/amazon-and-walmart-have-raked-in-billions-in-additional-profits-during-the-pandemic-and-shared-almost-none-of-it-with-their-workers/>

commitment to our jobs, our customers, and our country's economy. That is why we are looking to you to move crucial policies that give us the time off and dignity we deserve - like the Healthy Families Act, the Part Time Worker Bill of Rights and the Schedules that Work Act, just to name a few. Thank you again for your time.

APPENDIX I
Previously Submitted to

United States Senate Banking, Housing, and Urban Affairs Committee

Subcommittee on Economic Policy Hearing
“Protecting Companies and Communities from Private Equity Abuse”

October 20, 2021

Sheena Simmons (Grand Rapids, MI)

Sheena Simmons was employed by Art Van for 11 years as a Sales Manager. She started in the electronics department and made her way to sales where she earned enough in commission to pay off her car. She enjoyed the family atmosphere and interacting with customers at Art Van. When she lost her job with no warning, that meant she lost her health insurance for her and her son. She applied for unemployment for the first time ever, struggled with finding a new job during the COVID-19 pandemic and had many sleepless nights not knowing if she could pay rent. When private-equity firm Thomas H. Lee Partners (THL) bankrupted and liquidated Art Van Furniture a few years ago, it shut down all 97 locations in Michigan and abruptly destroyed thousands of family-sustaining jobs — leaving workers like her without pay or health insurance at the onset of the COVID-19 pandemic.

Adrian Valdés (Savannah, GA)

Adrian Valdés was a part-time stylist apprentice in a PetSmart grooming salon for over a year. Adrian completed PetSmart’s training academy as part of the trajectory to become a Pet Stylist. Unfortunately, in his salon, employees lacked the proper supplies and equipment to do their jobs well. Adrian was also been concerned about the safety of pets they worked with in the salon because Petsmart’s grooming training was so rushed and minimal. Adrian has also been concerned for their own health and safety at work when pandemic precautions were not enforced in the salon. The salon did not have doors or windows to the outside and masks have not been enforced for employees throughout the pandemic. Adrian’s wage is \$11 an hour and they cannot afford to move out of their parents’ home despite working 40 hours per week. Before attending the grooming academy, Adrian was denied full-time hours and therefore also did not have access to health insurance.

APPENDIX II

Remarks by

Courtenay Brown

United for Respect Leader

Testimony before the Senate Finance Subcommittee on Fiscal Responsibility and Economic Growth

Public Hearing on: Promoting Competition and Economic Growth in the Technology Sector

Thank you for inviting me to share my experience with you today, Senator Warren and members of the committee. My name is Courtenay Brown and I live in Newark, New Jersey. I'm currently working at an Amazon fulfillment center and have been for four and a half years.

Before working at Amazon, I served my country as a service member in the U.S. Navy. I took seriously the commitment I made to my country then, and I take it seriously now as a Member Leader with United for Respect.

I'm here today, Senators, to raise the alarm about Amazon's business model because it's a threat to working people and it's a threat to our economy. 1 out of every 153 American workers is an Amazon employee¹ and this multi-billion dollar corporation grew on the back of its workers by exploiting them. I'm looking to you to stand up to corporations like Amazon and protect us.

¹ <https://www.businessinsider.com/amazon-employees-number-1-of-153-us-workers-head-count-2021-7>

The job I do is a much-needed service, especially since the COVID-19 pandemic began. As a Process Guide, I sort 35,000-50,000 groceries daily for delivery to homes in New York City and New Jersey. I'm in and out of our cooler constantly, stepping in and out of temperatures as low as negative 10 degrees, and picking up and setting down items with little to no rest. The work I do is supposed to be done with 30-40 people but we are operating with 25 people or less. Because our work is so essential, we need more hands on deck, not less, so that we can take turns getting breaks and much-needed rest. But, Amazon does not retain its workers.

Amazon's multi billion-dollar wealth is made possible by offering same day delivery and the corporation has achieved this speed and scale through sheer brutality — watching, timing, and punishing associates like me and my coworkers for not working fast enough and not allowing associates to take time off to adequately recover, rest, and prevent burn out.

From the moment we pull into the parking lot we are monitored. And If we fall behind in any way during our 11 hour shift, we risk being disciplined. We are pushed to our limit to the point where we can't even take regular bathroom breaks. Often we have to run to and from the bathroom in under 2 minutes so we don't get in trouble. On top of that, the bathrooms are gross and often broken.

The constant pressure and surveillance is why Amazon has twice the level of injuries and turnover compared to similar jobs. Research has shown that workplace injury rates are higher at Amazon facilities with more robotic and automated technology². I used to be a trainer and I saw firsthand how, out of 50 new hires, only 5 would make it to one or two months, and many quit soon after due to injuries and overexhaustion.

We are living in a country where **machines** are getting better treatment than people. The machines at my facility undergo routine maintenance checks to ensure they don't burn out.

Yet the one time I needed time off to be with my family to recover from my mother's passing, I was told I could only get two days off for bereavement. Two days to plan a funeral and process **my mother's death** was not enough so I had to take a month off UNPAID because that's the only option Amazon gave me. A month of UNPAID time off, while Jeff Bezos made \$75 billion³ last year thanks to me and my coworkers.

Amazon's high-tech sweatshop caused me to develop plantar fasciitis and tendonitis - a debilitating pain in my heel and ankles - because I'm having to stand for long periods of time at work with little to no rest. One time the burning sensation around my heels was so painful that I ended up in the emergency room. I begged the doctors not to keep me

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<https://humanimpact.org/wp-content/uploads/2021/01/The-Public-Health-Crisis-Hidden-In-Amazon-Warehouses-HIP-WWRC-01-21.pdf>

³ <https://www.businessinsider.com/amazon-ceo-jeff-bezos-net-worth-explodes-in-2020-chart-2020-12>

longer than a few hours because I had to go back to work. I was more concerned I'd get punished at work for calling out than prioritizing my own health.

This kind of exploitation isn't just happening to me -- people have been working through the pandemic non stop because Amazon won't let us take time off. Often we are so exhausted we break down and cry. And a coworker of mine had to stop pumping her breast milk at work after giving birth to her baby because she was not getting the support she needed. *This* is the type of work environment Amazon is perpetuating across the country.

Amazon associates have been fighting back against these dangerous conditions for years. Instead of fixing the problem, Amazon is only doubling down on its exploitative model. Jeff Bezos himself recently told shareholders that he plans to use *more* automated control of workers in the warehouses.⁴

The worst part of all is that Amazon is setting up its high-tech sweatshop in Black and Brown communities desperate for work. The pandemic has closed a lot of businesses in my area so even someone like me who has considered looking for another job -- I can't because there are no jobs available or the pay isn't enough to make rent and put food on the table.

⁴ <https://www.aboutamazon.com/news/company-news/2020-letter-to-shareholders>

This committee is considering competition and economic growth in the tech sector.

When corporations write the rules to maximize their profit, they ensure they win by all means necessary -- including exploiting workers and gutting small businesses.

Senators -- I'm looking to you to stop corporations like Amazon from ruining our economy and dictating the workplace standards for hundreds of millions of workers like me. I'm asking **you** to help me put an end to inhumane, exploitative practices that leave America's workers injured, exhausted, and mentally battered each day.

Our country needs elected officials to side with working people -- to side with essential workers -- not big corporations.

Thank you.

APPENDIX III

Statement by

Shirley Smith

United for Respect Leader

**Testimony before the Senate Banking, Housing, and Urban Affairs
Committee**

**Subcommittee on Economic Policy Hearing
“Protecting Companies and Communities from Private Equity Abuse”**

October 20, 2021

Good afternoon, Senators. My name is Shirley Smith and I live in Detroit, Michigan. For 23 years, I worked for Art Van Furniture as a sales manager — a job I truly loved. Art Van was a family-owned business, and the company culture was centered around family. The employees were tight-knit; we had each other’s backs and there was a real sense of community. I was a single mom and I’m grateful for the support and flexibility I had at work, so I could be there for my son while juggling a successful career. I had the opportunity to build relationships with my customers and earn a good living, making it possible to buy my own home and provide a good education for my son. Working at Art Van was like my own little slice of the American Dream — until the private equity firm T.H. Lee came in and broke up our family.

Before T.H. Lee took over in 2017, Art Van was a successful company, reporting \$800 million dollars in revenue that year. Up to then, most of my colleagues would have told you it was a company they loved working for, but those last three years were hell.

It wasn't obvious right away, but a lot started changing. We noticed our top company leaders being pushed out the door. T.H. Lee brought in people who didn't know the furniture business, and our orders started coming in slower. In hindsight, that was a big red flag — sales associates work on commission which only gets paid when an order is delivered, and customer orders weren't being filled. Art Van's reputation was being destroyed right before our eyes. We had to start making up excuses to our customers, some of whom grew violent when they learned they wouldn't be getting refunds. One of my colleagues even had a gun pulled on her during closing weekend. T.H. Lee made us feel like liars and thieves, taking people's hard-earned money when they were never going to get their orders.

We stopped paying our bills on time, and started cutting staff. For decades, Art Van had been a debt-free company that paid all its bills. Under T.H. Lee's ownership, Art Van racked up millions of dollars in debt to Wall Street banks and other deep-pocketed creditors. T.H. Lee even sold off Art Van's real estate *to itself*, forcing Art Van to pay rent on the same properties it once owned. By the end of 2019, under T.H. Lee's so-called leadership, Art Van was in the red. It took just three short years for T.H. Lee to strip our company for parts.

Then the pandemic hit.

We first received WARN Act notices about our layoffs *before* the COVID-19 emergency order was issued in Michigan, so the bankruptcy and layoffs had nothing to do with the pandemic. But then, a few weeks later, Art Van changed their original WARN Act notice, citing COVID-19. As a result, we didn't get any severance pay or benefits. Nothing. Robbing the American workforce like this — hurting the same people on the front lines who've been applauded as "heroes" for keeping our economy open — should be a crime.

When we were told we'd be losing our jobs, we were promised a lot. We were promised health insurance after closing. We never got it. The only insurance I could afford charged me 10 times what I had been paying for prescriptions. I was unemployed for 5 months, and many times I had to choose between paying for my medication or paying other bills. We were also promised a retention bonus that we never got. Since my unemployment didn't kick in for 2 months, I had to take out money from my 401K to make ends meet, which I'm still paying taxes on today.

Sadly, my story is *not* unique — private equity has quietly taken over nearly every facet of life — from retail and grocery store chains, to housing, health care, media, and more — turning the American Dream into nothing more than a pipe dream for millions of working families. And T.H. Lee didn't only destroy us, the individual workers who lost their jobs; every community with an Art Van store suffered too. We had deep reach into our communities — we were the largest taxpayer in the city of Warren where we were headquartered, and the biggest contributor to the Food Bank. When the company went under, there was a terrible ripple effect of harm felt throughout the state of Michigan.

I'm here today to show you the human toll of Wall Street's greed. Our elected leaders — each of you here today — have the power to stop private equity firms from coming in and taking over our companies, leaving employees with nothing and gutting our local economies. Billionaires shouldn't be allowed to gamble with our livelihoods by driving thriving companies into bankruptcy, just to make another buck.

When faced with private equity's abuses, we fought back. More than 500 of my former coworkers and I teamed up with United for Respect to demand that T.H. Lee create a hardship relief fund. We called, wrote letters, and told our story. After a year, T.H. Lee relented, and ultimately provided nearly \$2 million dollars to the relief fund, with eligible employees who

signed up receiving about \$1,200 dollars each. Make no mistake, we're proud of this hard-fought victory — but \$1,200 dollars falls far short of the fair severance each of us deserved.

Imagine the victories we could win for working families with the power of Congress behind us. I'm asking you, Senators, to summon the same courage we found to stand up to these Wall Street executives and corporate billionaires, because essential workers can no longer be treated as collateral damage. The Stop Wall Street Looting Act will finally close regulatory loopholes and change the rules that have only served the billionaire class while wreaking havoc in our communities. It's way past time to protect essential workers over wealthy corporate executives — Congress must pass the Stop Wall Street Looting Act and finally put essential workers first.

Thank you for inviting me to testify today, Senator Warren. I hope all the Senators on this committee will join me in standing up to Wall Street.

APPENDIX IV

Statement by

Melody Crawford

United for Respect Leader

**Testimony before the Senate Banking, Housing, and Urban Affairs
Committee**

**Congressional Briefing for Members and Staff on
“Dignity of Work: Workers whose daily lives are affected by the financial
system”**

April 27, 2020

Good morning, Senator. My name is Melody Crawford. I live in Detroit, Michigan. Until March of 2020, I was an assistant buyer for the mid-west regional retailer, Art Van Furniture. I am also now a leader with United for Respect.

Art Van was a good employer, where you could build your own financial stability. Art Van paid people well, with great benefits. And it was really a leader of our community. Not only did I work for Art Van, but my daughter, son-in-law, and niece worked there too. Art Van supported many local charities, like the food bank. I was there for 13 years, and proud of my company.

When private equity firm TH Lee took over Art Van in 2017, everything changed. Under TH Lee’s ownership, Art Van came to owe millions of dollars to Wall Street executives, and creditors. One of the reasons for this was because TH Lee sold the properties to itself, including the Warren Michigan headquarters, and then made Art Van pay back an expensive lease!

Art Van had been a growing business, reporting [\\$800 million in revenue](#) in 2017. But by the end of 2019, Art Van was in the red. We got a WARN Act notice about the layoffs before the COVID-19 pandemic emergency order in Michigan, so the bankruptcy and layoffs originally had nothing to do with the pandemic. Then, a few weeks later, Art Van, under THL's ownership, changed their original WARN Act notice, citing the COVID-19 pandemic. We didn't get any severance pay or benefits as the employees. This meant we got *nothing*.

I received an email that everyone had to report to the office, then we were told on a conference call that all stores would be closed, and we were all laid off. The customers who had ordered furniture, paid for furniture, were told they wouldn't be getting it -- and wouldn't be getting their money back. It was chaos.

We were fired with no notice at all. And we all lost our health insurance. This was probably the most terrifying part for me, personally. I have underlying conditions that require medicines, and I could no longer afford to buy them. I had just bought a new car and then couldn't make payments.

The destruction of this once thriving company blew a giant hole through my entire family, my community, and the state of Michigan. It was really one of the worst things that has ever happened to me, and I wouldn't wish this on anybody. Working for a company for 13 years, and just - tossed out overnight, into the pandemic, while TH Lee executives pocketed millions on the deal.

That's why I am here today to ask you to stop allowing Wall Street to loot retailers like Art Van and Toys R Us, and treat American workers like collateral damage, while they get rich. It's not

right, it has to end. I am here today to ask you to pass laws to protect workers from Wall Street greed in the US Senate as soon as possible.

Over 500 of my former coworkers and I worked with United for Respect, and called on TH Lee to provide health insurance to all employees for 90 days, and to create a hardship fund. We had never sat down with Wall Street executives before, but at that point - what did we have to lose? We'd lost everything, they'd taken it, and it was time to take action.

Last month, after a year of campaigning and publicity, they finally said they would provide nearly \$2 million to a fund, and now all eligible employees who signed up will receive about \$1,200.

It was former workers, myself and others who organized with United for Respect, who spoke up for ourselves, who brought this Wall Street private equity firm to the table. But \$1,200 falls far short of the fair severance each of us deserves.

Elected officials need to stop private equity firms from coming in and taking over, leaving employees with nothing. That's what I'm here to fight for, and Senator -- I'm facing down Wall Street and demanding better for workers. It's time this committee of our US Senate does the same.

Companies owned by private equity firms accounted for 8.8 million jobs in the U.S. in 2018. 10 of the 14 largest retail bankruptcies since 2012 have been at stores owned by private equity, including Toys 'R' Us, Shopko, and Art Van. There are millions of people like me who have already been laid off by Wall Street owned retail companies, or are at risk of losing everything like we did.

I'm willing to fight to the end. We need laws in place so this doesn't happen to anyone else. I'm here. I'm ready. I hope you are too. Thank you for hearing my testimony today.

APPENDIX V

Public Hearing on: Promoting Competition and Economic Growth in the Technology Sector

United for Respect, December 2021

We cannot have a thriving economy or democracy when the most powerful tech corporations in the world profit, grow, and outcompete small businesses by finding innovative ways to exploit working people. When success is the result of low-road labor practices, workers, communities, and responsible businesses are undermined and left facing the consequences.

Over the past decade, Amazon has grown from a company with 56,000 workers to one with 1.47 million.^{5 6} Amazon is now the second largest employer in the United States, and relies on thousands more third-party contractors to complete its distribution network.⁷ Today, Amazon dominates multiple markets and industries: it's projected to capture 41.4% of U.S. retail e-commerce in 2021, 40.8% of the cloud computing market through Amazon Web Services, and 21% of the streaming market with Prime Video.^{8 9 10} Recently, Amazon's CEO of World Consumer predicted that by early 2022, Amazon would surpass UPS and FedEx to become the U.S.' largest package delivery service.¹¹

Amazon has achieved this growth and dominance by creating a high-turnover, high-pressure system that offloads the costs of injuries, employment precarity, and deskilling onto the public, workers, and their families. This is Amazon's great innovation. Monitored at every minute, Amazon warehouse workers and drivers report running to the bathroom or even peeing in bottles, suffering from mental stress and fatigue, workplace injuries, and being driven to unemployment. With turnover of 150%, or higher, Amazon itself worries that it will churn through the entire workforce in some regions.¹²

Amazon's extensive worker surveillance and productivity metrics, commonly known as *Rate and Time Off Task*, have been repeatedly linked to the high injury rates at its warehouses.^{13 14} In 2020, Amazon reported 27,178 workplace injuries, of which 90% were serious enough that workers were unable to perform their regular duties or were forced to miss work entirely.¹⁵ Studies have found that not only are serious injuries more frequent at Amazon warehouses—nearly 80% higher than for all other employers in the warehouse industry— but

⁵ https://s2.q4cdn.com/299287126/files/doc_financials/annual/269317_023_bmk.pdf

⁶ <https://ir.aboutamazon.com/news-release/news-release-details/2021/Amazon.com-Announces-Third-Quarter-Results/>

⁷ <https://www.nbcnews.com/business/business-news/amazon-now-employs-almost-1-million-people-u-s-or-n1275539>

⁸ <https://www.cnbc.com/2021/06/18/as-e-commerce-sales-proliferate-amazon-holds-on-to-top-online-retail-spot.html>

⁹ <https://www.wsj.com/articles/amazons-cloud-boss-is-girding-to-defend-turf-in-the-field-company-pioneered-11636300800>

¹⁰ <https://www.tvtechnology.com/news/amazon-apple-hbo-max-grow-us-streaming-shares-in-q3>

¹¹ <https://www.cnbc.com/2021/11/29/amazon-on-track-to-be-largest-us-delivery-service-by-2022-exec-says.html>

¹² <https://www.nytimes.com/interactive/2021/06/15/us/amazon-workers.html>

¹³ <https://humanimpact.org/wp-content/uploads/2021/01/The-Public-Health-Crisis-Hidden-In-Amazon-Warehouses-HIP-WWRC-01-21.pdf>

¹⁴ <https://thesoc.org/wp-content/uploads/2021/02/PrimedForPain.pdf>

¹⁵ <https://thesoc.org/wp-content/uploads/2021/02/PrimedForPain.pdf>

that they are more severe as well, with injured Amazon workers taking, on average, a week longer than the recovery time for workers injured in the general warehouse industry.¹⁶ ¹⁷ A study by Human Impact Partners also found that injury rates at Amazon warehouses were higher during the peak rush seasons associated with holidays, Cyber Monday, and Prime Day.¹⁸ Similarly, elevated injury rates were found at Amazon facilities with higher levels of robotic and automated technology.¹⁹

Amazon has also come to dominate the logistics industry by undercutting wages.²⁰ A study by Bloomberg found that when Amazon opens new facilities, the average warehouse industry wages fall in that county, reaching their pre-Amazon level only after five years.²¹ The same study found Amazon's employee promotion rate to be far below that of the industry average, reflecting the high turnover rate and lack of advancement opportunities facing most associates.²²

Black workers disproportionately bear the brunt of Amazon's model. At one of Amazon's largest warehouses in New York, Black workers were fifty percent more likely to be fired than their white peers.²³ And during the pandemic, Amazon fired several Black workers who spoke out about unsafe conditions.²⁴ This mirrors findings that Black people are more likely to have dangerous jobs, less likely to have their concerns heard, and more likely to be retaliated against.²⁵ Further, Amazon actively discourages the promotion of hourly workers in warehouses, the majority of whom are Black and brown.²⁶

Meanwhile, other employers are forced, lest they be undercut, to compete using the same methods that economist Daron Acemoglu calls "so-so" tech innovation²⁷. This so-so or low-road innovation contributes little to economic growth, while destabilizing the lives of working people and lowering wages. This race to the bottom wastes our enormous shared technological potential, while exacerbating economic inequality.

This is not a natural outcome of progress in the tech sector, but a reflection of economic policy decisions that we have the power to change. Our current policies incentivize the wrong kind of innovation and growth, and we must turn that around.

¹⁶ <https://thesoc.org/wp-content/uploads/2021/02/PrimedForPain.pdf>

¹⁷ <https://thesoc.org/wp-content/uploads/2021/02/PrimedForPain.pdf>

¹⁸ <https://humanimpact.org/wp-content/uploads/2021/01/The-Public-Health-Crisis-Hidden-In-Amazon-Warehouses-HIP-WWRC-01-21.pdf>

¹⁹ <https://humanimpact.org/wp-content/uploads/2021/01/The-Public-Health-Crisis-Hidden-In-Amazon-Warehouses-HIP-WWRC-01-21.pdf>

²⁰ <https://www.bloomberg.com/news/features/2020-12-17/amazon-amzn-job-pay-rate-leaves-some-warehouse-employees-homeless?sref=AuDcg4a>

²¹

<https://www.bloomberg.com/news/features/2020-12-17/amazon-amzn-job-pay-rate-leaves-some-warehouse-employees-homeless?sref=AuDcg4a>

²²

<https://www.bloomberg.com/news/features/2020-12-17/amazon-amzn-job-pay-rate-leaves-some-warehouse-employees-homeless?sref=AuDcg4a>

²³

<https://www.nytimes.com/interactive/2021/06/15/us/amazon-workers.html?referringSource=articleShare>

²⁴ <https://sahanjournal.com/business-economy/amazon-shakopee-minnesota-protest/>

²⁵ <https://www.nelp.org/publication/silenced-covid-19-workplace/>

²⁶ <https://www.nytimes.com/interactive/2021/06/15/us/amazon-workers.html>

²⁷ <https://fairgrowth.house.gov/sites/democrats.fairgrowth.house.gov/files/documents/Acemoglu%20Testimony.pdf>

States are already beginning to take action in this direction. Recently, California passed a state bill regulating warehouse performance metrics such as those utilized by Amazon.²⁸ In 2020, Washington state, citing the high workplace injury rates at Amazon warehouses, raised the company's Worker Compensation premium rates by 15% and proposed placing fulfillment centers in a risk class of their own.²⁹ Worker surveillance practices like those Amazon uses to monitor associates and drivers, have also led to introduced legislation in Massachusetts and Illinois.^{30 31} Meanwhile, as Reuters reported last month, Amazon has used its massive lobbying and policy team to kill or undermine over 36 state bills that would impact the company.³²

As this committee studies actions to ensure we have a healthy tech sector, it should consider a new generation of economic policies and labor rights that prevent tech corporations like Amazon from leveraging worker exploitation into growth, and outcompeting rivals by taking the low road. Establishing robust worker protections and rebalancing power between workers and employers would not only benefit hundreds of thousands of Amazon workers, but could reorient the economy and tech innovation toward more equitable and sustainable outcomes that lead to productive growth. In order to do this, we must establish policies that prioritize worker health and safety, protect against predatory surveillance and automated management practices, fortify the rights of workers to speak out and organize, guard against low-road business models, and incentivize innovation that enhances worker well-being and shared economic prosperity.

²⁸ <https://www.latimes.com/business/story/2021-09-08/california-bill-ab701-passes-senate-warehouse-work-metrics-algorithms-regulation>

²⁹

<https://www.seattletimes.com/business/because-of-injury-claims-state-wants-amazons-automated-warehouses-to-pay-higher-workers-comp-premiums-than-meatpacking-or-logging-operations/>

³⁰ <https://www.bostonlobe.com/2021/10/07/opinion/massachusetts-has-chance-clean-up-our-national-privacy-disaster/>

³¹ <https://inthesetimes.com/article/at-will-just-cause-employment-union-labor-illinois>

³² <https://www.reuters.com/investigates/special-report/amazon-privacy-lobbying/>

APPENDIX VI

Worker Letter to Shareholders

United for Respect and Warehouse Worker Resource Center

November 29, 2021

Dear Amazon Shareholder,

We are Amazon Associates and leaders with United for Respect (UFR) and the Warehouse Worker Resource Center (WWRC). We are part of a multiracial movement of working people advancing a vision of an economy where our work is respected and our humanity recognized. We write to you today to share an important letter from Human Impact Partners and over 200 public health practitioners calling on Amazon CEO, Andy Jassy, to end the inhumane and unsafe workplace quotas and surveillance that are currently ubiquitous throughout Amazon's logistics network.

Based on the findings of a study by Human Impact Partners and the WWRC, this letter outlines the dangerous reality we experience going to work every day. The high productivity quotas at Amazon facilities, commonly known as *rate* and *time off task*, have led to injury rates twice that of the general warehouse industry, and three times that of the average private employer. During peak rush times, and in Amazon's most automated facilities, workplace injury rates are even higher.

As the very people at-risk from Amazon's unsafe warehouse practices, we urge you to read the letter and consider the included recommendations. Commonsense improvements such as doing away with *rate* and *time off task*, adopting ergonomic standards, and strengthening COVID-19 precautions would not only make Amazon facilities safer workplaces, but might lessen the worker shortage and high turnover rate seen presently at Amazon warehouses. As an Amazon shareholder, you can help mitigate any short-sighted mismanagement of human capital at the company and support any shareholder proposals that seek to review workplace health and safety issues.

In our capacity as Amazon, UFR, and WWRC worker-leaders, we would also welcome the chance to speak directly with you, answer any questions, and share our vision of a better and safer Amazon.

Sincerely,

United for Respect Member Leaders & the Membership of WWRC

APPENDIX VII

Joint Statement

Stop Amazon's Injury Crisis: End Amazon's Dangerous and Punitive Worker Surveillance

June 21, 2021

Amazon injures and discards warehouse workers and delivery drivers at double the industry average. There were a record 24,000 serious injuries at Amazon facilities last year. It is time for lawmakers and regulators to step-in and end the punitive system of constant surveillance that drives the dangerous pace of work at Amazon.

Amazon's business model is a calculated exploitation of workers, the majority of whom are Black and brown. Amazon's punishing system monitors workers' speed or *rate*, tracks their movements each second with a metric called *time off task*, and imposes a constant threat of termination. Amazon claims to simply monitor workflow — but in reality, *rate* and *time off task* is used to control physical movements and discipline workers, dictate when or if they can use the bathroom, and has been used to retaliate against worker organizing. A recent investigation in Washington State concluded that this high-pressure system violates the law.

Discarding workers after they are injured or too exhausted, Amazon churned through over half a million workers in 2019. Amazon's model breaks people's bodies, taking their health and sometimes livelihoods. The cumulative costs of this exploitative business model are offloaded onto workers, their families, and the public.

Black workers disproportionately bear the brunt of Amazon's model. At one of Amazon's largest warehouses in New York, Black workers were fifty percent more likely to be fired than their white peers. And during the pandemic, Amazon fired several Black workers who spoke out about unsafe conditions. This mirrors findings that Black people are more likely to have dangerous jobs, less likely to have their concerns heard, and more likely to be retaliated against. Further, Amazon actively discourages the promotion of hourly workers in warehouses, the majority of whom are Black and brown.

Warehouse workers and delivery drivers cannot wait for Amazon to fix its broken system. To ensure Amazon's model does not become the standard for our entire economy, regulators and lawmakers must intervene:

- **End *rate* and *time off task* tracking:** State and federal electeds should enact laws that ban this surveillance-driven discipline and control to ensure that workers are protected from abusive conditions.
- **Update OSHA standards and enforcement to end *rate* and *time off task*:** As evidence mounts that Amazon's model creates an unsafe workplace, state and federal OSHA programs should enforce existing standards and create new rules that address practices like *rate* and *time off task* that monitor workers and increase the pace of work.

- Investigate Amazon's abuses: Agencies tasked with safeguarding workers should investigate Amazon for these widespread and long-standing abuses, including: injuries, retaliation, and discrimination.

For years, workers have spoken out and protested against these conditions. Most recently, in Bessemer, Alabama, Black warehouse workers led a unionization effort, citing the punishing conditions created by Amazon's system of surveillance, control, and threat of termination.

Last year, civil society organizations stood with workers and called upon Congress to ban this type of punitive worker surveillance, citing the dangerous impacts on workers' physical and mental health, potential to undermine workers' right to organize, and long-term deskilling and wage decline of these jobs.

Finally forced to admit to ongoing injury problems, Amazon is nevertheless doubling down on its extractive model. In his final letter to shareholders, Jeff Bezos stated that Amazon would begin to use artificial intelligence to direct workers from one task to the next. But using technology to maintain absolute control over workers' tasks and workflow, it will only escalate Amazon's injury crisis. Decades of research show that when workers do not have autonomy and control at work, they are more likely to be injured and experience mental strain and depression. Later, Amazon announced wellness programs and funding for injury research, but it refuses to do the one thing that would stop widespread injuries: eliminate *rate* and *time off task*.

Amazon will soon be the largest private employer in the United States, and if lawmakers and regulators fail to take action, its dangerous and extractive model will become the standard in warehousing, logistics, and retail. As other retailers implement similarly exploitative strategies, this dangerous trend will further degrade working conditions for tens of millions of people across the country. The result will be a punishing, untenable reality for all working people, and Black and brown people will pay the highest cost.

We call on lawmakers and regulators do everything in their power to end *rate* and *time off task*, ensuring Amazon cannot use this punitive system of surveillance to cycle through entire workforces in communities throughout the country.

In Solidarity,

Athena Coalition
Action Center on Race and the Economy
(ACRE)
Awood Center
AI Now
Civil Liberties Defense Center
Color of Change
Constitutional Alliance
Demos

Fight for the Future
Free Press
Government Accountability Project
Green America
Institute for Local Self-Reliance
Jobs With Justice
LAANE
Make the Road New York
Make the Road NJ

MediaJustice
Movement Alliance Project
MPower Change
National Employment Law Project
New York Communities For Change
OLÉ
Open Markets Institute
Partnership for Working Families
Presente.org
Public Citizen

Restore the Fourth Minnesota
Secure Justice
Stand Up Nashville
Surveillance Technology Oversight Project
(STOP)
SumOfUs
Transit Riders Union
United for Respect
Warehouse Worker Resource Center
Warehouse Workers for Justice

APPENDIX VIII

Joint Statement

Put Workers over Profits: End Worker Surveillance

Oct 14, 2020

Farhiyo Warsame, a warehouse worker, was targeted, surveilled, and fired by Amazon after speaking up about unsafe conditions at work, according to the Awood Center. Amazon tracked Farhiyo's time in between each small task and used the accumulated extra seconds to justify threats for her eventual termination. Through this "rate" and "time off task" tracking system, Amazon would have you believe it monitors work productivity — but in reality, this system is used to control the physical movements of workers, dictate when or if they can use the bathroom, discipline workers and, in the end, has been used repeatedly to retaliate against workers. It enforces an unreasonable pace of work that leads to the unusually high number of injuries at Amazon.

Today, workers are subjected to an unprecedented level of workplace surveillance and control. From voice monitoring to tracking applications, these systems are being introduced into workplaces that are already stacked against low-wage workers, creating an environment ripe for exploitation. Surveillance gives corporations more power over workers. When combined with automation that dictates the pace and type of work, it results in a more dangerous, punishing, and precarious workplace. It can also lead to lower wages, deskilling of jobs, mental health stresses, the potential for racial discrimination, and a chilling effect on organizing. Workers urgently need legal protections that prevent these harms and end exploitative practices, including Amazon's rate and time off task monitoring.

The use of surveillance to exploit workers has a long history in the United States, going back to the plantation and then in manufacturing, where Taylorism and other systems of "scientific management" established control over workers' every move. The trend has worsened dramatically in recent years, and laws and regulatory agencies have failed to catch up.

Meanwhile, with few protections for workers, corporate employers have been able to grow profits by demanding and enforcing dangerous speeds, controlling each physical movement of a worker, and maximizing opportunities to make workers replaceable and expendable.

New technologies that monitor and control workers represent a radical transfer of power from workers to corporations. At Amazon warehouses, workers report that a scanner tells you exactly where to go, gives you seconds to get there, and then orders you what to do next. Your entire workload and every task you complete is managed in seconds. If you take longer than the seconds you are given, the time is added to your time off task. If you go to the bathroom or take a rest, this is also added to time off task. At the end of the day, if your productivity falls below a moving threshold, you are disciplined, and eventually fired.

Amazon's contract delivery drivers face similar monitoring, with dispatchers pressuring drivers to deliver increasing volumes of packages in a single shift — even if that means drivers must

speed or skip bathroom breaks to meet delivery quotas. At Amazon, this is paired with intelligence systems and practices to monitor potential organizing activity outside of work.

This level of monitoring and control has no place in our economy. Corporate employers say that these technologies make workplaces more efficient and are necessary to be competitive, but those claims do not hold up to scrutiny. Instead, we find:

Individual productivity monitoring is used to enforce a dangerous pace of work. Within Amazon warehouses, the pervasive and punitive nature of tracking rate and time off task for each worker results in nearly double the injury rate and greater job precarity, as compared to the sector. While Amazon claimed that they stopped disciplining workers for productivity during the pandemic, the practice continued. This type of monitoring is designed for workers to fail.

Worker surveillance disproportionately harms Black and brown workers. Black and brown workers are more likely to be in low-wage jobs, less likely to be listened to when they raise concerns, and more likely to face retaliation. Additionally, algorithmic decision-making can dramatically reinforce and exacerbate racial disparities, particularly where people impacted have no recourse or power. For many of these workers, the level of monitoring is akin to discriminatory police surveillance in their communities.

Surveillance is being used punitively, rather than to keep workers safe. Corporations are adopting new workplace technologies for the sole purpose of disciplining individual workers, even in areas where technology could be used to improve working conditions. When Amazon developed new technologies to determine if workers were within six feet of one another, they then immediately used this information to discipline and then fire workers.

Surveillance is being used to retaliate against workers and undermine their protected rights to speak out and take collective action. With limitless surveillance at an employer's fingertips, targeting a particular worker is trivial — illegal retaliation is easily obscured. Amazon has used monitoring of time off task and social distancing to retaliate against workers after they spoke up about safety concerns. Surveillance of workers is not limited to the workplace, and it was recently reported that Amazon monitored private social media groups of Amazon Flex drivers, and tried to recruit an intelligence analyst to investigate labor organizing activities.

Pervasive surveillance and automated control increase corporate profits on the backs of workers, by reducing wages and deskilling jobs. While some technologies, such as supermarket scanners, allow companies to raise profits by using workers more efficiently, surveillance technologies raise profits by the cruder mechanism of increasing the exploitation of workers. The supermarket scanner allows each worker to serve more customers with the same level of effort, but surveillance technologies can dangerously accelerate the pace of work. The costs of injury and burnout are then offloaded onto families and the workers compensation system, rather than being internalized by the company.

During the pandemic, corporate employers have expanded workplace surveillance in ways that can compromise worker privacy and autonomy, and are using those tools for worker discipline and control. Employers have a legal duty to provide a safe working place (e.g. by slowing work

speeds and providing handwashing breaks). Instead, Amazon developed a punitive social distance surveillance system that it gave to other corporate employers.

In response, state and federal governments should enact protections against workplace surveillance — ending predatory practices, such as Amazon’s rate and time off task monitoring. These protections should prioritize worker health and safety, fortify the rights of workers to speak out and organize, guard against low-road business models, require transparency in the use of new technologies, protect against new forms of tech-driven racial discrimination, and incentivize innovation that enhances worker well-being. Workers deserve better than models of exploitation developed on plantations and in factories over one hundred years ago.

In Solidarity,

Athena
Action Center on Race and the Economy
The Awood Center
Center on Privacy & Technology at
Georgetown Law
Civil Liberties Defense Center
Color of Change
Constitutional Alliance
Council on American-Islamic Relations
(CAIR)
Coworker.org
Demand Progress
Demos
Fight for the Future
Free Press
Government Accountability Project
Greater New York Labor-Religion Coalition
Instituto de Educacion Popular del Sur de
California
Jobs With Justice
Just Futures Law
LAANE
Make the Road New York

Media Mobilizing Project
MediaJustice
MPower Change
National Employment Law Project
New America’s Open Technology Institute
New York Communities For Change
Open Markets Institute
Our Data Bodies
Partnership for Working Families
Public Citizen
Restore The Fourth Minnesota
RootsAction.org
Secure Justice
SEIU California
Stand Up Nashville
SumOfUs
Surveillance Technology Oversight Project
(S.T.O.P.)
United for Respect
Warehouse Worker Resource Center
Working Partnerships USA
X-Lab

APPENDIX IX

Joint Statement

Silencing of Whistleblowers in the Workplace is a Threat to Public Health

Given the immediate public health risks, we are calling for an urgent expansion and improved enforcement of legal protections for workers who speak out and take collective action against dangerous workplace conditions that risk exacerbating the spread of COVID-19 in communities. Workers themselves are in the best position to raise health and safety concerns, and if these concerns are ignored, or worse, if workers are retaliated against, it not only impacts those workers and their families, but risks accelerating the current public health crisis.

Over the last few weeks, Amazon fired at least six workers who had spoken out about unsafe working conditions in warehouses. In addition to these firings, other workers at Amazon have reported receiving arbitrary work-related warnings as a result of speaking out or participating in walkouts, and they fear that they are being set-up for termination. Given that Amazon is the second largest private employer in the United States and is significantly expanding its workforce during the crisis, this apparent pattern of retaliation is alarming.

Thousands of warehouse, delivery, and grocery workers are on the front lines of this fight, risking contracting and spreading COVID-19 every day in order to provide essential goods. This risk disproportionately falls on communities of color, who are more likely to hold these jobs and more vulnerable to the virus, as a result of the systemic racism that undermines health in these communities.

These essential workers are calling for common sense measures in line with CDC guidance: implementation of six feet of distance between all individuals in the facility, personal protective equipment for all, time for handwashing, temporarily closing and cleaning exposed facilities to allow for quarantine, independent and transparent reporting, and paid leave policies to help exposed and sick workers to stay home.

Instead of adopting policies to protect workers, corporations are increasingly adopting invasive surveillance technologies to penalize and monitor lower-wage workers. This already predatory surveillance could too easily be turned against protected concerted activity and workers voicing concerns. We know that the mere presence of pervasive surveillance is likely to silence dissent, but not to protect health.

People who take action and speak out are not only exercising their legally protected right to protest and organize collectively for safe working conditions, but also acting in the national interest and protecting public health. Large facilities like warehouses, factories, and meatpacking plants employ thousands of people and grocery stores are major points of social interaction — if necessary precautions are not taken, COVID-19 could easily spread throughout communities. The right to demand better health and safety measures needs to be protected in order to limit the spread of COVID-19.

The current crisis has elevated workplace whistleblowing and collective action to a matter of national health and additional protection and enforcement measures are urgently necessary.

In Solidarity,

Athena Coalition	New America Center on Education and Labor
Access Now	New America's Open Technology Institute
Action Center on Race and the Economy	New York Communities for Change
AI Now Institute	Ohio Valley Environmental Coalition
Alternate ROOTS	Open Markets Institute
Black Alliance for Just Immigration	Open MIC (Open Media and Information Companies Initiative)
Center on Privacy & Technology at Georgetown Law	Partnership for Working Families
Color of Change	People Demanding Action
Community Justice Exchange	People For the American Way
Constitutional Alliance	PeoplesHub
Council on American-Islamic Relations (CAIR)	Project Censored
Defending Rights & Dissent	Project On Government Oversight
Demand Progress Education Fund	Public Citizen
Ella Baker Center	RootsAction.org
Fight for the Future	RYSE Center
Freedom of the Press Foundation	Secure Justice
Global Action Project	Surveillance Technology Oversight Project (STOP)
Government Accountability Project	The Awood Center
Instituto de Educacion Popular del Sur de California	The Civil Liberties Defense Center
Just Futures Law	The Tully Center for Free Speech
Line Break Media	United for Respect
Make the Road New Jersey	United We Dream
Make the Road New York	Warehouse Worker Resource Center
Media Mobilizing Project	Whistleblower & Source Protection Program at ExposeFacts
MediaJustice	Woodhull Freedom Foundation
MPower Change	XLab
Muslim Advocates	
National Employment Law Project (NELP)	
National Immigration Law Center	

APPENDIX X

Written Testimony before the United States Senate, Budget Committee

Hearing on “Millions of Full-time Workers Rely on Federal Health Care and Food Assistance Programs”

Cynthia Murray
United for Respect Leader

February 25, 2021

Good Morning Chairman Sanders, Ranking Member Graham, and members of the Senate Budget Committee.

My name is Cynthia Murray. I live in Hyattsville, Maryland and I have been a Walmart associate for 20 years. I have asthma, and my son also has underlying health conditions. Like tens of millions of essential workers, I have been working full time since the virus hit, putting my life -- and my son's -- on the line, every day, for less than \$15 an hour. I'm here today as a leader with United for Respect to speak out on behalf of the 1.4 million hourly associates who work for Walmart, the largest private employer in the United States.

The US Senate, the President, and the American people, need to hear from people like me about what is at stake right now, because we are the experts on why raising the federal minimum wage simply cannot wait another day.

Nobody working for the richest family in America should be going hungry. But Senators, at my store, people in the break room at lunch time have nothing to eat for lunch. Walmart paychecks simply can't cover rent, bills, *and* groceries -- so working people sit there hungry, while the Walton family has made over \$50 *billion* since the pandemic began³³ and now have a combined net worth in excess of \$220 billion.³⁴ The Waltons pocket \$5.7 million every hour³⁵ while CEO Doug McMillon makes roughly 983 times the median employee pay of \$22,484.³⁶ But Mr. McMillon is saying that somehow *at least* \$15 an hour is too much compensation for frontline workers like me? I don't think so.

In 2017 Walmart rewarded shareholders with a \$20 billion handout to buy back their own stock. Had they invested half of that amount in workers, a million Americans could've had a raise of \$5.66 an hour.³⁷ In February 2021, they did it again - Walmart's Board of Directors just

³³ Bloomberg Billionaires Index wealth data for Rob, Jim, Alice, Lukas, Christy, Nancy, and Ann Walton taken on 3/12/20 and 2/22/21.
³⁴ Combined net worth of Jim, Rob, Alice, and Lukas Walton as reported in Forbes 2020 List of Billionaires (as of 2/16/21).

³⁵ United for Respect calculation: \$50 billion/8760 (total hours in a year) = \$5.707 million per hour
³⁶ <https://sec.report/Document/0001206774-20-001271> (Form DEF14A Proxy Statement)

³⁷ <https://rooseveltinstitute.org/wp-content/uploads/2020/07/RI-Walmart-buyback-brief-201805.pdf>

approved a new \$20 billion share-repurchase program.³⁸ As owners of about 50% of outstanding Walmart shares³⁹, the Walton heirs benefit personally from these returns to shareholders.

Walmart is the largest corporate employer of women in America, and the largest corporate employer of Black and Brown people in America. According to Walmart's 2020 Environmental Social Governance (ESG) disclosures, 55% of frontline hourly workers are women (770,000) and 45% are people of color (630,000).⁴⁰ Black and Latinx workers are disproportionately concentrated in lower-paying nonmanagerial hourly positions while white workers are concentrated in management and officer level positions.⁴¹ Walmart has refused to disclose whether employees of color are categorically paid less⁴² than white employees or overrepresented in part-time positions.⁴³

Let me tell you about Kendra from the state of Georgia Wilson, from Jonesboro, GA. She is a single mother of two, and she's been at Walmart for four years, currently working as a personal shopper. She currently earns \$11.94 an hour. Kendra must rely on public assistance, Medicaid and SNAP, and on local food pantries to provide for her two young sons. Kendra says, "working for one of the largest corporations in the world, I should not have to choose between paying my bills and feeding my children."

Kellie Ruzich and her husband both work at Walmart in St. Louis County Minnesota to support their three children. Kellie makes \$12.38, and relies on WIC for formula for their baby, but says WIC doesn't provide her enough formula to get through the week. Kellie goes uninsured because she had to choose between the \$85 a month premium, and feeding the baby. She chose her hungry baby.

Mr. McMillion made a big announcement last week that starting wages for the majority of hourly associates will remain \$11 an hour, well below the \$15 an hour competitors like Target, Amazon, BestBuy, and Costco are already paying. More importantly, that starting wage is a starvation wage. It is a wage that requires the federal government foot the bill for feeding Walmart Associates' families, and many of us still go hungry.

At 34 hours a week — Walmart's definition of full-time work — employees earning \$11 an hour would bring home an income that falls below the federal poverty guidelines for a family of three.⁴⁴ So it's no surprise to me that Walmart was among the top 4 employers of Medicaid and SNAP recipients across all states surveyed by the Government Accountability Office (GAO) in November 2020.⁴⁵

38 <https://www.morningstar.com/news/dow-jones/202102186363/walmart-raises-dividend-approves-20-billion-stock-buyback>

39 Walmart DEF 14A Proxy Statement filed with SEC on 4/23/2019

40 <https://corporate.walmart.com/esgreport/social#retail-opportunity>

41 Ibid.

42 <https://www.vox.com/business-and-finance/2018/5/25/17379730/walmart-stock-buyback-worker-wages>

43 <https://www.buzzfeednews.com/article/coralewis/who-gets-full-time-hours-at-walmart>

44 <https://aspe.hhs.gov/2020-poverty-guidelines#guidelines> Used 2020 Poverty Guidelines for the 48 Contiguous States and DC for a Household of 3 (\$21,720)

45 <https://www.gao.gov/products/GAO-21-45>

Mr. McMillion says he supports slow-walking any increase in the federal minimum wage and has been advocating for geographic variation in new minimum wage laws.⁴⁶ Walmart says it will raise the wage gradually and the government doesn't have to force their hand, but let me tell you something: the only way they're going to raise our wages is if you make it the law, and it is way past time to do so.

Walmart's failed response to the COVID-19 pandemic underscores how little value Walmart has for the health and livelihood of frontline employees.

Walmart waited two, and in some cases seven weeks, before fully adopting measures recommended by the Centers for Disease Control and Prevention, such as reducing crowding in stores, cleaning more intensively, and providing protective gear to employees.⁴⁷

While Walmart does not publicly report COVID-19 cases or deaths, we know from press and employee reports that thousands of Walmart workers have contracted COVID-19 and at least 22 have died.⁴⁸ Numerous outbreaks have been linked to Walmart stores including one in Massachusetts where 81 associates tested positive.⁴⁹

Last month, there was a COVID outbreak in my store. We were scared, so we started to organize. I want to personally thank you, Senator Van Hollen, for standing with us workers at the Laurel store. After your inquiry to Walmart, we finally have soap and hot water in the bathrooms and break room, so we can wash our hands during a deadly global pandemic.

Walmart is also the only major national retailer who did not provide hazard pay to frontline employees during the coronavirus crisis. At the peak of the pandemic and in direct acknowledgement of the heightened risk essential workers face, Kroger, Target, Amazon and Costco provided their employees with \$2 hourly premiums. In contrast, Walmart paid out four lump sum cash bonuses - \$300 for full-time and \$150 for part-time employees - between March 1 and December 24, 2020 which combined amounted to a paltry \$0.71 per hour increase for frontline employees.⁵⁰

Moreover, Walmart's inflexible and punitive leave policies continue to be in place despite the toll the pandemic has on public-facing essential workers and evidence that paid sick leave could prevent infections and virus spread.⁵¹

In 2019, 350,000 Walmart workers reported failing to use or having no access to paid leave whatsoever.⁵² The COVID-19 leave policy introduced in March 2020 did not solve the paid

⁴⁶ <https://www.bloomberg.com/news/articles/2021-01-19/walmart-ceo-says-wage-hike-should-consider-regional-economics>

⁴⁷ <https://united4respect.org/wp-content/uploads/2020/05/2020-Walmarts-Failure-final2.pdf>

⁴⁸ <https://www.wsj.com/articles/walmarts-coronavirus-challenge-is-just-staying-open-11587221657> and <https://areyousafe.work>

⁴⁹ <https://www.bostonherald.com/2020/05/02/81-coronavirus-cases-at-worcester-walmart-city-says/>

⁵⁰ United For Respect internal calculations: FT = \$1,200/42 weeks/40 hours

⁵¹ <https://urbanmilwaukee.com/2021/01/30/paid-sick-leave-has-health-benefits/>

⁵² <https://www.nytimes.com/2020/03/14/opinion/sunday/coronavirus-paid-sick-leave.html>

leave problem at Walmart with 45% of workers surveyed in May 2020 reporting they are likely to come to work even if they feel sick out of fear of being penalized by management with points, loss of hours, or other disciplinary action.⁵³ In addition, Walmart's emergency leave policy does not provide employees additional paid time off to care for family members impacted by coronavirus or to attend to children whose schools are closed, which disproportionately hurts female employees.

Large corporate employers like Walmart were exempt from the provisions of the Families First Coronavirus Response Act requiring employers to provide paid leave for workers ill with COVID-19 or caring for a sick family member. In June 2020, a coalition of 12 state attorneys general asked Walmart to adopt a paid sick leave policy that provides the minimum protections required under the Families First Coronavirus Response Act.⁵⁴

Working people deserve basic respect. I work hard at my job and I am good at what I do. I'll be 65 in 3 months, and I have no retirement plans. My doctor says I need an MRI for my back injury, but I'm putting it off because on my paycheck, I can't afford the copay for the appointment. People like me are putting off retirement, putting off health care, because people like you have put off raising the minimum wage for 12 years. The time to act is now.

I grew up in Pittsburgh, youngest of four children, raised by my dad and my grandmother. My dad was a Teamster. He had a good job, and a strong union. As a single parent, he was able to support six of us. We weren't wealthy, but we had what we needed. Senators, that is a story from a bygone era. That day in America is gone. Our reality today is that 40 million people are working in poverty, sometimes two and three jobs. We have to stop being a country of billionaires and working poor. You can end that. We can end that. It's time to raise our minimum wage.

⁵³ <https://d18rn0p25nwr6d.cloudfront.net/CIK-0000104169/dccb6773-d4b2-49ca-9323-775005deb637.pdf>

⁵⁴ https://illinoisattorneygeneral.gov/pressroom/2020_06/2020_06_02_Walmart_Multi-state_Itwsignatures.pdf

APPENDIX XI

Retail Dive Article, May 11, 2022

[Amazon faces worker demands — from shareholders](#)

The Seattle Times Article, May 6, 2022

[Stock-owning warehouse worker asking shareholders to make Amazon slow down](#)

Washington Post Article, May 5, 2022

[Amazon's new labor issue: What to do with too many workers](#)

MarketWatch Article, April 23, 2022

[Unions' push at Amazon, Apple and Starbucks could be 'most significant moment in the American labor movement' in decades](#)

Time Article, April 20, 2022

[Frontline Workers Win New Representation](#)

Report from the Strategic Organizing Center, April 12, 2022

[The Injury Machine: How Amazon's Production System Hurts Workers](#)

Prism Article, March 21, 2022

[Congress hasn't caught up with the workers' rights movement](#)

Vice Article, March 9, 2022

[Some Understaffed PetSmarts Are Dealing With Freezers Overflowing With Dead Pets](#)

AP News Article, February 15, 2022

[Companies revert to more normal operations as COVID wanes](#)

Brief by Brookings Institution, December 2020

Amazon and Walmart have raked in billions in additional profits during the pandemic, and shared almost none of it with their workers.

UC Berkeley blog post, December 2020

The U.S. wealth gap was appalling before the pandemic. Now, it's worse

Report by Institute for Policy Studies, November 2020

Billions vs. Community Health

Op-Ed by Walmart Associate Cynthia Murray, October 2020

Walmart wants to hear workers' voices, it should give us a seat at the table

Op-Ed by Walmart Associate Cat Davis in NBC Think, June 2020
[Walmart Exploits Black Lives](#)

New York Magazine article, May 2020
[Walmart Workers Are Dying From the Coronavirus. Now They Want a Seat at the Table](#)

Report by The Center for Popular Democracy & United for Respect, May 2020
[Walmart's Failure to Prioritize Employee and Public Health](#)

Op-Ed by Walmart Associate Melissa Love in The NY Times, March 2020
[At Walmart, the Coronavirus Makes It Feel Like Black Friday](#)

Daniel Olayiwola's Shareholder Resolution: to be presented at Amazon's 2022 annual meeting

Resolved: Shareholders of Amazon.com request that the company end the use of productivity quotas and worker surveillance across its warehouse facilities and distribution network, including, but not limited to the policies commonly known as Rate and Time off Task. These policies are to be ended for all Amazon employees, including drivers for Delivery Service Partners and other third-party contractor employees by August 31, 2022.

Supporting Statement

My name is a Daniel Olayiwola and I work at Amazon's SAT4 fulfillment center in San Antonio. Every year, thousands of Amazon employees, like me, are injured on the job. Whether you're a driver, a picker, a stower, when you work for Amazon you put your health and safety on the line every single shift.

Recently, researchers and investigators have confirmed what workers have been saying: Amazon's high injury rates are linked to the company's workplace productivity quotas and surveillance practices.¹ Whether called Rate and Time Off Task or going by another name, Amazon workers across its distribution network are subject to policies that set the pace of work and monitor employees to ensure they meet that pace. When you're rushing to make rate or when you're worried that pausing to catch your breath could lose you your job, you're forced to prioritize speed over safety.

OSHA records have shown Amazon's workplace injury rates to be well above the national and industry averages, and not only are these injuries more frequent than at other workplaces, they're more severe as well.^{2 3} Amazon's injury rates are even higher when you look at its most automated facilities or during "peak", typically the company's most profitable season.^{4 5}

The workplace injury crisis at Amazon has gotten so severe that it has drawn the attention of Federal elected officials, regulators, state legislators, and the broader public.^{6 7 8} Amazon itself has even acknowledged the problem of workplace injuries, and Jeff Bezos committed the company to being the "Earth's Safest Place to Work."⁹ Despite this, workers at Amazon have seen few improvements or real changes.

¹ <https://s3.documentcloud.org/documents/20787752/amazon-dupont-citation-and-notice-may-2021.pdf>

² <https://www.washingtonpost.com/technology/2021/06/01/amazon-osh-injury-rate/>

³ <https://thesoc.org/wp-content/uploads/2021/02/PrimedForPain.pdf>

⁴ <https://thesoc.org/wp-content/uploads/2021/02/PrimedForPain.pdf>

⁵ <https://revealnews.org/article/how-amazon-hid-its-safety-crisis/>

⁶ <https://s3.documentcloud.org/documents/6772867/AmazonWorkerSafetyLetterFeb72020.pdf>

⁷ <https://www.seattletimes.com/business/because-of-injury-claims-state-wants-amazons-automated-warehouses-to-pay-higher-workers-comp-premiums-than-meatpacking-or-logging-operations/>

⁸ <https://www.protocol.com/workplace/amazon-warehouse-quota-bill-washington>

⁹ https://s2.q4cdn.com/299287126/files/doc_financials/2021/ar/Amazon-2020-Annual-Report.pdf

Amazon's practices take a toll on Amazon employees, but apart from that, there are serious questions whether current practices are sustainable over the long term, thus raising questions about whether these practices contribute to long-term shareholder value.

In order to ensure the health of its employees, to meet its commitment to being the "Earth's Safest Place to Work", and to promote long-term shareholder value, Amazon must end its use of productivity metrics and workplace surveillance.

RESOLVED that shareholders of Walmart Inc. (“Walmart”) ask the Board of Directors to create a “Pandemic Workforce Advisory Council” (the “Council”), composed of hourly Associates, to provide advice to the Board (including any relevant Board committee) upon request on pandemic-related workforce issues, including health and safety measures, whistleblower protection, and paid sick leave. Walmart would have discretion to disband the Council when no pandemic has been declared.

Supporting Statement

As a 20-year Walmart Associate, I believe Walmart’s response to the COVID-19 pandemic creates unnecessary risks for shareholders and fails to protect employees and the communities Walmart serves. The pandemic has brought increased media and public scrutiny to the well-being of essential workers.

While Walmart does not publicly disclose rates of COVID-19 cases or casualties, we know from press and worker reports that thousands of Walmart associates have contracted the virus and at least 22 have died, although that number is likely much higher. A recent Human Impact Partners report found that there have likely been over 125,000 COVID-19 cases and over 2,200 deaths among Walmart associates. The same report estimates that 8,000 fewer associates would have become sick with COVID-19 and 133 associate deaths could have been prevented if Walmart had an adequate paid sick time policy in place before the pandemic hit.¹

Walmart’s paid leave policies, including its COVID-19 emergency leave policy, fail to meet the needs of associates. A September 2021 survey of Walmart associates found that 64% had gone to work sick during the pandemic and 59% felt Walmart’s safety policies were slightly effective or not at all effective.² A confirmed COVID-19 diagnosis or mandatory quarantine is required to access additional paid leave under the policy, which can be a significant obstacle given that many Associates do not have adequate health coverage.

With the rise of more transmissible variants like Delta and Omicron,³ Walmart associates remain concerned about their risk of contagion. A recent report found an 11% increase in COVID-19 related deaths among retail and grocery workers and a 17% increase in exposure and infection rates since June 2021.⁴

Improving the flow of information between frontline workers and Walmart’s board, which oversees the company’s management and has the power to set policy, would lead to more timely, consistent and effective action at the store level and would reduce reputational and financial risks to the company. Walmart’s founder, Sam Walton, exalted the value of Associate input: “The folks on the front lines—the ones who actually talk to the customer—are the only ones who really know what's going on out there. You’d better find out what they know.”

My proposal does not dictate how Walmart should select Associates for membership on the Council. I recommend, however, that Walmart use a mechanism by which Associates can select some or all of the members to ensure that the Council truly represents hourly Associate views.

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<https://humanimpact.org/wp-content/uploads/2021/04/Walmarts-role-in-the-COVID-19-Pandemic-How-lack-of-paid-sick-time-prolongs-the-pandemic-and-increases-mortality.pdf>

² United for Respect, Walmart Associate Survey, September 2021

³ <https://www.bloomberg.com/news/articles/2021-12-09/omicron-four-times-more-transmissible-than-delta-in-japan-study?sref=AuDcg4ag>

⁴ [America’s Largest Retail Union Calls on CEOs for Action on Omicron and Winter COVID Surge to Protect Essential Workers and Customers - The United Food & Commercial Workers International Union | The United Food & Commercial Workers International Union \(ufcw.org\)](#)