

Report

Amazon's Outsized Role: The Injury Crisis in U.S. Warehouses and a Policy Roadmap to Protect Workers

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Contents

Introduction	2
Amazon Greatly Exceeds All Other Warehouse Sector Employers in Size.....	3
Worker Injuries at the Largest Facilities in the U.S. Warehousing Sector	5
A Closer Look at Amazon’s Misleading 2023 Injury Report.....	8
Misleading comparisons	8
Omitting key data.....	8
Evaluating improvement.....	9
Factors Contributing to Injuries at Amazon Warehouses	10
Undisclosed quotas and automated disciplinary system	10
Jobs designed for speed over safety.....	11
Suppression of worker organizing	11
Amazon’s Denial of Quota Use	12
Innovative Policy Models from in the States	13
What Other Protections Are Needed?.....	15
An Opportunity for Congress to Act	17
Acknowledgements	20
Endnotes.....	21



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Introduction

The rise in e-commerce in recent decades has seen warehouse employment grow rapidly in the U.S. with almost 2 million people now working in warehouses.¹ The biggest warehouse employer, Amazon, is now the second largest private-sector employer in the U.S., relying heavily on Black workers—especially Black women—to power its operations.² High injury rates at Amazon—which now represents 37 percent of all U.S. warehouse employment—have drawn scrutiny from both federal and state regulators.³ Nationally, the warehouse industry injury rate is twice that of the private-sector average for all industries and tens of thousands of warehouse workers each year experience serious injuries requiring medical treatment.⁴

This report aims to shed further light on the injury crisis facing warehouse workers and potential policy solutions by examining data from the Occupational Safety and Health Administration (OSHA) for employers with the largest warehouses in the U.S. and reviewing the current policy landscape on workplace protections for warehouse workers. We address four main questions:

1. How do the U.S. employers operating the largest warehouses compare with regard to injuries?
2. What factors drive warehouse worker injuries at Amazon?
3. What can be learned from recent state-level policy efforts to address the problem of warehouse worker injuries?

4. What's missing from recent state legislation and how can federal and state lawmakers fill in the gaps?

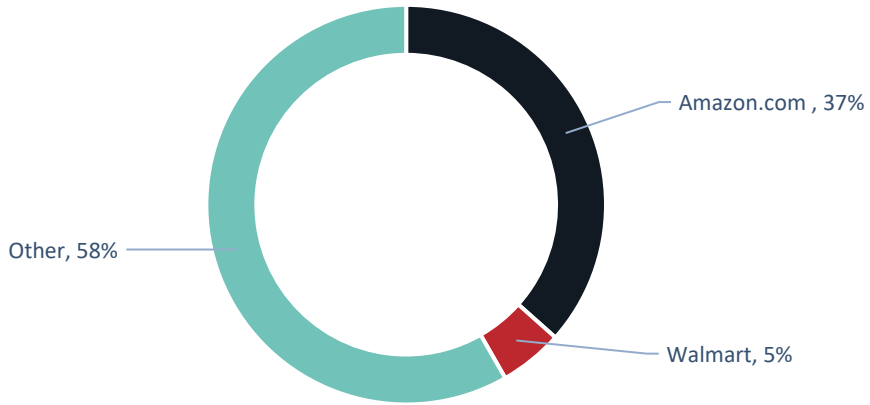
At the end of this report, we offer detailed recommendations for policy makers, calling on Congress to pass a federal Warehouse Worker Protection Act that expands on the existing state models and establishes urgently needed protections for millions of workers.

Amazon Greatly Exceeds All Other Warehouse Sector Employers in Size

Before delving into injury data, it makes sense to better understand Amazon's significance in the warehousing industry as a whole. Examining 2023 employment and facility data reported to OSHA by employers in the general warehousing and storage industry shows that Amazon dominates that sector by multiple measures—workforce size, number of warehouses, and size of warehouses.

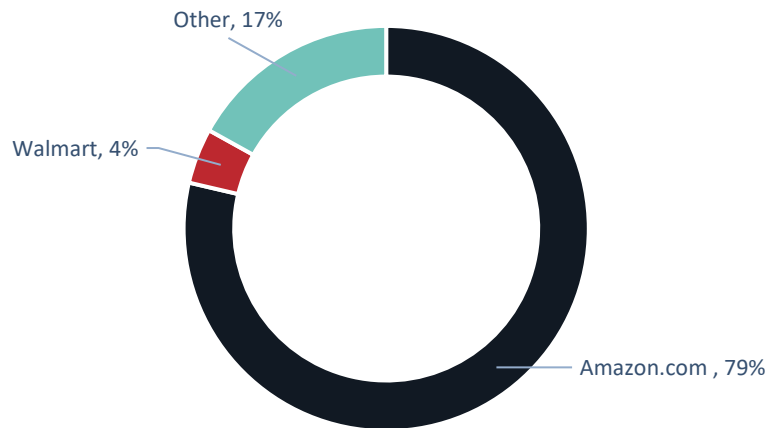
1. **Amazon surpasses all other warehouse employers in workforce size, reporting seven times the number of warehouse employees as the next largest warehouse employer, Walmart.⁵**
2. **Amazon also has more facilities than any other single company, reporting a total of 418 general warehousing and storage facilities across the country.⁶**
3. **The largest warehouses in the country are all operated by Amazon.⁷** Of the more than 7,000 U.S. warehouse facilities recorded by OSHA, the largest 48 warehouses in the country are all operated by Amazon, each employing more than 3,000 people. Of the 119 warehouses in the U.S. that employ 2,000 people or more, Amazon operates all but five. Of the 253 warehouses with more than 1,000 employees in the U.S., Amazon operates 168, and represents 79 percent of the employment in that category.⁸

Figure 1. Share of Employment in All U.S. Warehouses



Source: NELP analysis of Occupational Safety and Health Administration Injury Tracking Application data for the warehouse employers in the U.S.. Note: These figures reference employment reported by employers in the category "General Warehousing and Storage" (NAICS code 493110).

Figure 2. Share of Employment in U.S. Warehouses with 1,000 Workers or More



Source: NELP analysis of Occupational Safety and Health Administration Injury Tracking Application data for the warehouse employers in the U.S. reporting warehouses with 1,000 employees or more. Note: These figures reference employment reported by employers in the category "General Warehousing and Storage" (NAICS code 493110).

It is important to note that our analysis is based on data reported from employers to OSHA, which does not validate those employee or injury and illness counts. We limit our analysis to the largest U.S. employers operating the largest warehouses, allowing employment and facility counts to be more easily cross-verified with company publications and media reports. However, we acknowledge that these data may only approximate relative employment levels and injury rates. Even with this caveat, we believe that these data can provide important insight on trends given that no other data sources providing this information are publicly available at the establishment level.

Worker Injuries at the Largest Facilities in the U.S. Warehousing Sector

Previous research from the Strategic Organizing Center has documented the central role that Amazon plays in the problem of warehouse worker injuries in the U.S.—particularly the most serious injuries (those that require missed work or change in job duties), with cases at Amazon representing more than half of injuries of this type.⁹

To better understand Amazon’s contribution to injuries in the warehousing industry, and also understand injuries at Amazon in relation to other comparable employers, we turn our attention to a subset of the industry—the largest facilities in the U.S. warehousing industry (those reporting average annual employment of at least 1,000 workers.) OSHA records about 530,000 workers in 253 such facilities across the country, representing roughly a third of all U.S. warehouse employment.¹⁰ In this category of U.S. general warehousing and storage facilities with at least 1,000 workers, **Amazon accounts for 79 percent of employment and 86 percent of all injuries.**¹¹ (See **Table 1**).

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There are only two other companies in the U.S. warehousing industry that report operating at least 10 facilities with 1,000 workers or more.¹² Those are Walmart and TJX Companies (whose subsidiaries include TJ Maxx, Marshalls, and HomeGoods). Of the 253 warehouses with more than 1,000 employees in the U.S., Amazon operates 168, Walmart operates 21 and TJX operates 16.¹³ The data reveal that Amazon workers sustain more frequent injuries and more serious injuries than these other companies in the warehousing sector operating large facilities.¹⁴ Key findings include the following:

- **Amazon injury rate is substantially higher than the two other comparable U.S. warehouse employers with at least 10 warehouses employing 1,000 workers or more (Walmart and TJX Companies).**¹⁵ With the equivalent of one injury for every 15 Amazon warehouse workers each year or 6.5 injuries per 100 full-time equivalent workers (FTEs), Amazon's injury rate for all warehousing facilities is more than 1.5 times that of TJX Companies and almost triple that of Walmart.¹⁶ (See Table 2 below.) Note these figures include only injuries self-reported to OSHA by each company and therefore do not account for injuries that went unreported. Underreporting of injuries has been found to be widespread at Amazon facilities by both OSHA inspectors and academic researchers.¹⁷

Amazon's injury rate for all warehousing facilities is more than 1.5 times that of TJX Companies (TJ Maxx/Marshalls/HomeGoods) and almost triple that of Walmart.

- **Injuries at Amazon warehouses are much more likely to be serious enough to require time off work or job transfer than at other comparable warehouse employers (with at least 10 facilities that employ 1,000 or more workers).**¹⁸ Ninety-five percent of injuries reported at Amazon warehouses require workers to take time off work to recover or to change job duties.¹⁹ This is a higher share of such injuries than Walmart or TJX (Table 2).



Table 1.

Largest U.S. warehouse employers operating facilities with 1,000+ workers					
	Number of facilities with 1k+ workers	Total # of workers in facilities with 1k+ workers	Total injuries	As share of employment in all warehouses with 1k+ workers	As share of all injuries in warehouses with 1k+ workers
Total for all U.S. employers with warehouses with 1k+ workers	253	532,389	26,785	100%	100%
Amazon.com	168	420,115	23,059	79%	86%
Walmart	21	23,602	426	4%	2%
TJX	16	22,508	826	4%	3%

Source: NELP analysis of Occupational Safety and Health Administration Injury Tracking Application data for the warehouse employers in the U.S. reporting at least 10 warehouses with 1,000 employees or more. Note: These figures reference warehouse employees who work in facilities categorized by the employer as “General Warehousing and Storage” (NAICS code 493110).

Table 2.

Warehouse worker Injuries at Amazon, Walmart and TJX, 2023				
	Total # of workers at warehouses of all sizes	Injury rate for warehouses of all sizes (cases per 100 FTEs)	% of total cases requiring missed days or job transfer	Injury rate for largest warehouses (1k+) (cases per 100 FTEs)
Amazon.com	538,242	6.5	95%	6.3
Walmart	76,281	2.3	87%	2.1
TJX	22,851	4.2	89%	4.2

Source: NELP analysis of Occupational Safety and Health Administration Injury Tracking Application data for the warehouse employers in the U.S. reporting at least 10 warehouses with 1,000 employees or more. Note: These figures reference warehouse employees who work in facilities categorized by the employer as “General Warehousing and Storage” (NAICS code 493110).

In sum, Amazon’s size and the frequency of injury at its warehouses are both factors that result in the company’s outsized contribution to the problem of worker injuries in the general warehousing and storage sector.

A Closer Look at Amazon's Misleading 2023 Injury Report

Amazon has continually attempted to downplay the frequency and severity of injuries at its facilities—most recently releasing a misleading analysis of its 2023 injury data.²⁰ Below, we discuss some of the claims made by the company in that analysis and provide additional context for their interpretation.

Misleading comparisons

In its report, Amazon compares its own warehouse injury rates of 6.9 (cases per 100 workers) in 2022 and 6.5 in 2023 to the 2022 Bureau of Labor Statistics average for general warehousing and storage establishments with more than 1,000 employees, arguing that Amazon's injury rates are closely comparable to the average rate for that category (6.8).²¹

However, this comparison is inappropriate because Amazon warehouses comprise such a large portion of that category (facilities with at least 1,000 employees)—79 percent in 2023—that Amazon's injury rate comprises almost the totality of the average rate (See Table 2 below). Indeed, within that category (warehousing facilities with 1000+ employees) worker injuries at Amazon facilities represented 86 percent of the total injuries to all workers in 2023. Moreover, the injury rate for non-Amazon warehouses in that category (with more than 1,000 employees) was only 3.8 in 2023. Amazon's overall injury rate of 6.5 in the same year is 71 percent higher.²² This difference underscores the extent to which the average rate for the category in 2022 reflects Amazon's own rate in that year. In short, Amazon is benchmarking against itself.

Omitting key data

Second, Amazon emphasizes improvements in its "lost time" rate (the rate of injuries that require missed days of work.) However, the company does not report on another related metric—the "light duty" rate, or the rate of injuries that require job transfer. Previous research has suggested that Amazon may be shifting cases that would previously have been classified as "lost time" to "light duty" to save money on workers' compensation.²³

Our analysis of the latest available OSHA data from 2023 shows the following troubling patterns:

- Amazon’s “light duty” injury rate is 5.1, which is almost double the national average for warehousing overall (2.6) and much higher than the national average for facilities over 1,000 employees (3.7), as reported by the BLS for 2022.²⁴
- The gap is even larger between Amazon’s light duty injury rate (5.1) and the light duty injury rate for non-Amazon warehouse facilities with over 1,000 employees (1.6).²⁵

That’s why a combined measurement of light duty and lost time cases allows for a fuller understanding of the frequency and severity of workplace injuries. However, in this latest report on 2023 injury data, Amazon chose to withhold that important combined metric—the number of cases that required either light duty or lost time per 100 full-time workers.

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To fill in the missing piece of this puzzle, we analyzed the combined data on light duty and lost time that Amazon reported to OSHA but chose to withhold in its own self-published safety report. **In fact, Amazon’s rate of cases that required either light duty or lost time was actually 6.2 in 2023. This is much higher than the BLS average for the entire warehousing industry of 4.7, and almost double the rate for non-Amazon warehouses with more than 1,000 employers of 3.2.**²⁶

Evaluating improvement

Given the extent of underreporting of injuries at Amazon—which has been well documented by both OSHA and academic researchers—it is important to take any progress reported by Amazon with a grain of salt.²⁷ However, even if we take at face value that Amazon may have reduced its injury rate in relation to its 2019 highwater mark of 9.0 injuries per 100 FTE, Amazon still far outpaces other large employers in the general warehousing and storage sector with regard to the frequency and severity of injuries, as illustrated in **Table 1** above.²⁸

In its report, Amazon also touts various ergonomic improvements it has made in 2023 but fails to mention that many of those improvements were changes mandated in OSHA citations of the company in the last few years.²⁹ Note also that Amazon states that many of those improvements have only been implemented in selected facilities, and not across the board at all Amazon warehouses.³⁰

Factors Contributing to Injuries at Amazon Warehouses

The most common injuries occurring in Amazon warehouses are “strain, sprain and pain” injuries.³¹ The following are three major factors that contribute to these all-too-frequent injuries among Amazon workers.

1. Undisclosed quotas and automated disciplinary system

As OSHA inspectors and researchers have noted, the high rates of serious injury at Amazon are directly attributable to the way that the company manages its workforce using intensive surveillance, automated discipline, and constantly changing quotas generated by algorithms.³²

Amazon uses two kinds of metrics or quotas, which it calls “rate” and “time off task.”³³ The first quota, referred to as “rate,” measures how many items a worker scans over a given period of time. It has been reported that Amazon sets rates at the 25th percentile of productivity across a five-week rolling average of workers who perform a specific role.³⁴ For this quota, Amazon is reported to use a continual monitoring and ranking system that automatically flags for managers any worker who is below a certain percentile ranking in terms of how many items they scan over a given period of time.³⁵

The second quota, “time off task,” continually records the number of seconds in between scans all day long, including when a worker is using the bathroom, or addressing circumstances outside of their control (e.g. a box that is stuck or a machine malfunction).³⁶ The automated system reportedly flags for managers anyone who goes over a certain amount of “time off task.” But workers have said that Amazon doesn’t always tell workers how much time off task they have before they are in trouble or how much time off task they have already clocked at any given time. Workers report that many are pulled aside to be disciplined or fired without any access to that information.³⁷

Workers around the country have described how these opaque and undisclosed quotas have the effect of fostering a climate of fear in which they are pressured to push their bodies to the brink and beyond—or risk losing their jobs.³⁸

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A recent national survey of Amazon workers from the University of Illinois Chicago showed that:

- ▶ 41% always/most of the time feel pressure to work faster, and another 30% sometimes do.
- ▶ Injury (53%) and burnout (78%) are elevated among those feeling pressure to work faster always/most of the time.³⁹

2. Jobs designed for speed over safety

Both federal and state OSHA inspectors have repeatedly cited Amazon for illegal job hazards such as poor ergonomic job design, the failure to use standard warehouse engineering methods, heavy package weights, and excessive worktime without breaks—all of which increase the risk of serious back, shoulder, and other disabling injuries.⁴⁰

3. Suppression of worker organizing

Research has shown that an organized work force and unionization greatly improves health and safety outcomes for workers and enforcement of workplace safety laws.⁴¹ Amazon has used various tactics—including some ruled to be illegal—to attempt to intimidate workers who speak up about working conditions or organize with their co-workers for union representation.⁴² The company has also joined with other large employers in litigation to dismantle the National Labor Relations Board.⁴³ In addition, high turnover at Amazon—estimated at 150 percent annually, and reportedly encouraged by the company—is a factor that presents major obstacles for worker organizing efforts.⁴⁴

In sum, only by slowing down the pace of work it requires from workers, fundamentally changing its surveillance and disciplinary practices, and ending its suppression of worker organizing efforts will Amazon be able to meaningfully address the injury crisis in its warehouses.⁴⁵ To date, the company has not taken these steps at all of its facilities, prompting efforts around the country to adopt public policy measures to stem the tide of worker injury.

Amazon's Denial of Quota Use

In response to scrutiny of its management practices, Amazon has denied using any quotas to discipline or terminate workers, with one company representative recently stating, "We do not require employees to meet specific productivity speeds or targets."⁴⁶ However, internal documents from Amazon have described in detail the company's history of disciplining and terminating workers on the basis of algorithmically-generated quotas.⁴⁷ Here is an excerpted image from one of those documents, from 2018—obtained by *The Verge* through a Freedom of Information Act request.⁴⁸

The Company terminated (b) (6), (b) (7)(C) because (b) (6) repeatedly failed to meet productivity rates. Amazon consistently terminates fulfillment center associates for failing to repeatedly meet the standardized productivity rates. In fact, Amazon has terminated hundreds of employees at the BWI2 facility alone since August 2017 for failure to meet productivity rates. (See Exhibit "M"). [

Internal documents from Amazon have described in detail the company's history of disciplining and terminating workers on the basis of algorithmically-generated quotas.

Another excerpted image from that document contains the description of a specific employee termination, citing precise performance targets measured to two decimal places.⁴⁹

prior 6 weeks, with (b) (6) average overall rate reaching 88.88% of the goal. (See Exhibit "B"). On (b) (6), (b) (7)(C) received a final written warning. At that time (b) (6), (b) (7)(C) again failed to meet (b) (6) productivity rate in any of the prior 6 weeks, with (b) (6) overall rate for chuting reaching 88.86% and (b) (6) packing singles rate reaching 82.62%. (See Exhibit "C"). On (b) (6), (b) (7)(C) was terminated for failure to consistently meet (b) (6) productivity rates since (b) (6), (b) (7)(C) 2017 start date. (See Exhibit "D").

This document also describes how Amazon uses a proprietary algorithm to generate a performance metric for its warehouse employees.⁵⁰ It states:

"In order to ensure that associates are processing orders as efficiently as possible, Amazon developed a proprietary productivity metric for measuring and weighing productivity of each associate. The metric system is used at all North American fulfillment centers and sets forth a standardized metric based on several weeks of quality performance data across North America."

Another similar document written by attorneys representing Amazon during a 2022 legal dispute with a warehouse worker in Florida reportedly lays out in more detail how Amazon calculates the performance metric the company refers to as “rate.”⁵¹

While how exactly that metric is deployed at specific facilities or in specific circumstances may vary, it is clear that Amazon does use a well-defined system of performance standards tracked closely by its warehouse managers. However, workers in the company’s warehouses have said that they are often kept in the dark about the performance standards they are expected to meet and that they are not always given access to data collected on how their own performance measures up to those standards.⁵²



Speaking out about warehouse worker injuries

Keith Williams, an employee of an Amazon warehouse in Montgomery, New York, speaks in support of the Warehouse Worker Injury Reduction Act at the New York State Capitol on January 17, 2024.
Source: ALIGN

Innovative Policy Models from in the States

Since 2021, four states—California, New York, Minnesota, and Washington—have passed innovative legislation targeting conditions in the warehousing industry, and similar legislation has been introduced in more than a dozen others.⁵³

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The new policies require employers to disclose quotas and work speed data to workers and establish strong guardrails to protect workers who exercise these rights from employer retaliation. In addition, Minnesota and Washington State adopted further provisions to specifically address warehouse ergonomics in 2023, and in New York State, a broad coalition is working to pass the Warehouse Worker Injury Reduction Act, a bill that would establish ergonomic protections for warehouse workers.⁵⁴

Key provisions of the new laws include:

- Protections for workers from discipline if standards have not been previously disclosed to reduce the climate of fear resulting from workers not knowing what they have to do to avoid discipline or termination.
- Granting workers access to their own work speed data and aggregate data for similar workers at their facility so that they can know if quotas are being enforced fairly and consistently—and know whether they may have been singled out or retaliated against for speaking up about working conditions or helping to organize a union.
- Strong anti-retaliation protections for workers who request information about quotas or work speed data.

California's AB 701 went into effect in January 2022. While critics argued that such legislation would harm warehouse businesses, California's experience does not bear that out. Since the new warehouse worker protections were adopted, the warehouse industry has continued to thrive in that state. The latest available data show that:

- Annual average warehouse employment in 2022 grew twice the rate of overall private-sector employment in CA.⁵⁵
- In 2022, warehouse employment grew 12 percent in California, with more than 30,000 new warehouse jobs added.⁵⁶ During the same period, overall private-sector employment in California grew six percent.⁵⁷

Importantly, these new laws have given workers the opportunity to take action individually and collectively on poor working conditions with more meaningful protection from retaliation. These laws have taken the crucial first steps in establishing standards for safe warehouse work, and state and federal lawmakers should build on those first steps and go further to ensure that warehouse workers can go to work without fear of serious injury.

What Other Protections Are Needed?

1. Explicit bans on “time-off task” quotas

Although the new state laws contain prohibitions on quotas that interfere with breaks—which are implicit prohibitions on “time-off task” systems—neither these new laws nor existing federal law explicitly ban these systems as defined by the practice of continuously tallying increments of work time and penalizing workers in real time based on the data collected. Such bans would be an important next step to regulate a central disciplinary tool that workers have described being used by Amazon to push them to work beyond safe speeds.⁵⁸

2. Federal rules on ergonomic job design

Current federal health and safety laws and regulations do not currently include specific protections requiring employers to adhere to ergonomic principles (i.e. fitting a job to a person) or to design jobs in a manner that reduces the risk of musculoskeletal injuries. In fact, current federal law under the Congressional Review Act specifically prevents OSHA from issuing regulations on this subject.⁵⁹ While OSHA has issued a multitude of guidelines on workplace ergonomics in recent decades, none of those guidelines are binding for employers or legally enforceable.⁶⁰

3. Mandated rest and meal breaks

Federal law and many state laws do not require employers to grant periodic breaks to warehouse workers.

4. Clear standards on medical management when injuries occur

There is currently an absence of federal standards to ensure that workers receive prompt and appropriate care and can obtain the necessary documentation to access workers' compensation if they are eligible.

5. Fixes to OSHA's weak enforcement powers

Even in the absence of specific rules on ergonomics, OSHA has issued citations against Amazon in multiple locations across the country after finding serious ergonomic hazards. While these recent enforcement actions by OSHA represent an important breakthrough in bringing to light Amazon's failure to provide a safe workplace, several factors currently prevent OSHA from comprehensively resolving the injury crisis at Amazon warehouses.

First, even the meager health and safety protections currently afforded to workers under federal law are undermined by OSHA's appeals process which allows employers like Amazon to delay fixing the underlying problems for years while the company's appeals are pending. And second, during that time, under federal law, workers' legal right to participate fully in an appeal is weak and, in most cases, blocks them from directly seeking redress through the OSHA appeals process and in the courts. This differs from the enforcement mechanisms for other workplace standards such as the minimum wage, in which workers have greater access to the court system to seek back pay for wage theft.

6. Addressing barriers that prevent OSHA and the NLRB from adequately protecting workers from employer retaliation

OSHA also has very limited authority to protect workers from retaliation if they are able to complain about workplace hazards in the short period allowed, and full enforcement of OSHA's anti-retaliation rules often takes years. Likewise, the NLRB currently has very limited tools to protect workers engaging in organizing activity from employer retaliation, with no monetary penalties for employers, no compensatory damages for workers, and no ability for workers to pursue their own anti-retaliation cases.⁶¹

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An Opportunity for Congress to Act

Building on the success of new policies in the states, Congress can extend much-needed protections to warehouse workers around the country by passing the federal Warehouse Worker Protection Act. This legislation is urgently needed to prevent the spread of Amazon's harmful management practices, given that the company's dominance in the warehousing industry means that its business model can greatly influence other employers.⁶²

The Warehouse Worker Protection Act

This bill proposes comprehensive new protections for workers and includes the provisions outlined below.

- 1. Transparency Requirements for Automated Discipline** – In order to curb the use of constantly changing and poorly disclosed quotas that have been made possible by new workplace surveillance and automated management technologies, the bill:
 - a.** Requires employers to give advance notice of work quotas before employees may be disciplined for not meeting them—with the aim of reducing the climate of fear in the workplace that can lead to injuries.

- 2. Explicit Bans on Harmful Quotas Such as “Time-off Task”**– To directly address the most harmful practices, the bill also:
 - a.** Prohibits employers from disciplining workers using “time-off task” quotas, that track every second a worker is not performing certain tasks (even when they are using the bathroom or addressing circumstances outside of their control).
 - b.** Prohibits employers from enforcing quotas that are so demanding as to endanger workers—for example, quotas that would prevent employees from complying with health and safety standards, from taking bathroom or rest breaks, or exercising other workplace rights.

- 3. Work Speed Data Access and Protections** – To lessen the power imbalance between workers and employers in relation to the use of workplace surveillance and work speed data collection:
 - a.** Gives warehouse workers the right to request, review, and correct their work speed data and to access comparative work speed data for similar employees at their facility to ensure that quotas are enforced consistently and not used in a retaliatory or discriminatory manner.

- b. Limits warehouse employers from gathering employee work speed data except when strictly necessary, and limits employers from sharing it.
- 4. **Required Breaks** – To reduce injuries and allow workers time to recuperate, the legislation requires that warehouse employers provide workers at least a 15-minute paid break for each four hours worked.
 - 5. **Protection from Retaliation** – To bolster worker organizing efforts and ensure workers can exercise these important new rights, the legislation:
 - a. Prevents employers from retaliating against workers who request information or speak up about illegal quotas or other violations of the new protections.
 - b. Draws on best practices from the states, creating a rebuttable presumption that any adverse action taken by an employer within ninety days of a worker exercising those rights is retaliatory.
 - 6. **Ergonomic Standards** – To comprehensively address the problem of unsafe job design, the legislation requires OSHA to promulgate an ergonomic standard which would:
 - a. **Require employers to evaluate and fix workplace ergonomic hazards** such as reducing workload, reduce repetitive motion tasks, redesigning workstations, remove harmful tools, practices, or equipment and replace with ergonomically designed worker-verified ones.
 - b. **Ensure the involvement of workers** and their chosen representatives in the process of identifying, assessing, and fixing the hazards, centering and maximizing workers' input, expertise, and solutions.
 - c. **Mandate worker training** on how to identify the type of work activities creating higher risk for musculoskeletal disorder (MSD), symptoms of MSD, employers' practices and policies used to fix the workplace ergonomic hazard.
 - 7. **Medical Management Standards** - The medical management standard would require warehouse employers to have qualified personnel available on the premises to provide first aid to injured workers and require timely referral to appropriate medical professionals for further treatment.
 - 8. **Robust Enforcement Mechanisms** – To enforce these new protections, the legislation:
 - a. Authorizes workers to bring suit in court over violations.

- b. Authorizes the U.S. Department of Labor to establish an administrative enforcement process and to impose civil penalties for violations.
- c. Bans employers from using forced arbitration agreements and class/collective action waivers to prevent workers from enforcing these new protections.
- d. Strengthens OSHA's authority to enforce new standards including making it more difficult for employers to legally delay correcting violations if an appeal is pending.

Additional Recommendations – Addressing Climate-Related Hazards, Closing Loopholes in Health and Safety Protections, and Protecting the Right to Organize

To further protect warehouse workers from occupational health hazards, we also urge federal lawmakers to consider adopting policies to address the risks to workers related to the climate crisis such as safe temperature standards.⁶³

In addition, to ensure that workers across all industries can be safer from injury and illness on the job, Congress should pass **Protecting America's Workers' Act**, which would expand protections for whistle-blowers, and allow employees to refuse dangerous work.⁶⁴

Finally, Congress should also pass the **Protecting the Right to Organize Act (PRO Act)**, which would close loopholes in current labor law and help the millions of non-union U.S. workers who currently want a union in their workplace but face obstacles such as employer interference.⁶⁵



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Endnotes

¹ Bureau of Labor Statistics, Current Employment Statistics, 2022, available at <https://www.bls.gov/ces/>

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We limit our analysis to the largest U.S. employers operating the largest warehouses, allowing employment and facility counts to be more easily cross-verified with company publications and media reports. However, we acknowledge that these data may only approximate relative employment levels and injury rates. Even with this caveat, we believe that these data can provide important insight given that no other data sources providing this information are publicly available at the establishment level. For other analyses of Amazon injury rates using OSHA ITA data, see various reports published by the Strategic Organizing Center, including In Denial: Amazon’s Continuing Failure to Fix Its Injury Crisis, available at: https://thesoc.org/wp-content/uploads/2023/04/SOC_In-Denial_Amazon-Injury-Report-April-2023.pdf.

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¹³ NELP analysis of OSHA ITA data

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