

California Democrats pass toothless law against work quotas at Amazon warehouses

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On September 23, California's Democratic Party-controlled State Assembly passed bill AB 701, which claims to ban "warehouse distribution centers," but clearly targeting Amazon, from forcing employees to meet quotas which prevent "compliance with meal or rest periods, use of bathroom facilities, including reasonable travel time to and from bathroom facilities, or occupational health and safety laws."

With over 150,000 employees in California alone, Amazon is the state's largest employer. According to *Business Insider*, roughly 1 in 153 American workers are employed by the company. Amazon's global workforce has grown by an additional 500,000 during the pandemic to 1.3 million. It plans to hire 100,000 more during the winter holidays.

The legislation is a toothless measure, which allows California's Democrats to posture as defenders of workers' rights while doing nothing to seriously challenge the regime of electronically-enforced speedup, which is pervasive in Amazon warehouses. First, it only takes effect in January of 2022, after the upcoming holiday season, which analysts predict will be marked by massive disruptions due to global supply chain problems. Amazon will be allowed to enforce dangerous work rates during the holiday season before any provisions of the bill have even taken effect.

Second, the bill does not establish any actual limits to work rates or quotas or define what constitutes "reasonable travel time" during breaks. Instead, these issues will be litigated through complaints filed by individual workers, in which precedents will be set in an asymmetrical environment where workers will have to fight for months by themselves against the company's army of lawyers. Such procedures have long been in place in workers' compensation systems throughout the country, which function to shield

workers from any obligations due injuries suffered by workers on the job.

Moreover, even if a worker were to win his or her case, injunctive relief appears to be limited to a reduction in that person's quotas not those of the facility as whole.

Third, because the complaints are not anonymous, the bill amounts to an invitation for workers to risk being victimized. The bill's provisions protecting workers against retaliation for filing a complaint go away after 90 days.

The passage of the new law was the occasion for self-congratulatory statements by top state Democrats. "We cannot allow corporations to put profit over people. The hardworking warehouse employees who have helped sustain us during these unprecedented times should not have to risk injury or face punishment as a result of exploitative quotas that violate basic health and safety," California's millionaire Governor Gavin Newsom said.

The governor did not attempt to square this declaration of opposition to putting "profit over people" with the state's reopening of schools in California, including the nation's second largest school district in Los Angeles, amid the pandemic. This grotesque experiment in "herd immunity" has caused pediatric COVID-19 cases to skyrocket.

Rachel Michelin, head of the California Retailers Association, stated she was "disappointed" with the law's passage. Michelin provocatively threatened that allowing workers to take federally-mandated breaks would "exacerbate our current supply chain issues, increase the cost of living for all Californians and eliminate good-paying jobs."

A day after AB 701's passage into law, CNN reported on several former Portland, Oregon-area Amazon delivery service contractors whom "were

loaded with so many packages that some frustrated... drivers quit in the middle of their shifts.” The report cites Ryan Schmutzer, owner of a delivery van service who, “would sometimes coach his drivers through mental health struggles” stemming from pressure the company applied to workers during the pandemic.

According to an in-depth *New York Times* report in June, “[e]ven before the pandemic ... Amazon lost about 3 percent of its hourly associates each week, meaning the turnover among its work force was roughly 150 percent a year.” According to the report, “[t]hat rate, almost double that of the retail and logistics industries has made some executives worry about running out of workers across America.”

The corporation’s operations have grown exponentially during the pandemic, with the company reporting an all-time high profit of \$21.3 billion in 2020, an increase from \$11.6 billion in 2019. The company’s second quarter financial results this year were more than 50 percent better than its total profit last year. The wealth of the company’s founder and former CEO, Jeff Bezos, has grown by \$75 billion since the beginning of 2020 to more than \$198 billion today.

Even prior to the pandemic, Amazon was notorious for unsafe conditions at its warehouses. A 2019 report, basing itself on Occupational Safety and Health Administration (OSHA) numbers, found that workers at Amazon injured themselves at a rate almost three times greater than other private warehouse employers. A number of studies have returned similar findings.

While the bill itself is little more than a cynical public relations exercise, it is another indication of the enormous anxiety within the American ruling class over the growth of opposition from below, with workers angered by the criminal policies of both parties in the pandemic and emboldened by labor shortage to push for their own demands. Hundreds of thousands of workers across the United States have or will soon vote to authorize strike action, including 60,000 entertainment industry workers and tens of thousands of nurses in the state of California. Moreover, there are growing signs of unrest within the industrial working class, many of whom have been forced to work for weeks a time without a single day off as the companies desperately try to bolster production in spite of global supply shortages.

To corral this opposition and smother it before it threatens to grow into an organized movement against capitalist inequality, the Democratic Party is seeking to enlist the help of the trade unions. At Amazon, it has spearheaded a campaign to install a trade union. “American capitalism needs some means of trying to contain the upsurge of class struggle and enforce social stability and ‘labor peace’ at home while it prepares for new wars,” the *World Socialist Web Site* wrote last month.



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