



NEW YORK STATE SENATOR

Jessica Ramos

## NY State Labor Chairs Introduce the Warehouse Worker Protection Act

JESSICA RAMOS April 29, 2022

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### **NEW YORK STATE LABOR CHAIRS FILE THE WAREHOUSE WORKER PROTECTION ACT**

THE WWPA ([S8922](#)/Assembly number forthcoming) AIMS TO ADDRESS HIGH INSTANCES OF WORKER INJURY IN AMAZON WAREHOUSES AND COMPARABLE FACILITIES

**NEW YORK CITY, NY**— As voting enters its final day for the Amazon Labor Union’s second warehouse election, workers are getting support from Albany in the form of the Warehouse Worker Protection Act. With the backing of a broad labor coalition, **State Senator Jessica Ramos (D, WF - SD13)** and **Assembly Member Latoya Joyner (D - AD 77)** have introduced legislation to the Senate and Assembly Labor Committees to limit the algorithms and quotas regulating the pace of work in warehouses and fulfillment centers.

[S8922](#)/Assembly number forthcoming strengthens language in a comparable bill that passed in the [California legislature in 2021](#) by providing workers with a private right of action against employers who set algorithm-driven quotas that injure their employees and by creating workplace safety committees. Under the legislation, every warehouse will have an ergonomic assessment of all tasks, with penalties and enforcement mechanisms instituted with oversight by the New York State Department of Labor.

“My responsibility as Senate Labor Chair is to find every gap and opportunity that bad bosses use to cut corners on their employee’s health and safety, and swiftly close them. What we know is that in these warehouses, workers are contending with more than one bad boss. On one side, they’re pushing back against pervasive [union-busting](#)

[campaigns](#), and on the other, they are contending with write-ups and penalties from an opaque algorithm that can't be bargained with," said **Senate Labor Chair, Jessica Ramos (D, WF - SD13)**. "These so-called productivity quotas do not allow for workers to comply with recommended ergonomic health and safety standards and contribute to a workplace injury rate that accelerates turnover. When we pass the Warehouse Worker Protection Act, we can ease the bargaining process for any worker in any warehouse or fulfillment center who is seeking to make collective demands for health and dignity in their workplace."

"Protecting workers from the potential stress and physical injuries that they face as high-pressure quota systems become more commonplace in warehouses and distribution centers throughout New York, the Warehouse Worker Protection Act is a crucial workplace safety measure that I am proud to introduce in the Assembly," **Assemblywoman Latoya Joyner (D-Bronx, 77thAD), chair of the Assembly Labor Committee**, said. "Removing the incentives for e-commerce giants like Amazon to engage in unsafe practices, the Warehouse Worker Protection Act enhances workplace safety protections for thousands of New Yorkers and I look forward to enacting this important legislation."

## **CHANGING INDUSTRY AND NEW TECH WITH NO CHECK: THE ALGORITHM IS THE BAD BOSS**

The rapid growth of same and next-day consumer package delivery, and advances in technology used for tracking employee productivity, have led to a rise in the number of warehouse and distribution center workers who are subject to quantified work quotas.

Warehouse and distribution center employees (mostly workers of color) who work under those quotas are expected to complete a quantified number of tasks within specific time periods, often measured down to the minute or second, and face adverse employment action, including suspension or termination, if they fail to do so.

## **HIGH INJURY RATES AND TURNOVER IN WAREHOUSES**

Those quotas generally do not allow for workers to comply with safety guidelines or to recover from strenuous activity during productive work time, leaving warehouse and distribution center employees who work under them at high risk of injury and illness.

Workplace injuries can take a terrible toll on workers, their families, and their communities, and can create substantial costs for employers. According to the most recent data (2020) released by the Bureau of Labor Statistics, the warehouse industry itself reports a rate of serious work-related injuries involving lost time or restricted duty (3.9 cases/100 full-time workers) that is more than three times the average injury rates for all private industry (1.2 cases/100 FTE's).

The most common types of work-related serious injury reported by employers in the warehouse sector are musculoskeletal injuries (MSDs), which often require workers to miss work and can force workers permanently out of the job and even out of the workforce.

“Even before I was an organizer, I saw a lot of workers talk about how they feel like they can’t miss a beat. They can’t tie their shoes or go to the bathroom or drink water because they have to hit their rate or else they’ll get terminated,” said **Derrick Palmer, the vice president of Amazon Labor Union and a warehouse worker at JFK8**. “With this law, workers will have an understanding of productivity metrics and the job won’t be as strenuous on their bodies.”

“Worker injuries in the warehousing industry have become a pervasive problem - and especially at Amazon facilities. It’s long past time we hold Amazon accountable under the law for its egregious health and safety record.

“The RWDSU is proud to stand alongside coalition partners as well as with Senator Ramos and Assemblywoman Joyner to support the Warehouse Worker Protection Act. This bill will establish the model for the entire nation on warehouse worker safety; and it will send a clear message to Amazon and others that we can no longer tolerate their disregard for health and safety in the workplace,” **Stuart Appelbaum, RWDSU President**.

"Amazon workers are speaking out and organizing because they need a voice on the job to protect themselves and their coworkers," said **Teamsters Joint Council 16 President Thomas Gesualdi**. "Senator Ramos and Assemblymember Joyner's legislation will help Amazon workers fight back against dangerous quotas and have a role in making their warehouses safer for workers. The Teamsters stand alongside Amazon workers in the fight for good jobs for all logistics workers."

"It's no coincidence that warehouse injuries have spiked as Amazon and other e-commerce giants rapidly expand across the state, lining their pockets at the expense of workers' health and safety. We must put workers first, and New York can lead the way. ALIGN and the New Yorkers for a Fair Economy coalition are proud to partner with Senator Ramos and Assemblymember Joyner on the Warehouse Worker Protection Act, trailblazing legislation that will empower workers and hold corporate abusers accountable." said **Maritza Silva-Farrell, Executive Director of ALIGN NY**, a key leader of the New Yorkers for a Fair Economy coalition.

“Amazon counts on worker turnover - they churn through their employees and inflict lasting physical damage as a cornerstone of their business model and delegate discipline to opaque algorithms. Algorithms make terrible bosses - NYCOSH is proud to stand with Senator Ramos, Assembly Member Joyner, and our partners in the labor movement in support of the Warehouse Worker Protection Act,” said **Charlene Obernauer, Executive Director of NYCOSH**.

Given Amazon Labor Union’s impending negotiations for their first collectively bargained contract, the bill sponsors are motivated to take swift action on this legislation.

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RELATED LEGISLATION

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## 2021-S8922

### Amazon; Labor; Warehouse Worker Protection Act

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor

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Establishes the warehouse worker protection act

April 28, 2022

Signed by Governor

Sponsored by [Jessica Ramos](#)

Do you support this bill?