Strike referendum at Amazon Poland

Summary

Workers' Initiative

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Contents

Petition 3
Negotiations and mediation 3
Protest and referendum 4
Amazon restricts the right to strike 5
Results and conclusions 6
Timeline 6

The union Inicjatywa Pracownicza (IP), which represents more than 1,000 people employed by Amazon in Poland, entered into a formal labour dispute in July 2022. The union demanded a wage increase of 6 PLN per working hour. An earlier petition signed by 2,777 people did not lead to the expected increases. The day before the negotiations in August, Amazon raised wages by 1,50 PLN. This caused dissatisfaction among the workforce. However, the negotiations and September mediation with a mediator failed.

Acting in accordance with the Polish labour disputes resolution act, Inicjatywa Pracownicza (IP) proceeded with a strike referendum. In order to be valid, it needs to be conducted at the whole company level. From October to December 2022, shopstewards collected unprompted votes inside six Amazon warehouses. Thousands of people voted. However, at the beginning of 2023 Amazon restricted access to further warehouses by not allowing the referendum at the canteens. Union representatives (who were workers of Amazon, employed at different sites) were not allowed to enter the workplaces. Inicjatywa Pracownicza (IP) perceived this to be an unlawful obstruction of an labour dispute and organised protests in front of the warehouses. Members filed notices to the public prosecutor's office on suspicion of a crime. In April 2023 the public prosecutor's office in Świebodzin decided to initiate an investigation. We summarise the results of the vote and the actions that our union took during this time.

Petition

As a reminder, there was already a petition demanding a 15% pay rise at the beginning of 2022. This demand was made by Amazon office workers from Gdańsk and Warsaw (customer and corporate services). Their petition was supported by warehouse workers. The petition was addressed to Marian Sepesi, Amazon's regional operations director for Central and Eastern Europe. It was signed online and on paper by 2,777 people, including nearly 200 office workers from Amazon's Technology Development Centre in Gdańsk and Warsaw. Inicjatywa Pracownicza (IP) submitted it to the Amazon's HR office on March 21, 2022.

Amazon did not respond to the petition for a long time, so in June 2022 unionists from warehouses in Poznań, Wrocław, Sosnowiec and Gliwice demanded a response and a wage raise every day — for a week — submitting a total of 20 letters. All they received was the information that Amazon reviews wages every year in the second and third quarters of the year. A year earlier, the results of the review were communicated on June 10 and the new rates were effective from July 1. Meanwhile, in early July 2022 Amazon informed employees that this year's salary review had been frozen. The protracted salary review at a time of skyrocketing inflation in Poland – morover, after Amazon made astronomical profits during the e-commerce boom accompanying the pandemic – caused further discontent among workforce. For this reason, Inicjatywa Pracownicza (IP) submitted an official letter on July 13, 2022, entering into a labour dispute with a single demand: an increase in workers' wages by 6 PLN for each working hour (i.e. approximately 1,000 PLN per month for the lowest-level warehouse worker).

Negotiations and mediation

As a result of the demand not being realised, the union had been in dispute with the employer since July 27. The first negotiations were set for August 4. Is it a coincidence that the day before,

on August 3, Amazon announced a pay rise? Wages were only due to increase by 1,50 PLN per working hour, and that would not be until October. The indignation of the workers on the shop floor was so apparent. However, formally the negotiations did take place. During the talks, the union demanded that wages be adjusted for inflation, while Amazon maintained that wages — according to market analyses — were competitive. A protocol of divergence was signed.

The next step in the labour dispute was mediation. These, involving a mediator appointed by the Ministry of Family and Social Policy, took place on September 7. They also ended in failure. Amazon refused to pay increases demanded by the union, stressing again that it had conducted a survey of the wage market. However, it did not show to the union detailed data. It was explicitly expressed that the employer was not adjusting wages in line with inflation, but with wage reviews. We called for this review to take place in the first quarter of the year, in consultation with the union. Amazon has stated that this is not possible. It will not discuss pay with the unions, as "the issue of increases is part of the individual employment contract". It will therefore continue to pretend, in our opinion, of individually negotiating wages with each of the around 20,000 employees, by annexing their contracts, just to circumvent collective bargaining with the workers' representatives, which are the unions.

Protest and referendum

After mediation has failed, in accordance with the labour disputes resolution act, the union conducts a strike referendum. It is conducted at the company level, in this case Amazon Fulfillment Poland, which covers 10 warehouses in several provinces — from Szczecin (north of Poland), Łódź, Poznań, Legnica, Wrocław to Katowice (south of Poland). It is therefore a huge logistical operation and an organisational challenge.

On September 25, the union began with a protest in front of a warehouse near Poznań to inform workers about the mediation process and the planned referendum. The international visitors from the Amazon Workers International coalition, who are Amazon workers from Germany, France and Slovakia, and were present at that time, were not allowed even at the company car park. Amazon set up a barrier at the entrance to the company's premises (which normally remains open) to prevent entry for those who do not work at the Polish branch of the corporation. Security checked the ID badges of employees entering the workplace (which they do not normally do), thus unintentionally informing everyone about the protest.

The proper referendum began in October 2022 at Amazon's WRO1 warehouse in Bielany Wrocławskie. At the same time, the union launched an online voting platform. In the second half of October, the collection of votes began at the warehouse near Poznań. Shopstewards stayed at the canteen from 10am until midnight so that day and night shifts could vote. Workers voted mainly during the 15-minute break and the half-hour lunch break.

The referendum was covered in the media and voices of support were heard. In October, the Poznań and Silesia Youth Circles of Inicjatywa Pracownicza (IP) put posters at company bus stops and distributed leaflets with a QR code to the strike referendum website to workers boarding on the company buses. In November, in the week leading up to Black Friday, we took part in a protest in Wrocław together with workers at the Kaufland supermarket, demanding pay increases in commerce and e-commerce sectors. As part of the global „Make Amazon Pay" campaign, we wore T-shirts with this slogan at work and handed out stickers. We reminded people that only

together, across borders, acting together with workers from other countries and with the social movement, we can force Amazon to pay more decent wages, bear the environmental costs of its business model, as well as pay fair taxes.

In November, the referendum took place in the canteens and smoking area of Amazon warehouse KTW1 (Sosnowiec) and continued in WRO1 (Wrocław) and POZ1 (Poznań). On December 6 and 7 2022, votes were collected in warehouse WRO2 (Bielany Wrocławskie) on day and night shifts, on December 7 and 8 2022 in warehouse KTW3 (Gliwice) on day and night shifts, and on December 14 2022 in warehouse KTW4 (Sosnowiec). In this way, union representatives were present with ballot boxes in 6 Amazon warehouses in Poland. They collected thousands of votes from workers dissatisfied with low wages.

Amazon restricts the right to strike

In our view, Amazon must have been frightened that enough people would vote for the referendum to be considered valid. According to the (restrictive) strike law, 50% of the workforce must participate. At the end of December, we received the first letter in which Amazon alleged that the referendum was being prolonged. We wrote back that the decision to end the vote was not within the employer's competence.

On January 20 2023, the union delegation was not allowed into the warehouse area at the LCJ3/4 warehouse in Łódź. Workers were only allowed to vote in the smoking area outside the warehouse, which significantly reduced the turnout. In front of the warehouse, Inicjatywa Pracownicza (IP) organised a protest: the unionists held a banner with the slogan „Amazon violates the right to strike", shouted slogans, and spoke to workers and the media. MPs were present at the scene and called the police, when Amazon did not allow the union representatives into the warehouse. The police made an official note, which in turn was submitted to the prosecutor's office. Similar protests took place in February and March in front of Amazon POZ2 in Świebodzin and in Kołbaskowo near Szczecin. In a gesture of support, on February 2 2023, the group „Posters Against Violence" pasted three large-format posters in the centre of Poznań with the slogans „Don't tighten your belt — clench your fist", „Amazon violates the right to strike" and „Make Amazon Pay".

On February 9, a press conference took place in front of the National Public Prosecutor's Office in Warsaw, under the slogan "The impunity of big corporations like Amazon must end!" and left-wing MPs filed a notice of possible criminal offence with the public prosecutor's office. A few days later, four representatives of Inicjatywa Pracownicza (IP) received disciplinary letters accusing them of holding a banner with the slogan "Don't tighten your belt, tighten your fist", allegedly "inciting aggression", and being on the premises of the workplace without the employer's permission, conducting "an illegal protest action during which the exit was blocked", thus allegedly "endangering the life and health of employees". The union responds that the allegations are absurd, although the exchange of letters continues to this day. As recently as the end of April, a union member from Wałbrzych received a letter on the matter.

Results and conclusions

The strike referendum was attended by 4978 employees and workers of Amazon Fulfillment Poland, of which more than 95% voted in favour of the strike. After verification of the valid votes, it appears that the largest number (in proportion to the number of employees) of employees voted in the WRO1 warehouse, followed by KTW1 and POZ1 (the turnout there was around 40%). Under Polish law, however, it is irrelevant how many votes were cast at individual warehouses. What matters is the total number of employees in the company. To sum up, approximately 25% of the total workforce voted (not including agency workers).

What do these results indicate? Firstly, five times more workers than the workers unionised by Inicjatywa Pracownicza (IP) took part in the referendum. This is a good indication of the support for the demands and the reach of our organisation. It also illustrates, of course, the enormous scale of dissatisfaction with wages in Amazon's Polish warehouses. It is worth mentioning that during the referendum itself dozens of people, whom we were able to reach through the vote, joined the union. Never before has our union been as large as it is today.

Secondly, it can be clearly seen that in those warehouses where the union could not have a presence at the canteens due to Amazon's restriction of access, the turnout was significantly lower. The lack of access to the five warehouses meant that the restrictions by Amazon skewed the results of the vote. In our view, this is an unlawful action — hence the notices to the public prosecutor's office have been filed.

Finally, the results clearly show that the right to strike in Poland is very restricted. Out of the countries where Amazon warehosues are present, Poland is the only country in the EU, where the holding of a referendum is a condition for a strike, on top of which it is only valid after a high turnout (which is 50% of the employees). This is particularly difficult in a situation when companies cover many workplaces. In other EU countries where Amazon operates it is not necessary to hold a referendum at all. The union may or may not hold a ballot only among its own members. It is possible to strike even with a few hundred people on the boeard, as happened this year in the UK or Spain.

Nearly 5,000 people voted in favour of a strike in Poland! Imagine what strike power we would have if we were not restricted by this repressive legislation. It would be cricial to use this strength for protest actions other than a formal strike. Our union will continue to be active at Amazon, as well as pushing for a change in the legislation (the labour disputes resolution act) in this regard.

Timeline

- January 2022 — petition for 15% wage increase launched
- March 21, 2022 — the union submits a petition signed by 2,777 people, including nearly 200 office workers
- June 2022 — due to the lack of response to the petition, Inicjatywa Pracownicza shopstewards submits 20 identical letters every day for a week to HR departments in warehouses in Poznań, Wrocław, Sosnowiec and Gliwice, demanding a wage raise

- July 13, 2022 — the union submits a letter demanding a wage increase of PLN 6 per hour worked
- August 3, 2022 — Amazon announces a raise of PLN 1.50 per hour worked
- August 4, 2022 — Negotiations concluded with a protocol of divergence
- September 7, 2022 — Mediation with the participation of a mediator concluded with a protocol of divergence
- September 23, 2022 — protest at POZ1 warehouse, Amazon workers from other countries not allowed on the company's premises, they picket in frotn of railroad barrier
- between October 5 and 19 — the referendum at Amazon WRO1 warehouse in Bielany Wrocławskie
- between October 24 and 31, 2022 — the referendum at Amazon POZ1 warehouse in Sady near Poznań
- between November 8 and 13, 2022 — the referendum at Amazon KTW1 (Sosnowiec)
- November 21, 2022 — protest in Wroclaw against overpricing and exploitation
- November 25, 2022 — global #Makeamazonpay campaign on Black Friday
- November 29 and 30, 2022 — the referendum in WRO1, KTW1 and POZ1 continued
- December 6 and 7, 2022 — the referendum takes place for the first time in WRO2 (Bielany Wrocławskie) warehouse
- December 7 and 8, 2022 — the referendum takes place for the first time at the KTW3 warehouse (Gliwice)
- December 14, 2022 — the referendum takes place for the first time at the KTW4 warehouse (Sosnowiec)
- December 19, 2022 — Amazon does not agree to organize vote at the premis of POZ1 warehosue on the weekend shift and hold the referendum for the first time in warehouse WRO5 (Okmiany near Legnica)
- January 20, 2023 — a union delegation is not allowed into the Amazon LCJ3/4 warehouse in Lodz. Protest outside the warehouse, after which four unionists get disciplinary letters from Amazon because, holding a banner with the slogan "Don't tighten your belt, tighten your fist," they allegedly "incited aggression"
- January 30, 2023 — a union delegation is not allowed into the WRO5 warehouse in Okmany. Press conference in front of the warehouse
- February 9, 2023 — press conference in front of the National Prosecutor's Office with the participation of union activists and MPs, and notification to the prosecutor's office of the possibility of committing a crime in the form of obstructing an industrial dispute

- February 10, 2023 — in the parliament, left-wing deputies demand that Amazon comply with the law, including guaranteeing the right to strike
- February 24, 2023 — a union delegation is not allowed into the Amazon POZ2 warehouse in Świebodzin. Notification to the police and request to the prosecutor's office for obstructing an industrial dispute
- March 3, 2023 — a union delegation is not allowed into the Amazon SZZ1 warehouse in Kołbaskowo near Szczecin. Police intervening at the warehouse site make a formal note
- March 2023 — IP shopstewards are questioned by police about restrictions on the right to strike by Amazon
- April 17, 2023 — the District Public Prosecutor's Office in Świebodzin launches an investigation for an act under Article 26(1) of the Law on the Resolution of Collective Disputes, following a notification of a possible crime committed by Amazon Fulfillment Poland managers, consisting in not allowing representatives of the Inicjatywa Pracownicza delegation to enter the site and thus preventing a vote on a referendum on holding a strike

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