Starting February 4, 2022 and ending March 25, 2022, the National Labor Relations Board (“Board”) conducted a second representation election by mail ballot among employees of Amazon.com Services, LLC (“Employer”) regarding representation by the Retail, Wholesale and Department Store Union (“Union”). The Union hereby submits the following Objections to conduct affecting the results of the Election pursuant to 29 C.F.R. § 102.69 and its rights under the National Labor Relations Act (“Act”). The Union will submit evidence to the Board in support of these Objections as required by 29 C.F.R. § 102.69.

Separately, and cumulatively, the following Objections constitute conduct which prevented a free and uncoerced exercise of choice by the employees, undermining the Board’s efforts to provide “a laboratory in which an experiment may be conducted, under conditions as nearly as ideal as possible, to determine the uninhibited desires of the employees.” In re Jensen Enterprises, 339 NLRB 877 (2003) (citing General Shoe Corp., 77 NLRB 124 (1948)). Accordingly, these objections constitute grounds to set the election aside.

1. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer’s agents unlawfully and/or discriminatorily removed literature supporting the Union from non-work areas.

2. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer discriminatorily applied a rule prohibiting the posting of campaign literature in work areas. The Employer knowingly permitted employees opposing the organizing drive to post anti-union messages in work areas but denied employees supporting the union from posting pro-union messages in the same work areas.
3. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer unlawfully and/or discriminatorily applied a rule prohibiting employees from discussing the Union with co-workers during working hours and/or in working areas.

4. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer’s agents engaged in surveillance and/or created the impression of surveillance of employees engaged in protected concerted activities in the employee parking lot.

5. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer’s agents engaged in surveillance and/or created the impression of surveillance of employees engaged in protected concerted activities in the employee break room and/or other non-work areas.

6. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer discriminatory enforced a rule prohibiting non-employee organizers from engaging in campaign related activities in the employee parking lot.

7. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer’s agents followed and/or otherwise engaged in surveillance of Petitioner’s organizers as they visited employee homes.

8. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer unlawfully and/or discriminatorily threatened or warned an employee with disciplinary action for campaigning in support of the Union.

9. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer’s agents unlawfully and/or discriminatorily stopped the only employee wearing a pro-union button in front of other employees and requested the employee’s name and then left without further explanation. The employee had been speaking to co-workers about the Union campaign while in the third floor breakroom during a break. This conduct had a chilling effect on workers willing to engage with employees supporting the Union.

10. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer unlawfully and/or discriminatorily imposed a new access rule prohibiting employees from arriving at BHM1 30 minutes prior to the start of their shift or remaining on the premises of BHM1 more than 30 minutes after the end of their shift.

11. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer unlawfully interfered with an employee engaged in protected activities in the employee break room.

12. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer unlawfully and/or discriminatorily suspended an employee who openly supported and campaign in favor of the Union for conduct during a captive audience meeting.
13. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer unlawfully and/or discriminatorily threatened an open and strong supporter of the Union that if he had another argument with a co-worker regarding the organizing campaign that he would be terminated. As a result of the threat and/or unlawful imposition of a work rule, the employee refrained from talking to co-workers about supporting the Union.

14. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer unlawfully and/or discriminatorily suspended an employee whose photograph and open support for the Union appeared in Union campaign literature distributed to all eligible voters.

15. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer’s agent and supervisor discriminated and retaliated against employees for wearing pro-union buttons or expressing support for the Union. The supervisor told one pro-union employee not to speak with her because “she’s with the devil.” This supervisor created the impression of surveillance and/or actively engaged in surveillance of the protected activities of employees under her supervision.

16. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer unlawfully and/or discriminatorily terminated an employee who spoke in support of the Union during captive audience meetings and who appeared in pro-Union literature distributed to all eligible employees.

17. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer unlawfully and/or discriminatorily blasted several text messages to all employees falsely accusing the employees who supported the Union of harassing co-workers and encouraging employees to report to human resources any conduct they believed was harassment. When employees complained that employees opposing the Union had harassed co-workers, the Employer refused to investigate the allegations and refused to text all employees to report such harassment.

18. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer provided the Union with a voter list that contained substantial errors. Approximately twenty percent of the addresses of eligible voters listed on the voter list were incorrect.

19. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer unlawfully threatened an employee with plant closure if the Union was voted in as the collective bargaining representative of the employees.

20. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer required all eligible voters to attend anti-union meetings; thereby coercing employees into participating in its anti-union campaign efforts.
21. During the critical period before the due date for receipt of mail ballots and throughout the election, the Employer granted a benefit by allowing employees to leave work and rest during a meeting with full pay.

Date: April 7, 2022

Respectfully submitted,

/s/George N. Davies  
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/s/Richard P. Rouco  
Richard P. Rouco

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Petitioner’s Objections to the Election was filed today, April 7, 2022, using the NLRB’s e-filing system and was served by email upon the following:

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