

Congress of the United States

Washington, DC 20515

December 15, 2022

Andy Jassy
President and Chief Executive Officer
Amazon.com, Inc.
410 Terry Ave North
Seattle, WA 98109

Dear Mr. Jassy:

We are writing regarding disturbing reports that Amazon has begun reconstruction of its Edwardsville, Illinois warehouse facility and plans to rebuild the tornado-struck warehouse only to meet the same “pre-loss conditions” that contributed to the death of six workers.¹ We are requesting information about your company’s rationale for its reported failure to improve structural safety at the facility following its deadly December 2021 collapse.²

Just over a year ago, the roof of the Amazon fulfillment center in Edwardsville, Illinois collapsed from tornado damage, killing six workers and injuring several more.³ In multiple letters following the tragedy, we raised concerns about numerous Amazon policies that put workers in harm’s way—especially during severe weather emergencies—and requested information about the reasons behind the warehouse’s collapse.⁴ Soon after the disaster, the Occupational Safety and Health Administration (OSHA) investigated, ultimately publishing a Hazard Safety Letter stating that, while the warehouse met minimum federal safety standards, the agency had “concerns about the potential risk to employees during severe weather emergencies” and recommending that Amazon review its policies on storm preparedness.⁵

¹ KSDK, “Edwardsville Amazon warehouse rebuilding without storm shelter, documents show,” Alli Hebel, August 31, 2022, <https://www.ksdk.com/article/news/local/edwardsville-amazon-warehouse-storm-shelter-illinois/63-2daa0ff4-b62f-45f9-984c-239a5652e415>; The Telegraph, “Amazon warehouse will rebuild to ‘pre-loss conditions,’” Robin Bradshaw, September 8, 2022, <https://www.thetelegraph.com/news/article/Edwardsville-Amazon-warehouse-deaths-no-storm-17427624.php#:~:text=The%20Amazon%20warehouse%20where%20six,damaged%20portion%20of%20the%20building.%22>.

² New York Post, “6 workers killed in Amazon warehouse collapse identified,” Steven Vago and Jackie Salo, December 12, 2021, <https://nypost.com/2021/12/12/amazon-workers-killed-in-tornado-identified/>.

³ New York Post, “6 workers killed in Amazon warehouse collapse identified,” Steven Vago and Jackie Salo, December 12, 2021, <https://nypost.com/2021/12/12/amazon-workers-killed-in-tornado-identified/>; Letter from OSHA to Amazon, April 26, 2022, <https://www.dol.gov/sites/dolgov/files/OPA/newsreleases/OSHA22599Amazon%20HAL%20-%205a1%20Letter%204.26.22.pdf>.

⁴ Letter from Senator Elizabeth Warren, Reps. Cori Bush and Alexandria Ocasio-Cortez, and colleagues to Amazon, December 20, 2021, <https://www.warren.senate.gov/imo/media/doc/2021.12.20%20Letter%20to%20Amazon%20re.%20Edwardsville.%20IL%20warehouse%20collapse.pdf>; Letter from Senator Elizabeth Warren and Reps. Cori Bush and Alexandria Ocasio-Cortez to Amazon, May 11, 2022, <https://www.warren.senate.gov/imo/media/doc/2022.05.11%20Amazon%20Edwardsville%20Response%20Letter1.pdf>.

⁵ Letter from OSHA to Amazon, April 26, 2022, <https://www.dol.gov/sites/dolgov/files/OPA/newsreleases/OSHA22599Amazon%20HAL%20-%205a1%20Letter%204.26.22.pdf>.

The recommendations made by OSHA would certainly have improved workers' preparedness for the December 10, 2021 tornado, and Amazon can and should adjust its emergency policies and procedures in accordance with those recommendations. But when it comes to severe weather events like tornadoes, policies and procedures alone cannot save lives: knowing where a "safe room" is located does not help if the safe room itself provides insufficient protection. As one engineer from the National Institute of Standards and Technology noted, "Tornado fatalities are a building problem."⁶ Amazon has a responsibility to make the modest investments necessary to ensure that workers in its Edwardsville facility are protected from future disasters.

It is clear that Amazon's effort to protect workers at the Edwardsville facility were sorely lacking. On the night the tornado struck, workers scattered to several different places within the facility rather than the warehouse's primary designated shelter-in-place location, a result of Amazon's poor implementation of its weak emergency procedures.⁷ However, even if all workers present in the facility at that time had sheltered in the Amazon-designated shelter location, they still would have been at significant risk of harm. By Amazon's own admission,⁸ the location within the warehouse purposely designated as a shelter-in-place location was not a safe room or storm shelter—for which the Federal Emergency Management Agency (FEMA) has strict standards⁹—but merely a windowless room.

Shelter-in-place locations like the one at the Edwardsville facility are fundamentally distinct from storm shelters specifically designed to survive severe weather events. The room designated as a tornado shelter in the Edwardsville warehouse was not built explicitly to protect workers from tornados, but was simply relatively safer than the rest of the building.¹⁰ One engineer put it bluntly: "I wouldn't expect [it] to do anything but fail like this when hit by a tornado."¹¹ Storm shelters and safe rooms, on the other hand, are constructed to meet stringent testing requirements and provide "near-absolute" protection and have "a very high probability" of protecting workers from harm.¹²

Amazon's apparent unwillingness to invest in a storm shelter or safe room at its Edwardsville facility is made even more concerning by the fact that installing one could be done by Amazon at relatively low cost. According to Bell, "[t]here are many ways to include [storm shelters] in a building,

⁶ The Pantagraph, "Experts say Illinois warehouses need storm shelters. Would that drive businesses away?" Kelsey Landis, February 15, 2022, https://pantagraph.com/news/state-and-regional/experts-say-illinois-warehouses-need-storm-shelters-would-that-drive-businesses-away/article_89b686fd-3617-5c46-a2f0-5d8f7ffe3a0a.html.

⁷ BBC, "Amazon criticised over safety at tornado-hit warehouse," Lucy Hooker, December 13, 2021, <https://www.bbc.com/news/business-59641784>.

⁸ St. Louis Public Radio, "Workers at dozens of Metro East warehouses have no safe rooms to shelter from tornadoes," Eric Schmid, February 16, 2022, <https://news.stlpublicradio.org/economy-business/2022-02-16/workers-at-dozens-of-metro-east-warehouses-have-no-safe-rooms-to-shelter-from-tornadoes>.

⁹ FEMA, "Safe Rooms for Tornadoes and Hurricanes," April 2021, https://www.fema.gov/sites/default/files/documents/fema_safe-rooms-for-tornadoes-and-hurricanes_p-361.pdf.

¹⁰ St. Louis Public Radio, "Workers at dozens of Metro East warehouses have no safe rooms to shelter from tornadoes," Eric Schmid, February 16, 2022, <https://news.stlpublicradio.org/economy-business/2022-02-16/workers-at-dozens-of-metro-east-warehouses-have-no-safe-rooms-to-shelter-from-tornadoes>.

¹¹ WCPO, "Commercial warehouses not required to build 'hard-sheltered' safe rooms for large groups of workers," Craig Cheatham, December 13, 2021, <https://www.wcpo.com/news/local-news/i-team/commercial-warehouses-not-required-to-build-hard-sheltered-safe-rooms-for-large-groups-of-workers>.

¹² FEMA, "Safe Rooms for Tornadoes and Hurricanes," April 2021, https://www.fema.gov/sites/default/files/documents/fema_safe-rooms-for-tornadoes-and-hurricanes_p-361.pdf.

such as restrooms or meeting rooms ... ‘It can be any size, I’ve seen them where they incorporate them into a corridor.’”¹³ Furthermore, Bell estimates that depending on the size, a storm shelter could cost anywhere from “\$20,000 to \$30,000 up to a couple hundred thousand ... It’s not an astronomical price.”¹⁴ Based on Bell’s estimates, the cost of purchasing and installing a storm shelter represents at most two percent of the cost of purchasing the warehouse building itself: between 2014 and 2019, the average cost of a warehouse in Edwardsville was more than \$16 million, according to city building permits.¹⁵ This cost is negligible for a company like Amazon, which brought in more than \$500 billion in revenue over the 12-month period ending September 30, 2022 and clearly has the resources necessary to protect its workers should it have the will to do so.¹⁶

In its response to one of our previous letters, Amazon noted that federal law and local building codes do not require it to install storm shelters in its facilities.¹⁷ This lack of a legal requirement allowed Amazon to escape OSHA’s investigation into the Edwardsville tragedy with voluntary recommendations rather than mandates, revealing gaps in federal rules that should not absolve Amazon of its responsibility to its workers.

Workers have a right to safety at work, and employers have a duty to ensure, to the best of their ability, that their workplace is safe from harm and built to withstand reasonably expectable safety risks. And given that the Edwardsville Amazon facility is located in Wind Zone IV, FEMA’s highest tornado risk area, Amazon had reasonable cause to be concerned about tornado risk and should have updated the facility with a specifically designed storm shelter to avoid the exact sort of disaster that occurred a year ago.¹⁸ And Amazon should do the same at its other facilities in areas at risk of tornados and other storms. Moreover, Amazon was aided in the construction of the Edwardsville warehouse in 2016 by a more than \$1 million state subsidy, meaning that in their role as taxpayers, workers at the Edwardsville warehouse helped build the very facility where they or their colleagues lost their lives.¹⁹

Your company’s reported decision to rebuild the Edwardsville warehouse to the same condition as when six workers died there last year suggests that you are once again putting your profits over workers’ safety. As climate change makes severe weather events increasingly prevalent,²⁰

¹³ St. Louis Public Radio, “Workers at dozens of Metro East warehouses have no safe rooms to shelter from tornadoes,” Eric Schmid, February 16, 2022, <https://news.stlpublicradio.org/economy-business/2022-02-16/workers-at-dozens-of-metro-east-warehouses-have-no-safe-rooms-to-shelter-from-tornadoes>.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ Mactrotrends, “Amazon Revenue 2010-2022 | AMZN,” <https://www.macrotrends.net/stocks/charts/AMZN/amazon/revenue#:~:text=Amazon%20revenue%20for%20the%20twelve,a%2037.62%25%20increase%20from%202019>.

¹⁷ Letter from Amazon to Senator Elizabeth Warren and Reps. Cori Bush and Alexandria Ocasio-Cortez, January 3, 2022, <https://www.warren.senate.gov/imo/media/doc/Amazon%20Response%20Edwardsville%201.3.20221.pdf>.

¹⁸ FEMA, “Section I: Understanding the Hazards,” https://www.fema.gov/pdf/library/ism2_s1.pdf.

¹⁹ Good Jobs First, “Subsidy Tracker Individual Entry,” <https://subsidytracker.goodjobsfirst.org/subsidy-tracker/il-amazon-fulfillment-services-inc>.

²⁰ PBS, “Climate change is making extreme weather events more common: study,” Hari Sreenivasan, September 12, 2021, <https://www.pbs.org/newshour/show/climate-change-is-making-extreme-weather-events-more-common-study#:~:text=Climate%20change%20is%20making%20extreme%20weather%20events%20more%20common%3A%20study,-Sep%2012%2C%202021&text=Scientists%20and%20forecasters%20who%20study,hurricanes%2C%20heat%20waves%20and%20more>.

with extreme heat,²¹ tropical storms and hurricanes,²² and fire²³ all posing a significant and mounting threat to workers' safety, it is more crucial than ever that companies take steps to properly protect their workers against the dangers they may face in the workplace – and Amazon seems historically to not have done so.²⁴ We urge you to revise your approach to ensure that such a tragedy never happens again, and ask that you respond to the following questions by January 14, 2023:

1. What does Amazon mean when it refers to building back the warehouse to “pre-loss conditions”?²⁵ Specifically, will it have a storm shelter or safe room that is big enough for all workers and contractors on site, and will protect them in the event of a tornado?
2. Why are you rebuilding this warehouse to “pre-loss conditions” rather than making improvements that would help keep workers safe from tornadoes and other extreme weather?
3. What steps has Amazon taken to prevent worker deaths in future instances of severe tornado weather?
4. Do any Amazon facilities have safe rooms or storm shelters (as defined by FEMA)? What percent of Amazon employees, independent contractors, or third-party contractors work in facilities with a safe room or storm shelter? Please provide an overall percent, as well as the percent of corporate employees and, separately, warehouse/logistics/delivery workers who work in facilities with a safe room or storm shelter.
5. What has Amazon done to respond to the OSHA Hazard Safety Letter that raised concerns about the risk to employees during severe weather emergencies?

²¹ NorthJersey.com, “Worker deaths in NJ, including three at Amazon, draw attention to heat risks,” Daniel Munoz, August 26, 2022, <https://www.northjersey.com/story/news/state/2022/08/26/amazon-nj-warehouse-death-heat-related-injuries-dehydration/65415932007/>.

²² CBS News, “Hurricane Ida death count grows to 6,” Zoe Christen Jones, September 1, 2021, <https://www.cbsnews.com/news/hurricane-ida-death-count-rescue-damage/>.

²³ Motherboard, “This Is the Third Amazon Warehouse to Catch Fire This Week,” Jules Roscoe, October 6, 2022, <https://www.vice.com/en/article/pkgmpb/this-is-the-third-amazon-warehouse-to-catch-fire-this-week>.

²⁴ WFMZ, “Bowing roof prompts evacuation of Amazon warehouse,” February 3, 2021, https://www.wfmz.com/news/area/berks/bowing-roof-prompts-evacuation-of-amazon-warehouse/article_8b954488-663c-11eb-811d-d785ef6d9b2a.html; NBCDFW, “Watch: Powerful Winds Send Amazon Warehouse Roof Flying During Storms,” Meredith Yeomans, Noelle Walker, and Chris Blake, March 13, 2019, <https://www.nbcdfw.com/news/local/watch-powerful-winds-send-amazon-warehouse-roof-flying/234129/>; WKYC, “Amazon fulfillment center still closed after part of roof blows off during Sunday's storms,” Danielle Serino, April 16, 2018, <https://www.wkyc.com/article/news/amazon-fulfillment-center-still-closed-after-part-of-roof-blows-off-during-sundays-storms/95-540286146>; The Baltimore Sun, “Officials ID two men killed when tornado hit Amazon center in Baltimore; second twister in Carroll County confirmed,” Ian Duncan and Jessica Anderson, November 3, 2018, <https://www.baltimoresun.com/maryland/baltimore-city/bs-md-ci-amazon-collapse-day-2-story.html>.

²⁵ KSDK, “Edwardsville Amazon warehouse rebuilding without storm shelter, documents show,” Alli Hebel, August 31, 2022, <https://www.ksdk.com/article/news/local/edwardsville-amazon-warehouse-storm-shelter-illinois/63-2daa0ff4-b62f-45f9-984c-239a5652e415>; The Telegraph, “Amazon warehouse will rebuild to ‘pre-loss conditions,’” Robin Bradshaw, September 8, 2022, <https://www.thetelegraph.com/news/article/Edwardsville-Amazon-warehouse-deaths-no-storm-17427624.php#:~:text=The%20Amazon%20warehouse%20where%20six,damaged%20portion%20of%20the%20building.%22>.

6. Amazon workers are often discouraged or banned from having personal phones in the warehouse, in spite of the risk of emergencies.²⁶ Will Amazon change its personal phone policy once the Edwardsville facility reopens?
 - a. Please provide a copy of the personal phone policy as it was on December 10, 2021, as well as a copy of the new personal phone policy with any changes, if any, clearly identified.
7. In your January 2022 response to our initial letter,²⁷ you wrote that Amazon is “currently conducting an internal investigation” of the disaster. Has this investigation been completed? If so, what did it find? Please provide a complete and unredacted copy of the final investigative report on this matter.
8. When the Edwardsville facility reopens, will Amazon take any steps to offer preferential employment to workers (including employees, independent contractors, and third-party contractors) who previously worked at that location?

Thank you for your attention to this matter.

Sincerely,



Elizabeth Warren
United States Senator



CORI BUSH
Member of Congress



Alexandria Ocasio-Cortez
Member of Congress

²⁶ Bloomberg, “Deadly Collapse at Amazon Warehouse Puts Spotlight on Phone Ban,” Spencer Soper, December 11, 2021, <https://www.bloomberg.com/news/articles/2021-12-12/deadly-collapse-at-amazon-warehouse-puts-spotlighton-phone-ban>.

²⁷ Letter from Amazon to Senator Elizabeth Warren and Reps. Cori Bush and Alexandria Ocasio-Cortez, January 3, 2022, <https://www.warren.senate.gov/imo/media/doc/Amazon%20Response%20Edwardsville%201.3.2022.pdf>.