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April 26, 2022

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Biden:

Last September, I was delighted to hear you state that you “intend to be the most pro-union President leading the most pro-union administration in American history.”

At a time of massive income and wealth inequality, where too many workers are falling behind, your sentiment is exactly right. We need to build the trade union movement in America and allow more workers to engage in collective bargaining.

One of the most effective ways for you to begin accomplishing this important goal would be to ensure that no corporation that is engaged in illegal anti-union activities receives a contract paid for by the taxpayers of the United States.

As you will recall, during the presidential campaign you promised to “institute a multi-year federal debarment for all employers who illegally oppose unions” and to “ensure federal contracts only go to employers who sign neutrality agreements committing not to run anti-union campaigns.”¹ That campaign promise was exactly right. Today, I am asking you to fulfill that promise.

The essence of your plan for strengthening union organizing was to make sure that federal dollars do not flow into the hands of unscrupulous employers who engage in union-busting, participate in wage theft, or violate labor law.

In order to implement that plan, I urge you to sign an Executive Order preventing companies that violate federal labor laws from contracting with the federal government.

As you may know, Amazon, one of the largest and most profitable corporations in America, is the poster child as to why this anti-union busting Executive Order is needed now more than ever.

According to filings with the U.S. Department of Labor (DOL), Amazon spent over \$4 million on consultants last year alone in an effort to prevent its warehouses from unionizing. As part of their illegal anti-union activity, they forced workers to attend closed-door anti-union meetings and discriminated against pro-union workers. After workers in Staten Island, New York voted overwhelmingly to join the independent Amazon Labor Union, Amazon has not only refused to negotiate a first contract with them but refuses to recognize that the union exists even though the National Labor Relations Board (NLRB) certified their union victory.

¹ <https://joebiden.com/empowerworkers/>

Amazon has been penalized more than \$75 million for breaking federal discrimination and wage laws and is currently being sued by the NLRB to reinstate a worker who was illegally fired for organizing a union. The NLRB has found multiple instances of illegal opposition to unions by Amazon, and there are currently 59 open Unfair Labor Practice cases pending before the NLRB. Numerous current and former employees have alleged that Amazon engaged in illegal harassment and discrimination based on race, gender, and sexual orientation. Amazon misclassifies delivery drivers as independent contractors rather than employees to evade tax, wage, and benefit responsibilities. Amazon's inadequate workplace safety policies also pose grave risks to workers. In some cases, their workplace injury rates are more than 2.5 times the industry average. Last December, six Amazon workers died after they were required to continue working during unsafe weather conditions in a warehouse that did not have appropriate safety facilities or policies.

Mr. President: It is abundantly clear that time and time again Amazon has engaged in illegal anti-union activity. Amazon may be a large and profitable corporation, it may be owned by one of the wealthiest people in America, but it cannot be allowed to continue to violate the law and the rights of its employees. The time has come to tell Amazon that if it wants another federal contract, it must obey the law.

Since 2004, Amazon has received thousands of federal contracts worth billions of dollars. The Washington Post, also owned by Mr. Bezos, reported that Amazon is in line to receive a cloud contract from the National Security Agency worth up to \$10 billion – a contract that it should not receive as long as it continues to violate labor laws. Another Bezos-owned company, Blue Origin, may also receive a contract from NASA worth up to \$10 billion to fly a spaceship to the moon after more than 20 current and former employees alleged that this company repeatedly discriminated against workers and did not adhere to safety protocols.

Mr. President: Taxpayer dollars should not go to companies like Amazon and multi-billionaires like Jeff Bezos who repeatedly break the law.

And let's be clear, it is not just Amazon and Blue Origin. According to the U.S. Government Accountability Office, federal contractors were required to pay nearly \$225 million in back wages to workers for Service Contract Act violations between 2014 and 2019. An investigation completed by the Senate Committee on Health, Education, Labor, and Pensions found that nearly 30 percent of the top 200 violators of workplace safety and wage theft were government contractors.

The federal government spends more than \$600 billion each year on contracts to thousands of companies who employ more than 4 million contract workers. These workers, just like every worker in America, deserve fair pay and benefits, safe workplaces, and the right to a union.

I urge you to ban companies who break federal labor laws from receiving federal contracts.

Sincerely,



Bernard Sanders
United States Senator