

TO: Amazon Labor Union Executive Board and Amazon Labor Union Caucus
FROM: Bill Fletcher, Jr.
RE: COLLAPSE OF MEDIATION POSSIBILITY AND THE ROAD FORWARD
DATE: June 29, 2023

I am writing to thank all of the members and leaders of the Amazon Labor Union Executive Board and the Caucus for asking me to engage in a mediation process that could bring everyone back together and focus on our shared goals. The purpose of this memo is to summarize the current status and to make recommendations, stressing the urgency that all ALU leaders and members do everything possible to re-start mediation efforts.

The apparent collapse of our talks, which were supposed to lead to the commencement of mediation between the ALU E. Board and the ALU Caucus represents a serious threat to the future of the Amazon Labor Union unless the underlying issues are immediately addressed, and a compromise solution accepted by both sides. There is no point in engaging in magical thinking.

When I was first approached regarding serving as mediator between the two sides I was honored and I also saw this as an excellent sign that both sides understood that the internal conflict represented a matter that was taking the entire union to the precipice. My immediate steps included holding separate Zoom meetings with both sides; explaining mediation, including my own role; discussing ground rules and projected number of participants for the session(s); and emphasizing the need for both sides to be clear as to their objectives.

After meeting with the Caucus and getting their proposed ground rules (and their demand: hold an election), I held a separate meeting with the E. Board. Much of the time was spent with the E. Board explaining to me why they believed that the Caucus was in the wrong. The meeting ended with my asking for proposed ground rules, clarity as to how they saw the resolution of this crisis and lists of participants. The union president did not participate in the zoom meeting. On June 15th I was informed by Michelle Nieves, from the E. Board, that there were concerns within the E. Board that they wished to discuss with me. A Mr. Lloyd Batson was to call me to explain.

The call that I received from Mr. Batson was civil, though he insisted that there should be no negotiation of ground rules and that I, as the mediator, should identify the ground rules. With his clarification I prepared ground rules. On June 18th I was informed that the Board had voted against mediation. No explanation was given.

The Situation

It is clear that the ALU's leadership must be re-organized and re-affirmed by the membership. The discussions, over months, regarding how to approach Amazon; internal organizing; union structure and accountability, have led to exchanges from both sides regarding the intentions of the other. At a point where there needs to be profound internal organizing to develop a contract campaign to take on Amazon, the union's president appears to focus little on the internal situation and is more focused

externally. And the trust level has dropped significantly between the E Board and the membership, with mutual charges and exchanges regarding the validity of the union's constitution and the need for accountability.

The demand of the Caucus is straight forward: there needs to be an election. I have concluded that this is a reasonable request. I note that the current ALU E. Board was not elected by the membership at large, which leaves it vulnerable to the charge that its decisions lack requisite authority. I note that the ALU E. Board's position about not needing an election rests on two points: that an election will take place after a signed collective bargaining agreement has taken effect with Amazon and that elections are expensive. There are two immediate problems with the arguments by the E. Board. First, constitutions can be amended. It happens all the time. The fact that the existing ALU constitution allegedly argues that an election follows an agreement is meaningless since such a provision can obviously be changed through a vote, as the constitution itself clearly states.

The second problem with the argument against the E. Board's response carries with it other implications, i.e., there is no way of knowing how long collective bargaining will take with Amazon. Given Amazon's antipathy to the union, negotiations could take five or more years. When this was raised with the E. Board by me, they provided no coherent reply.

Finally, elections can be expensive, depending on how they are conducted. Yet there was no indication that there has been any exploration as to potential sources of funding for a fair and free election.

I am concerned that the apparent turmoil within the ALU E. Board means that little is being done to organize the workers and prepare for the battle with Amazon. This situation seriously weakens support among the workers and could lead to a decertification of the union (once the election is officially certified!).

Recommended Next Steps

I offer the following recommendations aimed at preventing disaster:

- An immediate ceasefire: there needs to be a complete cessation of allegations and accusations by both sides during which mediation will take place. In other words, mediation should not be up for grabs. It either happens now or ALU risks further turmoil and division.
- Mediation: The mediation should plan the date, time, format for an election. The internal situation and the lack of a clear plan for taking on Amazon has undermined the credibility of the leadership. Funds should be raised explicitly for the purpose of an election and clear criteria must be agreed upon as to who is eligible to vote.
- An interim unity steering committee of the current president, secretary-treasurer, and one other E. Board member, along with three members of the Caucus (chosen by the caucus) shall be responsible for the day-to-day operation of the union, including the future of any staff either already on payroll or chosen. This

interim steering committee shall remain in place pending the outcome of the election.

- The interim unity steering committee shall choose an outside advisor to assist in mediating conflicts within this interim steering committee.
- One of the first orders of business shall be a review of the union's finances and structures. A second critical matter shall be the establishment of a contract campaign committee to begin preparations for negotiations as well as the mobilization of the membership.
- The union shall follow Parliamentary Procedure in its operations.

Should I be of further assistance, please feel free to reach out to me.