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Inside Amazon's Warehouse

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Of The Morning Call

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Elmer Goris spent a year working in Amazon.com's Lehigh Valley warehouse, where books, CDs and various other products are packed and shipped to customers who order from the world's largest online retailer.

The 34-year-old Allentown resident, who has worked in warehouses for more than 10 years, said he quit in July because he was frustrated with the heat and demands that he work mandatory overtime. Working conditions at the warehouse got worse earlier this year, especially during summer heat waves when heat in the warehouse soared above 100 degrees, he said.

He got light-headed, he said, and his legs cramped, symptoms he never experienced in previous warehouse jobs. One hot day, Goris said, he saw a co-worker pass out at the water fountain. On other hot days, he saw paramedics bring people out of the warehouse in wheelchairs and on stretchers.

"I never felt like passing out in a warehouse and I never felt treated like a piece of crap in any other warehouse but this one," Goris said. "They can do that because there aren't any jobs in the area."

Goris' complaints are not unique.

Over the past two months, The Morning Call interviewed 20 current and former warehouse workers who showed pay stubs, tax forms or other proof of employment. They offered a behind-the-scenes glimpse of what it's like to work in the Amazon warehouse, where temperatures soar on hot summer days, production rates are difficult to achieve and the permanent jobs sought by many temporary workers hired by an outside agency are tough to get.

Only one of the employees interviewed described it as a good place to work.

Workers said they were forced to endure brutal heat inside the sprawling warehouse and were pushed to work at a pace many could not sustain. Employees were frequently reprimanded regarding their productivity and threatened with termination, workers said. The consequences of not meeting work expectations were regularly on display, as employees lost their jobs and got escorted out of the warehouse. Such sights encouraged some workers to conceal pain and push through injury lest they get fired as well, workers said.

During summer heat waves, Amazon arranged to have paramedics parked in ambulances outside, ready to treat any workers who dehydrated or suffered other forms of heat stress. Those who couldn't quickly cool off and return to work were sent home or taken out in stretchers and wheelchairs and transported to area hospitals. And new applicants were ready to begin work at any time.

An emergency room doctor in June called federal regulators to report an "unsafe environment" after he treated several Amazon warehouse workers for heat-related problems. The doctor's report was echoed by warehouse workers who also complained to regulators, including a security guard who reported seeing pregnant employees suffering in the heat.

In a better economy, not as many people would line up for jobs that pay \$11 or \$12 an hour moving inventory through a hot warehouse. But with job openings scarce, Amazon and Integrity Staffing Solutions, the temporary employment firm that is hiring workers for Amazon, have found eager applicants in the swollen ranks of the

unemployed.

Many warehouse workers are hired for temporary positions by Integrity Staffing Solutions, or ISS, and are told that if they work hard they may be converted to permanent positions with Amazon, current and former employees said. The temporary assignments end after a designated number of hours, and those not hired to permanent Amazon jobs can reapply for temporary positions again after a few months, workers said.

Temporary employees interviewed said few people in their working groups actually made it to a permanent Amazon position. Instead, they said they were pushed harder and harder to work faster and faster until they were terminated, they quit or they got injured. Those interviewed say turnover at the warehouse is high and many hires don't last more than a few months.

The supply of temporary workers keeps Amazon's warehouse fully staffed without the expense of a permanent workforce that expects raises and good benefits. Using temporary employees in general also helps reduce the prospect that employees will organize a union that pushes for better treatment because the employees are in constant flux, labor experts say. And Amazon limits its liability for workers' compensation and unemployment insurance because most of the workers don't work for Amazon, they work for the temp agency.

Amazon's priority and key competitive edge is quick delivery of products at low prices. Its Lehigh Valley location on Route 100 near Interstate 78 puts one-third of the population of the U.S. and Canada within a one-day haul. And the weak labor market helps keep employment costs down.

"We strive to offer our customers the lowest prices possible through low everyday product pricing and free shipping offers ... and to improve our operating efficiencies so that we can continue to lower prices for our customers," Amazon says about itself in documents filed with the U.S. Securities and Exchange Commission.

The situation highlights how companies like Amazon can wield their significant leverage over workers in the bleak job market, labor experts say. Large companies such as Amazon can minimize costs for benefits and raises by relying on temporary workers rather than having a larger permanent workforce, those experts say.

"They can get away with it because most workers will take whatever they can get with jobs few and far between," said Catherine Ruckelshaus, legal co-director of the National Employment Law Project, an advocacy group for low-wage workers. "The temp worker is less likely to complain about it and less likely to push for their labor rights because they feel like they don't have much pull or sway with the worksite employer."

Amazon warehouse workers interviewed come from a variety of backgrounds, including construction, small business owners and some with years of experience at other warehouse and shipping operations. Several of them said it was their worst work experience ever.

Their accounts stand in sharp contrast to the "fun, fast-paced" atmosphere described in online help wanted ads for the Amazon warehouse. Amazon and ISS both said they take the safety of workers seriously, but declined to discuss specific concerns current and former employees voiced to The Morning Call. Both companies had three weeks to respond to multiple Morning Call inquiries for this story.

Of the workers voicing concerns, 13 were employed by ISS and seven directly by Amazon.

'I couldn't breathe'

Amazon has two warehouses at the end of Boulder Drive in Breinigsville, where work is done that few customers ever see. Workers on the receiving side unload trucks and unpack boxes of incoming inventory, which they store in bins throughout the warehouses. On the outbound side, pickers scurry through the aisles gathering products from storage bins and bringing them to packers, who box them and ship them to customers.

Both permanent and temporary employees are subject to a point-based disciplinary system. Employees accumulate points for such infractions as missing work, not working fast enough or breaking a safety rule such as keeping two hands on an inventory cart. If they get too many points, they can be fired. In the event of illness, employees have to bring in a doctor's note and request a medical waiver to have their disciplinary points removed, those interviewed said.

Not working fast enough, or failing to "make rate," is a common reason employees get disciplinary points, those interviewed said. Workers are expected to maintain a rate, measured in units per hour, which varies depending on the job and the size of inventory being handled. Products moving through the warehouse range broadly in size, from compact discs and iPods to chain saws. Workers use hand-held scanners to track inventory as it moves through the warehouse, which enables managers to monitor productivity minute by minute, employees said.

Goris, the Allentown resident who worked as a permanent Amazon employee, said high temperatures were handled differently at other warehouses in which he worked. For instance, loading dock doors on opposite sides of those warehouses were left open to let fresh air circulate and reduce the temperature when it got too hot, he said. When Amazon workers asked in meetings why this wasn't done at the Amazon warehouse, managers said the company was worried about theft, Goris said.

"Imagine if it's 98 degrees outside and you're in a warehouse with every single dock door closed," Goris said.

Computers monitored the heat index in the building and Amazon employees received notification about the heat index by email. Goris said one day the heat index, a measure that considers humidity, exceeded 110 degrees on the third floor.

"I remember going up there to check the location of an item," Goris said. "I lasted two minutes, because I could not breathe up there."

Allentown resident Robert Rivas, 38, said he left his permanent Amazon warehouse job after about 13 months to take another job. He said he intensified his job search in May after the warehouse started getting very hot.

"We got emails about the heat, and the heat index got to really outrageous numbers," he said, recalling that the index during one of his shifts hit 114 degrees on the ground floor in the receiving area.

Rivas said he received Amazon email notifications at his work station when employees needed assistance due to heat-related symptoms. He estimated he received between 20 and 30 such emails within a two-hour period one day. Some people pushed themselves to work in the heat because they did not want to get disciplinary points, he said.

"When the heat index exceeded 110, they'd give you voluntary time off," Rivas said. "If you wanted to go home, they'd send you home. But if you didn't have a doctor's note saying you couldn't work in the heat, you'd get points."

Some workers interviewed said that policy has changed.

During a July heat wave, Rivas said he felt he was going to faint. He went to an air-conditioned room for about half an hour and got drinks from safety workers in the warehouse.

"Then they said if you feel better you should go back to work," Rivas said. "I was surprised that it happened to me because I heard the horror stories, but I never was a part of one. It was surprising to me. I thought they would treat their employees better."

Federal inspection

Heat prompted complaints about working conditions at Amazon to federal regulators who monitor workplace safety. The Morning Call obtained documents regarding the Occupational Safety and Health Administration's inspection through the Freedom of Information Act.

On June 2, a warehouse employee contacted OSHA to report the heat index hit 102 degrees in the warehouse and 15 workers collapsed. The employee also complained that workers who had to go home due to heat symptoms received disciplinary points.

"The 102-degree heat index only applied to the first floor and not in regards to the second or third floor ... I just believe that it is gross negligence for a company of this capacity to abuse and enslave their workers," the complaint states.

On June 3, OSHA told Amazon warehouse managers that the agency received a complaint about heat. OSHA officials said they did not plan to inspect the warehouse at that time, but wanted Amazon to investigate the situation, make any modifications needed to increase worker safety and report back to OSHA about its findings no later than June 13.

OSHA later decided to inspect the warehouse, which it did June 9.

On June 10, an OSHA worker heard the following message on the agency's complaint hotline from an emergency room doctor at Lehigh Valley Hospital-Cedar Crest: "I'd like to report an unsafe environment with a[n] Amazon facility in Fogelsville ... Several patients have come in the last couple days with heat-related injuries."

On June 13, OSHA received a letter from Allen Forney, Amazon's site safety manager.

"On June 3, 2011, the Lehigh Valley area experienced unusual, extremely high temperatures which caused the heat index inside our building to reach a temperature above 95 degrees in a few areas of the building," Forney wrote. "As a result of these high temperatures, 15 out of 1,600 employees experienced heat-related symptoms. Six of these employees were treated at a local hospital ER for non-work related medical conditions triggered by the heat. None of those employees was admitted to the hospital; each employee was treated and released the same day. The other employees received water and ice treatment ... by our facility's first-aid department. All employees returned to work the same day."

Forney wrote the warehouse had measures in place to manage heat risk before OSHA's inspection. Those measures included heat index sensors installed throughout the building in March that notify warehouse managers when the index exceeds 90 degrees, he wrote. Fans are installed throughout the building and louver doors provide ventilation, he wrote.

Amazon bought 2,000 cooling bandannas, which were given to every employee, and those in the dock/trailer yard received cooling vests, Forney said. Managers walk the building to make sure employees get enough water and to watch for heat-related symptoms, he said.

Workers "typically" get breaks extended by five minutes when temperatures range between 90 and 99 degrees, Forney wrote. When the heat index ranges from 100 to 114 degrees, Amazon "typically" gives hourly breaks of at least five minutes and shifts heavier work to cooler times of the day, Forney said.

Amazon workers interviewed for this story said they typically had one 15-minute break before lunch and another 15-minute break after lunch each 10-hour shift.

Forney wrote in a letter to OSHA that if the index hits 115 degrees, "the senior manager on duty will decide whether to close down the entire shift."

Since the OSHA inspection, Amazon installed 13 additional fans in the warehouse, planned to install a cooling system and temporarily hired emergency medical personnel to work on-site, Forney wrote.

No employees were penalized for leaving work early due to heat-related symptoms, Forney wrote. Amazon has an automatic record-keeping system that gives employees demerits if they leave early, he wrote.

"We went in and manually changed each employee's time, so we did not have any employee receive demerit points for leaving the site for a heat-related illness," Forney wrote.

Amazon and ISS workers said that policy changed earlier this year about the same time OSHA began asking questions, though precisely when the policy changed is not clear. When heat is excessive, workers can now go home early without pay and it won't jeopardize their jobs. Previously, workers who left early due to heat-related symptoms faced demerits that could ultimately result in termination if they didn't provide doctor's notes saying they can't work in excessive heat, workers said.

OSHA said it had no jurisdiction over the complaint about workers getting disciplinary points for leaving on hot days.

On July 21, Forney called OSHA to report that the heat index in the warehouse ranged between 108 and 112 degrees. Amazon initiated voluntary time off, allowing employees to go home if they wished and ice cream was available.

On July 22, Forney told OSHA that Amazon again instituted voluntary time off and most workers left. They didn't have enough people to run the warehouse, so they may shut down until the temperature drops, Forney told OSHA.

On July 25, a security guard at the Amazon warehouse called OSHA and said the temperature exceeded 110 degrees. The guard reported seeing two pregnant women taken to nurses and that Amazon would not open garage doors to help air circulation.

"They do have ice pops going around and water everywhere," the guard reported to OSHA.

OSHA issued recommendations to Amazon Aug. 18 about how it could improve its heat-stress management plan and closed its inspection.

"Several conditions and practices were observed which have the potential to adversely impact on employee safety and health," OSHA's area director Jean Kulp said in a letter to Amazon.

The agency recommended that Amazon reduce temperatures and humidity in the warehouse, but did not give a target temperature. The agency also recommended that Amazon provide employees hourly breaks in a cool area, inform workers and supervisors of the actual heat index or temperature so that they can increase monitoring as it gets hotter, and provide personal fans at each work station.

OSHA does not mandate that work cease when temperatures exceed a specific degree. Instead, the agency gives employers guidelines about what they should do in specific ranges of the heat index.

There is a moderate risk of worker heat stress when the heat index ranges between 93 and 101 degrees, according to OSHA. At such times, employers should take precautionary measures that include reminding workers to drink water, giving frequent breaks in cool areas and ensuring that adequate medical services are available.

When the heat index ranges from 103 to 115 degrees, there is a high risk of worker heat stress, according to OSHA. The agency recommends employers adjust work activities to reduce the risk of heat stress. The recommendations

include reducing the pace of work or, if that isn't possible, increasing the amount of break time.

Workers said Amazon has installed cooling units and fans since the inspection, but the equipment doesn't keep upper warehouse levels cool on hot summer days. One employee said it's now like "working in a convection oven while blow-drying your hair." They said they received extra break time when it was hot, but production rates were not reduced.

Ambulances responded to multiple medical assistance calls at the Amazon warehouse during hot days in May. So Amazon paid Cetronia Ambulance Corps to have ambulances and paramedics stationed at its two adjacent warehouses during five days of excessive heat in June and July.

Cetronia provides ambulance service in Upper Macungie Township, where a large number of warehouses are concentrated. Cetronia did not have ambulances stationed outside any other warehouses during summer heat waves, said Chris Peischl, the nonprofit's director of operations. However, he noted that Amazon has a large number of employees compared with other warehouses.

"The majority of people we saw were heat-related," Peischl said. "We saw 20 to 30 people who cooled down, we helped hydrate them and they went back to work."

Another 15 people were transported from the Amazon warehouse to hospitals for further treatment, according to Cetronia, but none was in critical condition.

The Morning Call forwarded concerns of workers to Amazon. The company didn't answer specific questions about the number of people working in the warehouse, the turnover rate or the working conditions. Instead, Amazon spokeswoman Michele Glisson emailed a statement, which she attributed to Vickie Mortimer, general manager at the Upper Macungie warehouse.

"The safety and welfare of our employees is our No. 1 priority at Amazon, and as the general manager, I take that responsibility seriously," Mortimer said. "We go to great lengths to ensure a safe work environment, with activities that include free water, snacks, extra fans and cooled air during the summer. I am grateful to work with such a fantastic group of employees from our community, and we partner with them every day to make sure our facility is a great place to work."

Warehouse workers said Amazon and ISS both emphasized safety measures and passed out fruit and water on hot summer days when the warehouse got warm.

Allentown resident Ron Heckman, 60, said he started working at the Amazon warehouse in June 2010. He was glad to get the job, he said, because he had been out of work for more than a year after the package-delivery company DHL closed its Lehigh Valley distribution center in early 2009.

When he saw an advertisement that Amazon was recruiting workers, he tailored his resume to emphasize that he was a motivated worker who understood the fast-pace demands of the shipping industry, and got a job.

"I like it," he said. "It's a job."

Heckman works mostly as a picker. But he's also worked packing boxes and trained new employees during peak season.

He works the overnight shift when the warehouse isn't as hot as during the day shift. He said he's seen co-workers get dizzy and leave during heat waves, but they would return to work the following day, he said.

Heckman said he never had any heat-related problems and he drank a lot of water, which managers advised.

"A lot of people say it's hot and you feel aggravated at times and you wish it wasn't as hot as it was, but it's the nature of the job," Heckman said. "Not many people felt it was unbearable."

Heckman said there is a lot of turnover at the warehouse, but Amazon has been hiring more permanent employees since the summer began. Previously, a majority of the warehouse workers were temporary employees and many grew frustrated waiting to learn whether they would get permanent positions, he said. Now the ratio is closer to half permanent employees and half temporary workers, he said.

"A lot of people got disappointed," Heckman said. "Earlier this year it was for good reason, because a lot of people left. But that definitely has changed. ... It's a good company. They're sincere in what they do."

'End slavery at Amazon'

Karen Salasky, 44, was out of work for two years after getting laid off from a secretary job with a home builder. The Bethlehem resident got a postcard from ISS saying it was hiring people to work at the Amazon warehouse, so she applied.

"At first, I loved it," she said. "I started in November. We worked 11-hour days because of Christmas. It was hard, but I pushed myself and I got used to it."

Salasky had worked as a waitress, so she didn't mind being on her feet all day. And she enjoyed the walking, which she considered good exercise. But she said she grew frustrated when she received a warning letter in March from a manager stating she had been unproductive during several minutes of her shift. Salasky said she was working as hard as she could, and she declined to sign the warning letter.

She wrote a letter to Amazon's human resources manager at the Breinigsville warehouse about the working conditions, saying sometimes minutes go unaccounted for in the system because workers use the restroom, their scanners stop working and they have to log back into the system, aisles get crowded requiring workers to take longer routes to retrieve inventory, or workers move at a slower pace if they are not feeling well. Salasky invited the human resources manager to contact her about the concerns. She said she never received a response.

When the weather got hot in May, Salasky said, her work pace dropped, which prompted questions from supervisors.

"I just kept pushing myself," she said. "They asked me why my rates were dropping, and I said my rates are dropping because it's hot and I have asthma."

Salasky said she would cry herself to sleep at night. She and her colleagues lamented about the heat, often chanting sarcastically "End slavery at Amazon."

Salasky said she informed ISS and Amazon that she was not interested in a permanent position, but wanted to complete her 1,200-hour temporary term.

One hot day in June, Salasky said, she wasn't feeling well. Her fingers tingled and her body felt numb. She went to the restroom. An ISS manager asked if she was OK, and she said no. She was taken by wheelchair to an air-conditioned room, where paramedics examined her while managers asked questions and took notes.

"I was really upset and I said, 'All you people care about is the rates, not the well-being of the people,' " she said. "I've never worked for an employer that had paramedics waiting outside for people to drop because of the extreme heat."

Supervisors told Salasky to go home and rest. She reported to an ISS office the next day to drop off medical

paperwork, and she was asked to sign papers acknowledging she got irate and used a curse word on the day she suffered from the heat. She refused to sign the papers because she said she didn't curse. A few days later, she called ISS and found out her assignment had been terminated.

"I don't know how they can treat people this way," Salasky said. "I think the faster you work, the bigger raise they get, and they're just benefiting themselves and not caring about people. I used to shop Amazon all the time. I will never shop Amazon again."

'I hated this job'

Mark Zweifel, 22, of Coopersburg worked in the warehouse as a permanent Amazon employee for more than a year until he was fired Sept. 9, he said. His primary job was on the receiving line, unloading inventory from boxes, scanning bar codes and loading products into totes so stowers could store them in bins.

He had previous shipping industry experience and liked the job for the first six months, but then he said the productivity rate abruptly doubled one day from 250 units per hour for smaller items to 500 units per hour.

"One day we came into work and they said, 'Your rate is now 500 units per hour. Get to it.'" Zweifel said. "No warning or nothing. I'm a young guy. I could keep up with it. But I saw the older people working there, they were getting written up a lot. I didn't think it was fair."

Employees were threatened with termination on a daily basis during meetings at the beginning of their shifts, Zweifel said. Amazon managers used tough talk to motivate workers, he said.

"They would say, 'If you don't make rate, we will walk you out of the building and give your job to somebody who wants a job,'" Zweifel said. "I saw a 65-year-old guy get fired for not making stow rate. I saw him get talked to and then a manager walked him out of the building."

Zweifel said he began his job at Amazon in a group of 16 people and he was among only two left at the start of the summer. When he was there, new temporary workers would come in for training each week, he said, and most of them wouldn't last more than a month or two.

Zweifel said he had trouble earlier this month when he was temporarily transferred to another job, stowing, which entails putting products in bins in the warehouse. He was written up for not stowing items quickly enough, he said. Making rate was difficult because bins were so cluttered he couldn't find space to place things, he said.

"They kept saying I was screwing around, but the bins were so packed I had to go from one end of the aisle to another," he said. "You could have a tiny item like an iPod, which is easy, or a huge bowl where you have to search for adequate space."

Zweifel said on two days he had a large number of big items and his rate dropped both days. His manager accused him of taking long breaks and being "off task," he said. He tried to pick up the pace the next day, he said, but he was written up again for being off task and was let go.

Zweifel said he worked half of his shift and his manager told him they had to go to human resources, where he waited for an hour to speak with someone.

"They said here's your termination letter and they wanted me to sign it, and I said absolutely not." Zweifel said. "The manager in stow never even talked to me. They just slapped me with a write-up. They never asked, 'Looks like you're taking excessive breaks, is something wrong?' Never once did she talk to me. I just got two write-ups and I was gone."

Zweifel said he felt he was treated unfairly because he never had an opportunity to explain his rate, but he said he was smiling when he left the warehouse.

"I hated this job so much," he said.

A business success story

Outside the warehouse, Amazon is a booming business success story. Founded in 1994, the company is the world's largest online retailer.

Amazon had 2010 revenues exceeding \$34 billion, more than triple its sales just five years earlier. The company has become a household name as time-strapped consumers grow more comfortable shopping online and cash-strapped customers look for bargains. Along the way, Amazon vastly expanded its product line. What began as an online bookstore now sells consumer products of all kinds. You can buy CDs, DVDs, toys, lawn mowers, electronics, kitchen items, clothes and beauty products from Amazon.

The company has upended the retail industry, and Amazon's competitors are no longer just bookstores. It's now considered a key competitor to Walmart, which has seen its growth slow considerably while Amazon's sales have skyrocketed.

Amazon's founder and CEO, Jeffrey Bezos, keeps climbing the ranks of the world's wealthiest people. Forbes magazine estimated his net worth to be \$18.1 billion this year, making him the 30th wealthiest person in the world. That wealth is tied to the value of Amazon stock, which has grown about eightfold to nearly \$240 per share over the past five years.

A main difference between Amazon and such stores as Barnes & Noble or Walmart is that the entire operation is invisible to customers, other than what they see on their computer screens.

When Amazon last year announced plans to open a new shipping hub in the Lehigh Valley and hire hundreds of people, officials greeted the news as a sign the economy was on the mend and good news for thousands of residents left unemployed by the Great Recession.

It is one of the few companies regularly recruiting and hiring.

'Chart your course to Amazon'

As of December, Amazon had 33,700 employees globally. But that did not include temporary workers it hired through staffing firms. The number of temporary employees who do Amazon's work is not clear. The company issues press releases about employment opportunities but gives no specifics and hasn't responded to The Morning Call's inquiries.

When it announced its new Lehigh Valley shipping hub in May 2010, the company said it would be hiring "several hundred" workers. The company announced another hiring binge in July, but would not clarify if it was expanding its operation or replacing people.

Some interviewed for this story requested anonymity because, they said, Amazon employees are instructed that speaking with the media can result in termination. They say employment at the warehouse ranges from about 900 to 2,000 during peak season. And, they say, many in the workforce aren't employed by Amazon at all. Instead, Amazon leases the workers from ISS, which is based in Wilmington, Del.

But one worker said Amazon has begun hiring more people as permanent employees in recent months.

ISS also declined to answer specific questions from The Morning Call regarding employee concerns about working

conditions and the rate of employee turnover at the Amazon warehouse. It also issued a statement:

"ISS respects the privacy of our employees and laws regarding employee privacy, therefore we cannot address the specific situations you have mentioned," company spokeswoman Megan Couch said in an email. "With all of our temporary assignments, we explain the requirements for the position, as well as the criteria for becoming a full-time Amazon employee. Our employees' safety is a top priority for us, and the focus on employee safety from Amazon leadership is impressive. We support our employees with a variety of programs to ensure their well-being, including light duty and leaves of absence."

ISS recruits temporary workers for positions at Amazon warehouses throughout the country. Recent job postings on the company's website include positions in Hazleton, Delaware, Indiana, Kentucky, Phoenix, Las Vegas and Reno, Nev.

Integrity Staffing Solutions Chief Executive Officer Todd Bavol writes a blog called "HR Ninja," which includes items about navigating employment laws and recognizing when employees are burning out.

ISS has supervisors stationed in the Amazon warehouse to manage temporary workers, so contact between temporary employees and Amazon managers is minimal.

In its recruiting efforts, ISS accents the prominent Amazon name to lure applicants. One of its online help-wanted ads says: "Chart your course to Amazon with ISS Warehouse positions in Allentown, PA."

The ad continues: "Looking for a new direction? Are you interested in working in a fun, fast-paced atmosphere earning up to \$12.25 per hour? Let Integrity be your guide to a rewarding career with Amazon, the Internet superstore."

The ads say applicants should be able to lift and move up to 49 pounds. They also say warehouse temperatures range between 60 and 95 degrees and "occasionally exceed 95 degrees."

'It just got harder and harder'

The 13 ISS employees interviewed said at first, they were excited to get jobs. But their hopes turned to disappointment when they experienced what they considered harsh conditions and saw how few temporary employees were hired to permanent positions. Of the seven Amazon employees interviewed by The Morning Call, none started as temporary workers.

Several workers said the longer a person worked in the warehouse, the stricter the rules became, and the pace at which they were expected to work increased. Employees were written up for breaking safety rules, such as keeping two hands on a cart. Such infractions could impede their getting hired as permanent Amazon employees until they improved their work records.

Often, their temporary assignments ended before their work records were clear.

Kutztown resident Stephen Dallal said he worked at the warehouse for about six months as a picker before he lost his job for not meeting productivity requirements. He left a job as a meat cutter to get full-time hours with Amazon, hoping the temporary assignment would lead to a permanent position.

"It just got harder and harder," Dallal said. "It started with 75 pieces an hour. Then 100 pieces an hour. Then 125 pieces an hour. They just got faster and faster and faster."

Temporary workers were told by ISS their jobs could lead to permanent positions, which helped motivate them to meet production expectations, Dallal said.

"They make a lot of promises that they're going to keep everyone here," he said. "If you're here five months, you'll have a job here. Then it was half of the people would be hired. Then it was 'You'll all have interviews.' The story kept changing."

The longer he worked there, the less promising the job was, Dallal said. He started getting written up for not meeting production rates.

"I told the manager I was doing the best I can, but they kept writing me up," Dallal said. "After the third one, I got fired. It was getting hotter and hotter, so it was hard for me to keep up."

Dallal said he felt relieved when he lost the job.

"I didn't want to quit," he said. "I tried the best I could. But that job was really getting to me."

Sharon Faust said she took a temporary job with ISS, hoping it would lead to a permanent position with Amazon.

Then in June, the 57-year-old Breinigsville resident was diagnosed with breast cancer. She notified ISS that she needed surgery. They told her she would need a note from her doctor saying when she could return.

Faust had surgery July 20 and reported to the Amazon warehouse with a doctor's note saying she could return to work Aug. 17. When she arrived to deliver the note within a week of her surgery, she found out the doctor's note wasn't necessary.

"They said my assignment with them is terminated. I was just flabbergasted," Faust said. "I devoted nearly a year of my life trying to get a job and that whole time was a waste. They kept me on and kept me on until I handed in that medical paper, and they said, 'See ya.' "

One temporary warehouse worker who started last year said a major selling point was that the assignment could lead to a permanent job with Amazon. Workers had meetings with their ISS managers at the start of each shift. During those meetings, Amazon managers would come and deliver a pep talk, encouraging the temporary workers who wore white badges to work hard if they wanted to get permanent positions and wear a blue badge, she said.

"They said, 'We don't care if you've been here for two months or for two weeks. If you work hard, we'll notice and you'll get converted to a blue badge,' " she said.

The number of permanent positions available was always vague, and it was difficult to get a straight answer about hiring, she said. Managers would say Amazon would be hiring "a significant number" of ISS employees to permanent positions.

"They said it on a semi-daily basis," she said. "They really dangled it and made it seem like this wonderful possibility if we just worked harder ... especially when there were a bunch of new hires hungry for a new job."

She worked in the warehouse for six months and didn't see any of her temporary colleagues converted.

ISS promoted her to ambassador, a position that trains new workers. Still, she was terminated shortly after the holiday rush ended for missing work during snowstorms, she said.

"It became clear that they did not want to hire people. They wanted to let people go," she said. "They said they wanted the best people for ambassadors. I was an ambassador and I was not hired."

'Set up to fail'

One former temporary warehouse employee said he worked seven months before he was terminated for not

working fast enough. In his 50s, he worked 10 hours a day, four days a week as a picker, plucking items from bins and delivering them to packers who put them in boxes for shipment. He would walk 13 to 15 miles daily, he estimated, and was among the oldest pickers.

"At the beginning, I thought I was doing really well," he said. "I never missed a day, was never sick, never came in late. I was the model employee. But after a while, I could only achieve a certain rate and I couldn't go any faster. It was just brutal."

He said he was expected to pick 1,200 items in a 10-hour shift, or one item every 30 seconds.

The warehouse is organized like a library. Bins labeled "A" were on the floor. Dim lighting in the warehouse in which he worked made it difficult for him to find items stored in the low bins, especially novels with script titles or CDs with small writing, he said. Often, he got on his hands and knees to find things in the low bin, and would crawl to other bins rather than continuously stoop and stand, he said.

"The worst part was getting on my hands and knees 250 to 300 times a day," he said.

He got mixed messages from ISS managers, he said. He received gift cards and won a laptop as rewards for being a good worker. But he also got written up for not working fast enough. He started the temporary position with about 100 others. When he was terminated seven months later, he was one of five remaining. Three of the temporary workers with whom he started got converted to permanent Amazon positions, he said.

"I don't want to say anything bad, but they almost set you up to fail," he said. "They always stressed safety and drinking water, but I always thought the rate is not safe."

The man said he was relieved when his assignment was terminated. When he arrived to pick up his final paycheck this summer, he saw ambulances stationed outside the warehouse. He now works in a beverage distribution job, where he said the work pace is more reasonable.

The use of temporary workers to minimize the costs and liabilities associated with a permanent workforce is not unique to Amazon. And the warehouse and shipping industry is known for its fast-pace expectations and physical demands.

But one staffing industry recruiter whose company serves the Lehigh Valley shipping industry said he has interviewed roughly 40 job applicants who complained of difficult working conditions at the Amazon warehouse. Ordinarily, if someone only lasted a few months in a warehouse job, it would raise questions about their abilities, he said. But he has placed former Amazon warehouse workers in other warehouse jobs and they were able to meet expectations, he said.

"A lot of places spend time and money to make something ergonomically designed so that the average person can do the work. They don't have to be a professional athlete to do the work," he said.

'They just push'

One temporary worker said her vision got blurry, she had trouble standing and couldn't concentrate one shift when heat in some parts of the warehouse exceeded 110 degrees. She went to a nurse station in the warehouse because she was feeling dizzy.

Within minutes of her arrival at the nurse station, an ISS manager asked her to sign a paper saying her symptoms were not related to work, she said.

The employee takes medication for hypertension and signing the papers, she said, would allow her to return to

work after cooling off.

People with hypertension can be more sensitive to heat.

"I think it was work-related, but I just signed the paper," said the employee, who still works in the warehouse. "I knew if I left through the nurse's station I'd get half a point. If you get six points within three months you get fired. ... I didn't want to start getting points."

She didn't read the paper she signed or get a copy of it.

"I need the money," she said. "I am looking for another job and as soon as I find one, I'm leaving. But I have to stay here until I do."

Workers injured on the job are legally entitled to medical costs and lost wages while they recover. But labor experts say temporary employees are less likely to know and assert their rights under workers' compensation laws.

Workplace injury lawsuits are difficult to justify with most temporary jobs unless injuries are extreme, because the pay is low, said Allentown labor attorney Steven Bergstein.

"The problem is at these low-level jobs, the lawsuits aren't worth it because there isn't much loss," Bergstein said.

One temporary employee who spent several months unloading boxes of books in the Amazon warehouse said: "Everybody gets backaches, but if you slow down, they reprimand you. They're killing people mentally and physically. They just push, push, push."

During one shift he hurt himself. After seeing a doctor, the worker went on "light duty." The staffing firm didn't have any such assignments available. So every scheduled work day he reported to the ISS office on Tilghman Street.

"You're not allowed to walk around," he said. "They put a chair in the corner and you sit there."

His job was to count the number of people coming into the office. Another person he observed on light duty had to count how many trains passed by outside the office window.

Another had to count how many people went to the restroom.

"A lot of people said [forget] this, I'm going back to work," the employee said.

The employee returned to the warehouse about two weeks later. About two weeks after returning, he got a call at home from ISS saying his work assignment was over.

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Amazon gets heat over warehouse

By Spencer Soper and Scott Kraus
Of The Morning Call

SEPTEMBER 25, 2011

Justine Frantz has spent \$1,483.31 over the past several years buying gifts for her grandchildren from online retailer Amazon.com. But the Lower Macungie resident said she won't give the Seattle company another penny after reading about working conditions in its Lehigh Valley warehouses.

"Your company is taking advantage of our weak economy," Frantz said in an email last week to Amazon that she shared with The Morning Call. "You have people who want to work, who want to do a great job and earn their day's pay and you are treating them like they are interchangeable parts of a machine, easily replaced."

The online retailer has been responding to such complaints from customers throughout the country since The Morning Call published an article last Sunday about working conditions in Amazon's two warehouses in Breinigsville. Workers interviewed for that story said the facility got brutally hot in the summer and that many were terminated for failing to meet rapid production expectations. Ambulances parked outside transported some workers to hospitals during heat waves.

Amazon would not say how many customers contacted the company to express concerns since the article was published. But the company emailed a response to customers who raised the issue.

"At Amazon, the safety and well-being of our employees is our No. 1 priority," Amazon told customers in the email. "We have several procedures in place to ensure the safety of our associates during the summer heat, including increased breaks, shortened shifts, constant reminders and help about hydration, and extra ice machines.

"July 2011 was a highly unusual month and set records for the hottest temperatures during any single calendar month in cities across the East Coast. As a result of the abnormally high temperatures, we took many additional precautions to ensure the safety of our associates, including closing our Breinigsville facility three times during the summer heat wave ... We are looking at additional measures we can take in the future, including permanent cooling solutions for our Breinigsville facility."

Thousands of comments were posted in online debates after the story was highlighted by national media outlets such as the New York Times, Washington Post, Yahoo and Huffington Post. Several Amazon customers from around the country forwarded to The Morning Call email exchanges they had with the company. In addition, national labor groups such as the Teamsters and American Rights at Work have orchestrated letter-writing campaigns, encouraging members to let Amazon know they are concerned about worker treatment.

Industry analysts say the world's largest online retailer will have no trouble deflecting the attention.

Amazon responded to the media coverage on Thursday by posting a statement on its website. The statement provided some new information.

The company "spent more than \$2.4 million urgently installing industrial air conditioning units in four of our fulfillment centers, including our Breinigsville facility," Amazon said Thursday. "These industrial air conditioning units were online and operational by late July and early August. This was not mandated by any governmental

agency, and in fact air conditioning remains an unusual practice in warehouses. We'll continue to operate these air conditioning units or equivalent ones in future summers."

The company hadn't said before how much was spent on air conditioning, that the units were installed "urgently," and when the air conditioning became operational. The Morning Call's Sept. 18 story said Amazon installed cooling systems in the summer and workers interviewed said the warehouses remained hot unless they were in close proximity to those systems.

The Occupational Safety and Health Administration inspected Amazon's Breinigsville facility over the summer after an employee complained that 15 workers collapsed on the job when the warehouse heat index, a measure that considers humidity, exceeded 100 degrees. The agency did not issue any fines, but recommended that Amazon reduce heat and humidity and take other measures to address heat.

Amazon also responded Thursday to customer criticism about the company's use of temporary employees. Workers interviewed by The Morning Call said many in the warehouses are hired by the Wilmington, Del., firm Integrity Staffing Solutions, or ISS. Some of those temporary workers told The Morning Call they were encouraged to work hard to earn permanent positions, but they saw few temporary workers go on to permanent positions with Amazon.

In its statement, Amazon said:

"We have temporary employees working in our facilities for two reasons -- to manage variation in customer demand throughout the year and as a way of finding high-quality full-time employees," Amazon said. "There are 1,381 full-time employees in Breinigsville, all of whom receive full-time benefits, including health care. Since January of this year, 850 temporary employees in Breinigsville have been converted to full-time employment."

Amazon spokeswoman Michele Glisson said Saturday that all 1,381 are permanent company employees. Glisson would not say how many temporary workers are employed in Breinigsville. Amazon also declined to provide employee turnover rates at the facility.

One former Amazon warehouse worker who read the company's statement said he was disappointed because it did not address major concerns among workers, namely, the rapid production rates they are expected to achieve to avoid being terminated, and the frequent turnover.

"Amazon didn't address the concerns with the speed of processing," said Steve Pratt, 53, of East Stroudsburg, who worked in the warehouse as a temporary employee for one month before being terminated, he said, for not working fast enough. "They defended their hiring of temps, and claimed that more than 800 were converted to full time, but they still didn't address the speed of processing. ... They still have a huge turnover rate."

Current Amazon warehouse workers, who spoke on condition of anonymity, said no changes have taken place in the facility since The Morning Call article ran.

On Sept. 19, the day after the story was published, Amazon posted a help wanted ad on its website for an on-site medical representative at its Breinigsville location. The job duties include "proactively analyze tasks for potential safety issues ... and implement a site wellness program."

Amazon would not say if this is a new position or if the company is filling a vacancy.

Working conditions in the warehouses could ding Amazon's image, said Internet retail experts, but probably won't hurt the company's bottom line.

Amazon's strength is customer service, said Donna Hoffman, co-director of the Sloan Center for Internet Retailing

at the University of California, Riverside.

It has responded effectively to the story, she said, by voicing concerns for worker safety and communicating directly with concerned customers via email. The company has weathered previous crises involving "juiced" product reviews and a prolonged service outage by tackling them head-on and addressing customers directly, she said.

Some consumers might look for alternatives in the short term, she added, but research has shown most will return in time.

"They have a really good relationship with their customers," she said. "People like Amazon."

Amazon's rapid growth has subjected it to scrutiny and higher standards, said Sucharita Mulpuru, an analyst who follows the company for Forrester Research, a business and technology research firm in Cambridge, Mass. If Amazon's working conditions are viewed as less than "exemplary," customers will perceive them negatively, she said.

It's similar to Walmart's constant public relations battle, she said.

"If there are conditions that are violations of OSHA or even borderline questionable, Amazon absolutely will need to fix them, particularly since [The Morning Call] story showed that people have significant interest in reading about things like this," she said.

Richard Fague of Enfield, Conn., told The Morning Call he's spent several thousand dollars with Amazon over the past six or seven years. He emailed Amazon to express his displeasure about worker treatment, particularly the heavy reliance on temporary workers, and received a "canned response" that he said did not address his concerns. He emailed the company again.

"Lo and behold, I got another email just like the first one, except this one was signed using a different name," Fague said. "I am now officially boycotting Amazon, who I used exclusively last year for all of my Christmas shopping."

Trishia Jacobs of Mosier, Ore., said she wrote Amazon a letter saying she and her husband won't be patronizing the company anymore.

"I spend my money to reflect my values," she said.

The Morning Call article was a conversation topic last week at the Midwest Booksellers Association trade show in Minneapolis, said Bruce J. Miller of Chicago, who represents publishers. He mentioned the story to a group of about 50 book sellers, some of whom have to compete with Amazon's low prices, abundant inventory and quick delivery.

"The conversation has been that people are horrified by Amazon's treatment of its workers and they want people to understand that when they order books online they are supporting this kind of company when they could be supporting local independent bookstores," Miller said.

Amazon and ISS have declined to answer specific questions from The Morning Call regarding the Breinigsville facility.

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Amazon workers left out in the cold

By Spencer Soper
Of The Morning Call

NOVEMBER 6, 2011

Paul Grady was working the night shift last November at an Amazon.com warehouse in Breinigsville when a fire alarm sounded, forcing employees to evacuate.

It was frigid outside -- the temperature dipped into the 20s -- and many employees left the building without coats. Some were wearing only T-shirts and shorts or jeans.

Grady, 53, has chronic joint pain and a heart condition he said make him especially sensitive to the cold. After attendance was taken to make sure all employees had evacuated, Grady said, he identified himself to a manager as someone with a disability and asked to be allowed in the building. Some warehouse managers were inside at that time, he said, and he asked to join them.

Grady said his request was denied and he was forced to remain outside without a coat for about three hours, which he said left him aching and stiff. Amazon maintains the evacuation lasted approximately one hour and 45 minutes.

When Grady returned home, he said, he popped painkillers, took several hot showers and slathered himself with Bengay. When he returned to work for his next shift, he said, he was in so much pain he only worked a few hours before he asked managers if he could see a doctor. Warehouse managers summoned an ambulance, which transported him to a hospital emergency room where he was given morphine. Grady made the allegations in a lawsuit, which Amazon disputed.

Grady was among several warehouse workers to require medical attention after being exposed to frigid temperatures during three warehouse evacuations last November and December, highlighting a new occupational hazard claimed by employees who last brought to light punishing heat in the Lehigh Valley facility. Amazon changed its evacuation policies and bought hats, blankets and hand warmers to distribute during fire alarms after workers needed treatment for cold exposure.

Working conditions at Amazon's Lehigh Valley shipping hub gained national attention and a public response from the company after a Sept. 18 article in The Morning Call revealed employee complaints about heat in the warehouse complex and rapid production requirements many could not sustain. Amazon hired ambulance crews to park outside the complex on hot summer days in case workers experienced heat-related problems. A local emergency room doctor who treated Amazon workers for heat stress reported an "unsafe environment" to the Occupational Safety and Health Administration, which inspected and recommended corrective steps.

The Seattle retailer responded to the media attention and customer backlash that followed by saying it had urgently installed air conditioning units earlier in the summer at some of its East Coast warehouses, including its Breinigsville operation.

A new investigation by The Morning Call has found that warehouse workers also say they suffered during evacuations in the cold and OSHA got involved.

Multiple warehouse workers were treated at hospitals for exposure after being outside, without coats, in

temperatures below freezing for prolonged periods, including one night for about two hours, according to OSHA records.

Workers interviewed said Amazon forced them to remain huddled in the parking lot on frigid nights while many workers were wearing only shorts and T-shirts. After attendance was taken to make sure all employees evacuated, warehouse workers said they were not allowed to go to their cars to keep warm. Instead, they were instructed by warehouse managers to use one another's body heat and told that anyone caught going to their cars would be disciplined and could be terminated, workers said.

Several workers said they surmised they were not allowed to go to their cars as part of the company's theft prevention efforts, but said managers did not give a reason.

On one night when six employees were taken by ambulance to a hospital for treatment, about 30 workers out of 1,200 that evacuated were allowed to board ambulances at the warehouse to get warm.

Police suspected the fire alarms and a December arson were related to theft, but never made any arrests in connection with them.

Grady and other workers interviewed said they believed Amazon was more concerned about theft than keeping its workers safe.

"They didn't care about anybody standing outside freezing because they knew they could replace us the next day if they had to," Grady said. "Just because Amazon got robbed doesn't mean I should get hurt."

The Morning Call interviewed three current and six former warehouse workers who were present during late-night evacuations last fall and winter. They all showed pay stubs, tax forms or other proof of working at the warehouse. Eight were employed by Integrity Staffing Solutions, a temporary staffing firm that provides workers for Amazon. One worked directly for Amazon, which has more than 1,300 direct and an undisclosed number of contract workers stocking shelves and filling customers' orders at two adjacent warehouses in Upper Macungie Township.

The Morning Call also obtained OSHA documents through the Freedom of Information Act, reviewed court records from a lawsuit filed by Grady against Amazon and ISS, and interviewed fire, police and ambulance officials who responded to the warehouse during evacuations.

In response to The Morning Call's inquiries, Amazon posted a statement on its website Oct. 24, acknowledging temperature-related issues at its Breinigsville facility. But it declined to answer specific questions about how it handled evacuations last fall and winter, why employees were left in the cold for long periods without coats or why those employees were not allowed to go to their vehicles to keep warm until they could re-enter the warehouse.

"Employee safety is the top priority of our fulfillment center network ...," Amazon said in a statement. "In our Breinigsville, Pa., fulfillment center, opened in July 2010, we've had multiple events related to temperature, both high and low. To handle the high temperature events, we installed industrial air conditioning units. To handle the low temperature events, we developed a new set of procedures for re-entering the building more quickly following fire alarms."

Amazon also released data about employee injuries at its U.S. warehouses and said it is safer to work in them than in many other industries. The company released its recordable incidence rate, used by OSHA to measure workplace safety. The rate measures the number of work-related injuries and illnesses per 100 full-time employees per year. Amazon said the rate at its U.S. warehouses from Jan. 1, 2006, through Sept. 30, 2011, ranged

from 2.5 to 4.2. That rate is lower than rates reported by general warehousing, automobile manufacturing and department stores, according to the federal Bureau of Labor Statistics.

"Most of these incidents involve single individuals, with the two biggest categories being muscle strains and cuts," the company said. "We reduce these types of injuries in a number of ways, including through training in simulated work areas, which allows employees to practice new jobs in a protected environment with experienced Amazon co-workers."

One worker interviewed for this story who had to leave work early due to cold-related symptoms said his injury was considered non-work-related. He received demerit points for leaving before his shift was over, he said. Amazon would not say if this practice was customary during evacuations, or how other worker injuries related to cold exposure were recorded.

'People were stealing'

Amazon has two warehouses at the end of Boulder Drive in Breinigsville. Workers on the receiving side unload trucks and unpack boxes of incoming inventory, which they store in bins throughout the warehouses. On the outbound side, pickers scurry through the aisles gathering products from storage bins and bringing them to packers, who box them and ship them to customers.

As of September, Amazon said it had 1,381 permanent employees working at its Breinigsville warehouses. But it would not say how many temporary employees.

The holiday shopping season is Amazon's busiest time of year, and it ramps up warehouse employment. Workers in the Breinigsville operation include permanent Amazon employees and temporary workers hired by the staffing firm ISS, which is currently recruiting for Amazon.

There were at least three emergency evacuations at the Amazon warehouse on cold nights last November and December, according to OSHA records and emergency responders. Evacuations on Nov. 27 and Dec. 3 were for fire alarms. An evacuation Dec. 16 was due to an arson.

"There were a lot of fire alarms over the winter because people were stealing," Upper Macungie Fire Commissioner Grant Grim said.

False alarms are particularly difficult for fire officials to investigate because they have to thoroughly inspect the building before allowing people back in and don't immediately know why the alarm was activated, Grim said. Amazon has a large warehouse, which meant fire officials had to cover a lot of ground.

Police suspected the fire alarms and arson were linked to warehouse theft. Employees ordinarily pass through metal detectors when leaving the warehouse at the end of their shifts. But metal detectors are not used during fire alarm evacuations, which presents an opportunity to sneak out valuable merchandise.

"You've got a lot of employees in a building that contains a lot of small, electronic items that are valuable," said Peter Nickischer, a criminal investigator with Berks Lehigh Regional police. "That creates some problems. ... It was suspected fire alarms were related to theft, but we never had a direct link."

Police have made several arrests for theft at the Amazon warehouse. For instance, police in June charged a warehouse employee from Bethlehem Township, saying he stole \$80,000 worth of items from the Breinigsville plant between February and May and then sold them on eBay.

'People were passing out'

On Nov. 27, someone activated the fire alarm in the Amazon warehouse at 3:26 a.m., forcing an evacuation, according to court documents. Amazon maintains the evacuation lasted approximately one hour and 45 minutes. The fire department responded and no fire was discovered.

As is routine in most emergency evacuations, workers were not permitted to get their coats when alarms sounded unless they happened to have them within reach. Many warehouse workers don't have a regular work station and store their coats in a break room, so they had to leave in what they were wearing. Because of the physical nature of their jobs and warm temperatures in the warehouse, many employees wear only T-shirts and jeans or shorts while working, several employees said.

Multiple warehouse workers suffered injuries as a result of cold exposure that night and were taken to a nearby hospital for treatment, according to Amazon's account filed in response to Grady's lawsuit. Those employees returned to work the next day, Amazon said in court records.

A warehouse worker complained to OSHA about workers being exposed to cold during a fire alarm evacuation that night, according to an OSHA file of the incident.

"There were people passing out, having asthma attacks and I do believe a man had a seizure," said the worker, whose name was redacted in OSHA records.

The same worker and a second one complained about another fire alarm evacuation Dec. 4 that lasted roughly two hours.

"There were pregnant women, men and women in T-shirts and shorts, some with sleeveless shirts and shorts," one complaint states. "People were passing out and feeling ill left and right. ... I am absolutely disgusted with this company's practices and I do believe OSHA should visit this building and give them some sort of coaching on how to better handle the situation before there are more people suffering from hypothermia."

Employees had to stand in a single-file line to enter the building, the OSHA complaint states. Employees interviewed said warehouse managers inspected their hands with a special light looking for traces of a residue left on fire alarms to indicate who activated them.

The other warehouse worker complained to OSHA of losing feeling in the hands and feet and having to stay in bed all day following a fire alarm evacuation Dec. 4.

"I feel it was an abuse on their part," the complaint states in Spanish.

On Dec. 3, Cetronia Ambulance Corps transported six Amazon warehouse workers to the hospital to be treated for cold exposure following a fire alarm evacuation, said Larry Wiersch, CEO of the nonprofit ambulance service. About 30 other people got into ambulances to warm up, he said.

"It was cold -- 26 degrees -- and it was windy," Wiersch said.

It is unclear if Cetronia responded to a separate evacuation incident, or if the Dec. 4 OSHA complaints had an inaccurate date for the evacuation.

OSHA contacted Amazon by phone Dec. 6 and sent the company a letter saying it received a complaint that employees had to evacuate the building for "an hour or longer" without outerwear, and that about 10 employees required medical attention.

OSHA did not inspect the facility. Instead, it asked Amazon to investigate the matter and report its findings by Dec. 14. OSHA requested that Amazon post a copy of the OSHA letter where warehouse employees could see it.

On Dec. 13, an Amazon warehouse safety manager responded to OSHA, saying approximately 1,200 employees were evacuated from the warehouse at 3:23 a.m. Dec. 3 due to a fire alarm and all employees re-entered the building by 5:34 a.m. It was the third such evacuation in six weeks, Amazon site safety manager Allen Forney said in the letter.

"As this was the third such incident, in conjunction with the fire commissioner, we brought people back into the building using metal detectors and a hand check process, which is not standard practice for Amazon," Forney wrote. "This resulted in the re-entry process taking much longer than normal. Due to our concerns about employee exposure to the cold weather, Amazon.com worked closely with the fire department to initiate re-entry into the facility as quickly as possible. Unfortunately, because of the amount of time employees spent outside, six individuals were sent by EMS for further evaluation at the local hospital. The hospital released all of the employees back to work."

Amazon took other steps to protect workers during evacuations, Forney wrote in his letter to OSHA.

"We have engaged in productive talks with local fire, EMS and police department on ways for us to expedite re-entry to the facility," Forney wrote. "We have purchased a large quantity of thermal blankets, hand warmers and ski caps that will be distributed to employees during evacuations in cold weather. We are evaluating the Amazon entry procedure to help expedite the re-entry of our employees."

OSHA closed the complaint file Dec. 14 and notified the employees who complained that "OSHA feels the case can be closed on the grounds that the hazardous conditions have been corrected (or no longer exist)."

On Dec. 16, warehouse managers called OSHA to report that the warehouse had to evacuate for an arson fire. Hats, gloves and blankets were distributed, the managers told OSHA. Seven employees received medical attention at the warehouse site, but none was taken to the hospital, managers told OSHA. The fire caused minor damage to some merchandise and an upper level of the building, according to police.

'Painful to grab things'

Josh Yoder, 21, of Allentown, worked as a picker on the night shift at Amazon for about eight months from September 2010 to May 2011. He was a temporary employee of ISS. He said fire alarms went off several times last year after Thanksgiving.

"For the first couple, myself included, a lot of people ended up out there in jeans and T-shirts and that was it because we were not allowed to go grab our coats, which were in the break room," Yoder said. "Groups of people with coats would huddle around these people trying to keep them warm. Most of the time, when you'd go back in the building you were freezing for the next hour because you had been out there so long."

When workers complained about being cold, managers instructed them to use one another's body heat to stay warm, Yoder said. After several alarms, managers started handing out hats, hand warmers and foil emergency blankets, he said.

"They helped a little bit, but it would take them a while to get them to you and by the time you got them you already lost a lot of body heat," Yoder said.

Managers said employees caught going to their cars would be disciplined and could be terminated, Yoder said.

"I didn't want to get fired, so I stayed outside and stuck it out," he said.

While returning to work following a fire alarm one night, Yoder said he saw a man collapse.

"There was an older gentleman. We were in line waiting to get back in. He started to fall over," Yoder said. "Me and a couple of co-workers caught him. We gave him some water. Then some managers took him to the break room and he fell down again. Then he was taken out on a stretcher."

Yoder said he saw multiple people taken out of the warehouse in stretchers over the course of several fire alarms.

"We were all getting fed up with the fire alarms and would ask [warehouse managers] while we were standing outside what they were doing to prevent it," Yoder said. "They would tell us they were working on it. They didn't say much more than that."

Yoder said he bought a fleece-lined hooded sweat shirt and kept it with him during his shift.

Yoder said one night, after an evacuation, his hands were so numb from the cold that he could not hold the portable scanner warehouse workers use to record inventory.

"My hands were numb and it was painful to grab things because they were so cold," Yoder said. "My hands weren't even that purple they usually get in the cold. They were just gray. I went to the nurse and said my hands are hurting. I can't grab my scanner. She looked at me and said, 'Are you using a hand warmer?' I showed her I had one in my hand that I had the whole time I was outside."

Yoder said his manager stood by filling out paperwork and the nurse told the manager it was not work-related. Yoder said it was "very chilly" because it had just snowed.

"They said I would normally have to sign a paper but I didn't have to because I couldn't even grip a pen," Yoder said. "I thought it was bull that they said it wasn't work-related because I was at work and I went outside during my shift. I guess because I wasn't doing my job it wasn't work-related. They didn't explain it much."

Yoder said he went home early and got a half-point demerit for leaving. Warehouse workers get demerits for such infractions as arriving late, leaving early or breaking a safety rule. Workers who accumulate too many points can be terminated.

"I didn't care," Yoder said. "I thought, 'My hands hurt, I need to go home and try to get feeling back into them.' I was more worried about my hands than I was worried about my job, at that point."

Yoder said he took a shower at home, gradually increasing the temperature to warm his hands. When he returned to work the next day, his hands were a little stiff but didn't hurt, he said.

"I felt like they weren't too concerned with what was happening to the employees," Yoder said. "I felt they worried more about the building than the employees there."

Huddled around ambulances

James Herbold, 61, said he worked at the Amazon warehouse as a temporary employee of ISS from November to May.

As he left the building for one fire alarm, Herbold said, he turned to get his coat from the lunch room. A security guard told him he couldn't. Herbold ignored the instructions and retrieved his coat.

"I said, 'I've had four heart attacks. My doctor said the worst thing for me after a heart attack is the cold. I am not going outside without my coat on,' " Herbold said. "I always made sure I had my coat with me after that."

Outside it was 26 degrees and windy. People knew the temperature because they were listening to the weather reports on radios, Herbold said. Workers stood huddled together trying to keep warm. Managers took roll call,

which took about 30 minutes, Herbold said.

Even after roll call, employees were not allowed to go to their cars to stay warm, he said. Meanwhile, warehouse managers and security guards searched the warehouse grounds with flashlights, checking beneath trees and around bushes, he said.

"Everybody was going, 'This is ridiculous. What are we doing out here?' " Herbold said. "People were getting really irritated with the way they were being treated. ... It got to the point where they had to call ambulances because people were getting hypothermia."

Herbold said it felt as if all employees were being punished for the actions of a few who were suspected of stealing.

"We said to the Amazon managers, 'People are getting hypothermia. You're going to get sued,' " Herbold said. "They just ignored us. ... They told us, 'Do not go in your cars. Stay in your area. We will tell you when you can go back inside.' "

When ambulances arrived, workers crowded around them near the engines, he said.

"People were huddled around the engine compartment of an ambulance, saying, 'Oh man, this warm air feels good,' " Herbold said. "Two days later, [managers] said, 'Because we had you outside so long on that cold night, we're going to give you a meal.' They gave us hoagies and beans and they didn't rush us back to work. Then the next night we had ice cream. ... Everyone was laughing about how they were trying to butter us up so we don't sue them for keeping us out in the cold."

Terrance Saunders, 46, of Effort said he worked in the warehouse for a few months as a temporary employee of ISS. He recalled seeing co-workers pass out during a warehouse evacuation on a cold night.

"I was outside and I would see hundreds of people outside," Saunders said. "It's 2 or 3 in the morning. It was bitter cold. We had no coats on and I saw at least three people pass out."

Saunders said he and other workers asked if they could go warm up in their cars.

"An Amazon manager told us we could not leave, or we would be written up," Saunders said. "They never gave a reason for their decisions. ... For the most part, if you've been out of work for some time, you're afraid to get fired."

'He wanted to get ...warm'

Grady, who said cold exposure aggravated his joint condition, in February filed a lawsuit against Amazon and ISS alleging the companies violated the Americans with Disabilities Act by leaving him exposed to the cold for about three hours. His lawsuit sought \$150,000.

Grady said in the lawsuit that he identified himself as a disabled person to Amazon supervisor Paul Wagner and that Wagner denied his request to get out of the cold.

Grady said his pre-existing condition was made worse by the cold to the point that he couldn't stand or work.

Grady alleged in his lawsuit that warehouse managers instructed him to tell emergency medical responders that his injuries did not happen at the warehouse, but he refused that direction.

In an interview with The Morning Call, Grady said, "They stuck a paper in my face and said, 'Sign this. You have to sign this.' "

He said he looked at the top of the paper and it was a waiver releasing Amazon from liability.

"I said, 'No, I'm not signing that,' " Grady said. "They said I have to and I said I don't."

A military veteran, Grady went to a Veterans Affairs hospital to see his doctors about joint pain, and they recommended physical therapy.

In a joint response to the lawsuit by Amazon and ISS, the companies maintained that the fire alarm evacuation was approximately one hour and 45 minutes and said no one instructed Grady to tell medical personnel that his injuries were not sustained at the warehouse or in the course of his employment. They denied Grady's rights were violated.

"On Nov. 27, 2010, at approximately 3:26 a.m., an unidentified individual(s) pulled a fire alarm inside the Breinigsville facility," attorney Curtis Crowther wrote on behalf of Amazon and ISS. "In response to the fire alarm, all of defendants' employees were evacuated from the building to ensure their safety in the event that there was an actual fire. Individuals were allowed to re-enter the building at approximately 5:15 a.m."

Grady, Amazon and ISS settled the lawsuit for confidential terms in July.

Jeremy Whitby of Allentown was working at the warehouse the night Grady said he suffered from cold exposure.

"There was a fire alarm and everyone went out," Whitby said. Grady "didn't look too good. I asked him if he wanted to jump in my car to warm up."

At that point, Amazon and ISS managers told employees they weren't allowed to go to their cars and they had to stand in the parking lot. Grady, Whitby recalled, asked managers if he could go inside and asked them what he could do to get warm.

"He told them everything," Whitby said. "He was telling them he was a veteran and he had this disability and he wanted to get in some place warm. They just said you have to stay out here."

Whitby said he gave Grady a ride home that night at the end of their shift.

"I didn't realize how serious it was until later that day and he was trying to get out of my car," Whitby said. "It looked like he was 90 years old trying to maneuver out of my car. I felt horrible."

Grim, Upper Macungie's fire commissioner, said there have been no recent false fire alarms at the Amazon warehouse and the company has assured township officials it has new policies in place as it increases employment for the busy holiday shopping season.

"Hopefully," Grim said, "things will be better this time around."

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Amazon warehouse workers fight for unemployment benefits

By Spencer Soper, Of The Morning Call

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Months after she suffered heat exhaustion and lost her job in an Amazon.com warehouse in Breinigsville, Rosemarie Fritchman sat in a small conference room pleading for unemployment benefits of about \$160 a week.

Opposing her at the hearing before a state referee, who would decide whether Fritchman was eligible for the benefit, was a human resources agent representing her employer.

The testimony of Gwen Golbreski, the human resources representative, was brief and procedural: "She was terminated for attendance," said Golbreski, who attended multiple hearings involving Amazon warehouse workers that day. "We have a no-fault attendance policy."

Fritchman, 67, remained poised and gave a detailed account about how she struggled working in brutal heat until medical personnel examined her and told her to go home. Following company policy, she provided a doctor's note upon returning to work, and she was still terminated without explanation, she said.

"I did the best I could under those working conditions," said Fritchman, speaking more forcefully in her closing remarks. "I didn't want to end up in an ambulance."

This scene has become commonplace since Amazon opened a Lehigh Valley warehouse in 2010. But the human resources agent is not from Amazon. She works for Integrity Staffing Solutions, a company paid by Amazon to recruit workers who unload boxes, process orders and pack shipments for the giant online retailer.

The temporary staffing firm plays a crucial role in Amazon warehouses around the country, especially during the busy Christmas shopping season. Its relationship with Amazon has made Integrity Staffing Solutions the biggest temporary-employment firm in the Lehigh Valley and one of the fastest-growing agencies of its kind in the country.

Part of its role is fighting to keep its workers from collecting unemployment benefits after they have lost a job at Amazon.

Integrity Staffing Solutions is involved in more unemployment compensation appeal hearings — hundreds per year — than almost all other employers in Pennsylvania, according to a state source with access to the confidential records. It even surpasses Walmart, the state's largest private-sector employer that has more than 50,000 workers in Pennsylvania, the source said.

In the first nine months of 2012, Integrity Staffing Solutions was involved in more than 200 unemployment compensation appeals, the source said. No other temporary-staffing firm in Pennsylvania comes close to that number.

The practice reveals one of the ways Amazon keeps costs down and one tactic used by a temporary staffing firm to win Amazon's continued business. Large employers such as Amazon can bid temporary firms against one another, forcing them to look for ways to contain costs, industry experts said.

The pressure to keep costs down means many who take temporary jobs at an Amazon warehouse hoping it will

result in long-term stability and independence instead find themselves jobless and fighting for a public benefit that represents their last financial resort.

The Morning Call attended 23 unemployment compensation hearings this year involving temporary Amazon warehouse workers hired by Integrity Staffing Solutions, including hearings for several employees who lost their jobs following illness or injury. Most workers were fighting for benefits of between \$100 and \$200 a week.

Advocates for the working poor say the company's aggressive stance on unemployment compensation exploits low-wage earners who need the benefit for food, housing and other necessities while they search for other jobs. The workers are often outmatched in the unemployment process.

"It's plain and simple, [companies are] playing the odds," said Maurice Emsellem, policy co-director of the National Employment Law Project. "A lot of people don't show up and a lot of people don't know the law. They're playing the odds because it helps them financially. Does it cost more to have someone show up to the hearings and win a few or does it cost more to have folks collecting benefits?"

Temporary-staffing experts, on the other hand, say the industry faces unique challenges when it comes to unemployment compensation costs that force firms to carefully monitor all claims, not just as a routine business practice but for their own survival. Precisely how many claims Integrity Staffing Solutions defeats is not public. However, defeating even a small fraction of the claims they dispute can save firms a lot of money, experts say.

"Staffing firms are uniquely susceptible to unemployment insurance claims because people come in and come out," said Edward Lenz, senior vice president for legal and public affairs of the American Staffing Association, an Alexandria, Va., trade association. "We can be disproportionately affected by the nature of our business We certainly tell firms [monitoring claims] is part of their proper cost management."

The Morning Call sent questions and requested interviews with both Integrity Staffing Solutions and Amazon.

Integrity Staffing Solutions, which goes by the name ISS in the Lehigh Valley, declined to comment.

"Thank you very much for your inquiry," Integrity Staffing Solutions spokeswoman Megan Couch said. "We don't have anything to offer."

Amazon declined to address its temporary staffing provider's involvement in unemployment compensation disputes. As of July, Amazon had 2,180 workers in its Breinigsville warehouse operation, 1,937 of whom were full-time, permanent employees, Amazon spokeswoman Mary Osako said. Of the full-time workers in Breinigsville, 70 percent began as temporary employees, she said.

The company expected to add 2,000 seasonal jobs in Breinigsville this year, temporarily doubling the size of its local workforce, Osako said.

"Our operations team wanted me to pass on their thanks for the opportunity to comment and that they hope the above helps with your story," Osako said.

HR Ninja

Integrity Staffing Solutions' relationship with Amazon goes back more than a decade. The big client has catapulted the firm from a three-person shop to an industry powerhouse. As Amazon has added warehouses throughout the country to meet growing sales demand, Integrity Staffing Solutions has recruited temporary employees to do the grunt work in Arizona, Delaware, Indiana, Kentucky, Nevada, Tennessee and Virginia, as well as in warehouses in Breinigsville and Hazleton.

The Wilmington, Del., company's president, CEO and co-founder Todd Bavol in 2011 won the Philadelphia region Ernst & Young Entrepreneur of the Year award. At the time, he attributed his company's success to "proprietary technology" for managing large-scale projects.

In a 2009 question-and-answer piece in the Philadelphia Business Journal, he talked about driving a BMW and owning a beach house. Bavol said he hoped to boost his company's annual revenues to \$300 million and create a sanctuary for abandoned animals. Wearing a navy blazer and no tie, he is pictured beside his dog Lucy, a black and white Newfoundland.

Bavol, 46, chose "competitive" as the word that best describes him, and said Amazon is the company he admires most because it is a trendsetter willing to take risks.

On the professional networking site LinkedIn, Bavol describes himself as a "visionary CEO ... with a passion for making the impossible possible." Posted on the profile are accolades of Bavol from various people, including several of his employees at Integrity Staffing Solutions, his wardrobe consultant and someone who served as his sales coach.

An English major with a degree from the University of Florida, Bavol writes a workforce blog titled "HR Ninja."

In one blog post, he wrote, "At times, complaints can be difficult to hear, but they're most often the best way to ensure the company has the information it needs to make the best possible decisions for the future of the organization."

In 2011, Integrity Staffing Solutions had revenues of \$265 million, up 34 percent from the previous year, making it one of the fastest-growing temporary-staffing firms in the country, according to Staffing Industry Analysts, a business research firm in Mountain View, Calif.

Most temporary industry growth is in the technology sector, said Jon Osborne, vice president of research and editorial at Staffing Industry Analysts. What makes Integrity Staffing Solutions' growth stand out, he said, is that it serves the industrial sector, a competitive and crowded field providing low-skilled workers for manual labor.

There are thousands of such companies in the country, and no dominant player. Competition is fierce because it takes little money to start a temporary-staffing business and clients pick one firm over another primarily on price.

"This company is definitely outperforming its peers," Osborne said.

Willful misconduct

Rosemarie Fritchman's experience began like that of many temporary Amazon warehouse workers. She applied for a short-term position hoping it would lead to something better.

"They were the only ones who hired me," said Fritchman, a widow. "Most people think at my age you should be retired and living on a pension. I'm still out there, and it's not that great."

Fritchman, of Walnutport, earned \$12.75 per hour packing goods at the warehouse for about a month in the summer of 2011. At the time, federal regulators were investigating workers' complaints about brutal heat that made it feel hotter than 110 degrees in the warehouse some days. Several workers were taken to hospital emergency rooms and Amazon had ambulances and paramedics stationed in the parking lot on hot days that year to respond to workers suffering heat-stress.

Fritchman said she suffered heat exhaustion on Aug. 8, and warehouse medical personnel told her to leave work early after examining her.

Temporary workers at the warehouse accumulate points like demerits for being late, leaving work early or missing shifts. Those who accumulate six points are terminated. Integrity Staffing Solutions policies say points for absences will be erased if the worker provides a doctor's note.

Leaving early that day resulted in Fritchman's third point. She testified that she saw a doctor Aug. 9 who told her she had heat exhaustion and shouldn't work for a few days. She called Integrity Staffing Solutions to explain and offered to bring a doctor's note. A manager told her to bring the note when she was ready to return to work. Before her next shift, Fritchman went to the warehouse to get her paycheck. She offered her doctor's note at that time, and was again told to keep it until her next shift, she said.

Meanwhile, her infractions piled up. Fritchman received a total of three points for missing her shifts on Aug. 9 and Aug. 11, bringing her total to six, which calls for termination.

Fritchman said she reported for her next shift Aug. 15 and was told her assignment had been terminated. She said she left her doctor's note at the warehouse with Integrity Staffing Solutions managers.

Following a termination, the burden of proof in an unemployment dispute is on the employer to show the worker demonstrated "willful misconduct." A state unemployment claims administrator determines if benefits are warranted based on the worker's application for benefits and the company's response.

Integrity Staffing Solutions told the state claims administrator that Fritchman was discharged for absenteeism after being warned about her attendance. Warning an employee before firing them is an important step in proving "willful misconduct," meaning the worker knew what they were supposed to do and chose not to do it.

If that is established, the burden shifts back to the employee to show good cause for the last absence.

A state claims administrator that November determined that Fritchman's heat exhaustion was a good excuse for her final absence and that she was eligible for unemployment compensation.

On Dec. 15, Integrity Staffing Solutions appealed the state administrator's decision, though it did not dispute any of Fritchman's claims.

"We would like to appeal this decision because the claimant Rosemarie A. Fritchman was discharged because he (sic) violated the attendance policy," Jasmine Bond, Integrity's unemployment administrator, wrote in the request for an appeal hearing. "The claimant exceeded the maximum allowable attendance infraction limit."

Integrity's request prompted a Jan. 26 hearing before unemployment appeals referee Mark Brown in a conference room in a Lower Nazareth Township shopping center. Fritchman and the company's representative sat at tables in front of the referee, an arrangement similar to opposing sides in a courtroom.

Integrity Staffing Solutions has a streamlined process for disputing claims. It hires an outside contractor to help with paperwork. Its human resources representatives spend hours at sometimes back-to-back unemployment compensation hearings. In 23 hearings attended by The Morning Call, the staffing firm's representatives didn't call a single witness with firsthand knowledge of an employee's departure. Instead, they relied on attendance reports and performance records in a worker's personnel file, and submitted company policies as evidence.

For instance, Golbreski did not dispute any of Fritchman's testimony about suffering heat exhaustion or bringing in a doctor's note.

"I don't have that information," Golbreski said in response to Fritchman's testimony. "I'm not aware of that."

Participants in an appeal can question one another and Fritchman asked Golbreski if workers sent home early due

to health concerns still get demerits. Golbreski responded: "I believe that is correct."

Fight claims, save millions

Fritchman's financial motives were clear. She needed the \$160 weekly benefit to pay rent, buy food and put gas in her car.

The staffing firm's interests were also about money.

Companies pay a payroll tax to support the unemployment compensation system. The tax rate is determined in a similar manner to rates for car insurance. A driver with lots of crashes and speeding tickets pays higher insurance rates than one without. Similarly, a company with a lot of employees collecting unemployment insurance pays more than one without. The idea is that a volatile employer puts greater demand on the unemployment compensation system, and should pay more to support it, than a stable employer.

Preventing former workers from collecting unemployment represents money in the bank for the companies that used to employ them.

The very nature of Amazon's business, which requires thousands of temporary warehouse workers during the busy holiday shopping season, would leave it prone to high costs for unemployment insurance. Temporary-staffing firms create a buffer between Amazon and higher unemployment insurance costs because temporary warehouse workers are employees of the agency, not Amazon.

In Pennsylvania in 2011, unemployment insurance rates paid by businesses ranged from 2.7 percent to 10.8 percent on each employee's initial \$8,000 in wages. For a company like Integrity Staffing Solutions, which hires thousands of workers in Pennsylvania, the difference between a low rate and a high rate can add up to millions of dollars annually. Pennsylvania keeps the rate for individual businesses confidential.

"The only defensive measure for a company with a highly fluctuating workforce is to more aggressively manage its unemployment compensation process," said Steven Whitehead, an Atlanta attorney who has represented temporary staffing firms since 1988. "If you can justify a reason to not be taxed for someone who is not working, you are allowed to make an argument It's the way the system is set up, rightly or wrongly."

Businesses are supposed to safeguard the unemployment compensation system from abuse by claims from ineligible workers. Since its inception in 1935, unemployment compensation was intended to be a safety net for workers who lose their jobs through no fault of their own, not a cushion for those who quit without good reason or get fired for flagrant violations of workplace rules.

Integrity Staffing Solutions made some strong arguments as to why several employees should not be eligible for unemployment compensation at hearings attended by The Morning Call. At 10 hearings, the workers seeking the benefit didn't attend. Those failing to show don't automatically lose their benefits. The hearing proceeds without them and the state referee makes a determination based on the evidence presented.

For example, an employee from Bangor applied for unemployment insurance and was denied by a state claims administrator. He appealed the decision, which prompted a February hearing. On the morning of the hearing, he requested a continuance by phone, which the referee denied. The man did not attend his own hearing.

Integrity Staffing Solutions human resources manager Jeffrey Benner said the man worked full time for one day in September 2011 earning \$12.50 an hour. He resigned, saying the commute was too far, Benner testified.

A Schnecksville woman was initially found ineligible for unemployment benefits, which she appealed. She did not attend her February hearing.

Benner testified that the woman worked full time as a packer for 11 days in September 2011. She was suspended Sept. 30 when she failed to provide proof of education within 14 days as required. The woman initially said she had the required education, and later admitted she did not finish high school, Benner testified.

But the claims in dispute were not limited to those who quit without reason or who were fired for good cause. Many people who get sick or injured while working at the Amazon warehouse end up fighting the company to collect benefits.

Since they are temporary workers on short-term assignments, federal laws that protect most workers from being fired for getting sick or injured don't apply. Those laws require 12-months tenure, which most temporary Amazon warehouse workers don't achieve because they are hired on contracts that typically range between 1,200 and 1,500 hours.

Broken foot

Todd Ferryman, 28, of Whitehall Township, began his temporary assignment in the warehouse in November 2010. In March 2011, he fell down the steps at his house and broke his foot. He called Integrity Staffing Solutions to tell them about his injury. They told him they had no light-duty positions and he should reapply when his foot healed.

Ferryman reapplied for his job in May and was told no work was available. So he applied for unemployment compensation. Integrity Staffing Solutions disputed his eligibility, telling the state that Ferryman quit his job.

If Ferryman had been working at the warehouse for a year, he could have qualified for Family and Medical Leave, a federal law that prevents companies from immediately firing workers who get sick or injured. The law requires employers to hold positions open and continue to provide medical benefits for up to 12 weeks. Millions of American workers take such leave annually, but you have to be on the job for a year or longer and have worked 1,250 hours in the past year to be eligible.

Ferryman had only five months' tenure when he broke his foot, so he didn't qualify for the federal protection. Instead, he filed for unemployment compensation and the temporary-staffing firm had a financial interest in preventing him from getting it.

The unemployment claims administrator reviewing Ferryman's application found Ferryman ineligible for benefits, saying he "voluntarily quit because he failed to provide required medical clearance to return to work" and "there was insufficient information provided to indicate whether the claimant had a necessitous and compelling reason for voluntarily leaving the job."

Ferryman appealed the administrator's decision.

"I was discharged due to being unable to work because of a broken foot," Ferryman said in his request for an appeal.

At Ferryman's unemployment compensation hearing, an Integrity Staffing Solutions representative explained injured workers are granted up to 14 days to provide a "certificate of fitness" from a doctor indicating they can return to work without restrictions. Amazon does not allow temporary workers to return to work with restrictions, he said. Those who can't provide documentation allowing them to return to work are terminated, Benner said.

"I was told that I was discharged due to my broken foot," Ferryman told the referee, adding that the staffing firm never told him about a certificate of fitness.

The referee said Ferryman was eligible for unemployment benefits because he notified his employer about his

injury and gave the employer an opportunity to accommodate the problem.

'A lot of pain'

Ruth Kull, 51, of Reading, applied for unemployment compensation benefits after quitting her temporary Amazon warehouse job for health reasons. A state claims administrator awarded her benefits, but Integrity Staffing Solutions lodged an appeal, which prompted a March hearing before a referee.

Since Kull quit, she had to show she did so for good reason to maintain her benefits. The temporary-staffing firm was there to argue she was ineligible, which would save the firm money and help keep its costs competitive for clients such as Amazon.

Kull said she started working at the warehouse Dec. 5 as a gift wrapper, a job that required little walking. On Dec. 24 she switched to a packing job, which was also stationary. While working as a packer, she was offered full-time hours. She accepted the new position after being told that she would be terminated if she didn't.

On Dec. 28, Kull said she began working as a picker, a job that involves extensive walking through the three-story warehouse. On March 4, 2011, Kull said she stepped on a bolt and twisted her right foot. She went to on-site medical personnel, who wrapped her foot and asked if she could return to work.

"I have a high tolerance for pain," Kull said, adding that she went back to work.

The warehouse medical personnel — she did not know their credentials — told her to continue working and report back daily until she had three pain-free days. Kull said she never had three pain free days.

"A few days later, I had a lot of pain," Kull said. She went to the medical staff and they gave her aspirin.

"I told them it was impossible to go pain free with all the walking and going up and down stairs," Kull said. She asked if she could be assigned to one floor. Managers told her that was "impossible."

She asked a supervisor if she could go back to packing. They never responded to her request.

"I told them continuous walking was very painful to my foot," Kull said.

Kull said she has heel spurs in both feet and tendinitis in her right foot, conditions she's had for years. She was able to do the packing and gift-wrapping jobs, because those positions required less walking. She couldn't do picking, she said.

The unemployment compensation referee asked if Integrity Staffing Solutions offered Kull another position, such as a packer, after learning about her condition.

Benner responded: "The position was no longer in existence in the building."

Kull said the referee awarded her benefits.

Well hidden

Unemployment hearings occur mostly in secret. While the proceedings are open to the public, only the worker and the employer are notified of them. Unlike in civil or criminal courts, there is no public docket of cases and no public record an observer can use to determine if one company is involved in more disputes than another.

Using Pennsylvania's Right to Know law, The Morning Call requested documents from the state Department of Labor and Industry related to Integrity Staffing Solutions' unemployment compensation hearings. The state denied the request, saying such records were confidential.

The staffing firm unsuccessfully tried to prevent a Morning Call reporter from attending several hearings.

Fritchman's was the first hearing The Morning Call attended. Golbreski objected to the reporter's presence, saying he had no interest in the matter. The referee allowed the reporter to remain.

When the third Integrity Staffing Solutions hearing was about to begin that day, Benner, Integrity Staffing Solutions' human resources manager, arrived and told the referee the company was withdrawing the rest of its appeals for the day.

At a subsequent hearing, Golbreski objected to a Morning Call reporter's presence, saying she just wanted to make sure the former worker realized his name could be in the newspaper if the reporter remained. The worker did not object to a reporter's presence.

At the start of a February hearing, referee Sandra Bloszinsky announced that Integrity Staffing Solutions' representative Benner would not attend.

"When he learned Mr. Soper with The Morning Call was here, he decided not to participate," she said.

George Gonos, a sociology professor at the State University of New York Potsdam who has studied the temporary-staffing industry for 30 years, said staffing firms tend to be secretive about their operations. They work hard to project the image of themselves as matchmakers who bring workers and companies together, and they know which one they have to please to survive — the businesses that hire them, he said.

"They can treat these workers like a disposable commodity, because there are so many more people in line," Gonos said.

Benefits granted

Unemployment compensation referees don't issue immediate rulings after listening to evidence. Instead, they close the hearing and send their decisions in the mail. The decisions are not available to the public.

With the status of her benefits in limbo, Fritchman was worried she would fall behind on her rent and lose her home. She still had her deceased husband's pension from Bethlehem Steel but needed to supplement her income to cover her bills.

Within a few days of her hearing, Fritchman got her letter.

The referee granted her benefits.

Fritchman said she was relieved but frustrated that she had to endure the cumbersome process.

"I don't even know why they disputed my claim," Fritchman said. "It's a waste of everyone's time."

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