

Report Update | Eyes Everywhere: Amazon's Worker Surveillance Continued

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September 23, 2021



This [research paper](#), authored by [Daniel Hanley](#), serves as an update to Open Markets' September 2020 report, "[Eyes Everywhere: Amazon's Surveillance Infrastructure and Revitalizing Worker Power](#)." It details Amazon's attempts to amplify and widen its ability to spy on workers from September 2020 to September 2021.

In analyzing the corporation's extensive employee monitoring tactics, this paper also notes that those most impacted by Amazon's increased worker surveillance are the lowest-paid employees, who are mostly Black, brown and other people of color.

The paper also reasserts a set of reforms that antitrust enforcers, regulators, and state and federal lawmakers should utilize to remedy these abuses.

**EYES EVERYWHERE: AMAZON'S SURVEILLANCE INFRASTRUCTURE AND REVITALIZING WORKER
POWER — AN UPDATE**

Daniel A. Hanley
Senior Legal Analyst, Open Markets Institute
September 2021

In September 2020, the Open Markets Institute published a report detailing Amazon's extensive worker surveillance practices.¹ Since then, Amazon has continued to radically expand its capacity for spying on its own employees and contractors. Below is a short update detailing the corporation's latest attempts to amplify and widen its worker surveillance practices over the past 12 months.² Amazon's worker surveillance practices continue to be a critical aspect of the corporation enhancing and fortifying its market dominance as well as to controlling and exploiting its workers.³

As with many of its practices, Amazon continues to force the adoption of its surveillance policies as a condition of employment — making these technologies mandatory and unavoidable for workers. Brutal stories of workers being punished for failing to meet Amazon's breakneck working speeds and performance metrics continue to be published and demonstrate the role of surveillance in allowing the corporation to ensure its workers remain under its constant control.⁴

With more than 1.3 million part-time and full-time workers, Amazon continues to exert an extraordinary amount of dominance over geographic labor markets and the workers subjected to its power.⁵ If Amazon is allowed to continue to expand its surveillance practices, as we explained in our first report, its workers will be forced to endure ever more dangerous and exploitative working conditions that threaten their health and safety as well as the existence of democracy in the workplace.⁶

Additionally, as revealed in Amazon's April 2021 workforce demographic report,⁷ the workers occupying Amazon's lowest-paid jobs (such as its warehouse and call center workers) are highly diverse — meaning the effects of its harsh workplace surveillance tactics adversely impact mostly Black, brown, and other people of color. These individuals also continue to endure extremely precarious employment conditions since many jobs are classified as independent contractors and are thus prohibited from unionizing and obtaining other corporate benefits. This allows Amazon to avoid incurring a significant amount of liability for its harsh practices.⁸

Furthermore, Amazon frequently markets its jobs as high paying, but reports confirm that many of its workers still require food stamps to get by.⁹ Even when Amazon does raise pay, other benefits provided to workers are routinely cut.¹⁰ Amazon's surveillance tactics, therefore, not only disproportionately target people of color, but also affect many of the most economically vulnerable.

Smartphone Applications Monitoring Employees and Contract Drivers

According to a February 2021 news report, Amazon has built its own mobile application called Mentor, which tracks the location and rates the performance of contract drivers. Combined with the data collected from its new camera system, Amazon uses the Mentor application to rank drivers according to their performance, giving them what it calls a “FICO Safe Driving Score.”¹¹ Drivers receive weekly report cards detailing their score.¹²

Amazon claims the program is predominantly about driver safety.¹³ But the application can get triggered by seemingly innocuous events such as “hard braking,” “hard acceleration,” “low impacts,” and “U-turns.”¹⁴ Because many of these triggering situations are also vague and imprecise, the system can also record many false infractions. According to one worker, “If [I] went over a bump, the phone would rattle, the Mentor app would log that I used the phone while driving, and boom, I’d get docked.”¹⁵ Another driver stated that he got a distracted driver notification from the application after he drank water or changed the radio station in his vehicle.¹⁶

Drivers claim that if their score falls below certain levels, Amazon can reprimand them by removing them from the work schedule or removing their access to bonuses and other perks.¹⁷ Recently revealed corporate documents obtained by *The Information* affirmed that the drivers’ claims are correct.¹⁸

Amazon’s policies will almost surely create perverse incentives for workers to take shortcuts and other measures that threaten health and safety. As we explained in our September 2020 report, “Delivery drivers often speed to meet Amazon’s rigorous delivery demands, harming both drivers and bystanders. Investigations conducted by *ProPublica* and *BuzzFeed* discovered that Amazon delivery drivers had been involved in more than 60 crashes that led to serious injuries, including at least 13 deaths, between 2015 and 2019.”¹⁹

Cameras in Third-Party Delivery Vans

In February 2021, Amazon announced that delivery vans owned and operated by Amazon contractors must be equipped with cameras for monitoring driving activities.²⁰ Amazon forces contract drivers to have the installed camera system take their picture and collect biometric information and also “tracks vehicle location and movement, including miles driven, speed, acceleration, braking, turns, and following distance[.]”²¹ These cameras subjugate drivers to near-constant surveillance because as long as the vehicle remains on, the cameras cannot be turned off.²² If workers refuse to consent to this monitoring, they will lose their job.²³ Amazon has cut relations with companies that do not accept its demands. After contract drivers in Portland pleaded with Amazon to implement fairer working conditions, Amazon terminated the contract with the company that employed them.²⁴

Currently, 45% of delivery vans are already equipped with cameras.²⁵ Five U.S. senators wrote a letter in March 2021 to the corporation condemning its practices. In the letter, the senators state that Amazon's implementation of these monitoring cameras could "threaten the safety and wellbeing" of the company's delivery service providers.²⁶

In August 2021, *The Information* revealed that Amazon is also developing its own tracking device for its delivery tractor-trailers called Relay ELD (electronic logging device). The device, similar to Amazon's Mentor Application and surveillance cameras for its delivery van drivers, will monitor a truck's exact location and constantly surveil its movements.²⁷ While the device is currently installed on trucks for only six companies, Amazon plans to install its Relay ELD technology on hundreds of its tractor-trailers by the end of 2021.²⁸

Using of Human Spies

In September 2020, Amazon advertised for two new employment opportunities, with the titles "Intelligence Analyst" and "Senior Intelligence Analyst," which the company described as involving the tracking and monitoring of "labor organizing threats," as well as other "activist groups [and] hostile political leaders."²⁹ While Amazon eventually relented to public pressure and removed the listings, the corporation's ambitions are clear — to maintain internal control by preventing the formation of unions through constant and pervasive surveillance over all employees, despite the adverse impact on their health and safety.

Vice News published a report in November 2020 detailing internal corporate documents that revealed the company had hired Pinkerton, the agency infamous for spying on workers, to gather information and disrupt workers' union-organizing activities.³⁰ The documents also showed that Amazon's worker surveillance practices extend globally and that the corporation pays particular attention to union organizing activities and which workers attend union meetings.

Monitoring the Activity of Employees and Contractors on Social Media

The news outlet *Motherboard* reported in September 2020 that Amazon uses online tools to spy on its workers in Facebook groups and monitors communications related to its workers' labor organizing efforts.³¹ The publication revealed that Amazon corporate employees regularly receive reports containing social media posts of complaints from Amazon Flex drivers — delivery drivers whom Amazon classifies as independent contractors and who are not company employees.³² The *Motherboard* journalists reporting the story bluntly stated that Amazon designs its operations to "systematically monitor[], categoriz[e], and analyz[e]" worker communications.³³

Installing Monitoring Software on Computers

Motherboard announced in August 2021 that Amazon has plans to install software that will monitor some of the “keyboard stroke and mouse movements” of its customer service employees.³⁴ The company is currently considering plans to install software that will monitor all of a user’s computer actions.³⁵

Similarly, NBC reported in August 2021 that Amazon, along with other technology companies, is pressuring call center companies hired to manage some of its customer relations to install cameras in workers’ homes for those who choose to work remotely.³⁶

Selling Worker Surveillance Tools to Third Parties

Amazon announced in December 2020 that it would be selling tools that would allow factories around the world to monitor workers.³⁷ The service, called AWS Panorama, analyzes security footage to monitor worker movements throughout the day. The service can also be modified, via machine learning, to track any type of worker behavior, such as when and where workers are gathering and speaking to one another. Amazon boasted on its website that its Panorama service is able to “track how long it takes for an associate to complete each task in the assembly of a guitar so that we’re able to optimize efficiency and track key metrics.”³⁸ Like many of Amazon’s surveillance practices, the company justifies its tactics under the auspices of worker safety and adherence to strict company policies.³⁹ However, Amazon can and will likely use the service to track and ultimately deter worker-organizing efforts.⁴⁰

Amazon’s surveillance tactics and its other practices continue to harm workers. A recent investigation by *The New York Times* detailed conditions so harsh that many of Amazon’s workers remain employed with the company only for a few days or weeks.⁴¹ In fact, according to a recent report by the Strategic Organizing Center, Amazon’s fervor to extract as much value as possible and to force its workers to move at breakneck speeds creates an exceptionally dangerous working environment. The report found that Amazon’s rates of injury in its warehouses are more than 50% higher than other comparable companies with extensive warehouse operations (like Walmart) and more than twice the rate as all U.S. employers.⁴² Delivery drivers also face strict standards and time constraints by being required to deliver upward of 400 packages a day in a span of 10 hours.⁴³

Solutions

To remedy these abuses, the Open Markets Institute continues to advocate for the reforms we asserted in our first report:

- Congress must enact a statute that bans certain forms of invasive worker surveillance practices.
- The National Labor Relations Board should promulgate a rule prohibiting forms of surveillance that presumptively interfere with unionization efforts.
- Federal and state legislatures and administrative agencies must enact prohibitions on invasive forms of worker surveillance.
- Congress must enact a statute that legalizes the unionization of independent contractors, secondary boycotts, and other solidarity actions.
- The Federal Trade Commission and Department of Justice must amend their merger guidelines to enact bright-line rules to prohibit mergers above a certain size.
- The FTC must ban worker noncompete agreements and class-action waivers.

Endnotes

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Using of Human Spies

In September 2020, Amazon advertised for two new employment opportunities, with the titles "Intelligence Analyst" and "Senior Intelligence Analyst," which the company described as involving the tracking and monitoring of "labor organizing threats," as well as other "activist groups [and] hostile political leaders."²⁹ While Amazon eventually relented to public pressure and removed the listings, the corporation's ambitions are clear — to maintain internal control by preventing the formation of unions through constant and pervasive surveillance over all employees, despite the adverse impact on their health and safety.

Vice News published a report in November 2020 detailing internal corporate documents that revealed the company had hired Pinkerton, the agency infamous for spying on workers, to gather information and disrupt workers' union-organizing activities.³⁰ The documents also showed that Amazon's worker surveillance practices extend globally and that the corporation pays particular attention to union organizing activities and which workers attend union meetings.

Monitoring the Activity of Employees and Contractors on Social Media

The news outlet *Motherboard* reported in September 2020 that Amazon uses online tools to spy on its workers in Facebook groups and monitors communications related to its workers' labor organizing efforts.³¹ The publication revealed that Amazon corporate employees regularly receive reports containing social media posts of complaints from Amazon Flex drivers — delivery drivers whom Amazon classifies as independent contractors and who are not company employees.³² The *Motherboard* journalists reporting the story bluntly stated that Amazon designs its operations to "systematically monitor[], categoriz[e], and analyz[e]" worker communications.³³

Installing Monitoring Software on Computers

Motherboard announced in August 2021 that Amazon has plans to install software that will monitor some of the “keyboard stroke and mouse movements” of its customer service employees.³⁴ The company is currently considering plans to install software that will monitor all of a user’s computer actions.³⁵

Similarly, NBC reported in August 2021 that Amazon, along with other technology companies, is pressuring call center companies hired to manage some of its customer relations to install cameras in workers’ homes for those who choose to work remotely.³⁶

Selling Worker Surveillance Tools to Third Parties

Amazon announced in December 2020 that it would be selling tools that would allow factories around the world to monitor workers.³⁷ The service, called AWS Panorama, analyzes security footage to monitor worker movements throughout the day. The service can also be modified, via machine learning, to track any type of worker behavior, such as when and where workers are gathering and speaking to one another. Amazon boasted on its website that its Panorama service is able to “track how long it takes for an associate to complete each task in the assembly of a guitar so that we’re able to optimize efficiency and track key metrics.”³⁸ Like many of Amazon’s surveillance practices, the company justifies its tactics under the auspices of worker safety and adherence to strict company policies.³⁹ However, Amazon can and will likely use the service to track and ultimately deter worker-organizing efforts.⁴⁰

Amazon’s surveillance tactics and its other practices continue to harm workers. A recent investigation by *The New York Times* detailed conditions so harsh that many of Amazon’s workers remain employed with the company only for a few days or weeks.⁴¹ In fact, according to a recent report by the Strategic Organizing Center, Amazon’s fervor to extract as much value as possible and to force its workers to move at breakneck speeds creates an exceptionally dangerous working environment. The report found that Amazon’s rates of injury in its warehouses are more than 50% higher than other comparable companies with extensive warehouse operations (like Walmart) and more than twice the rate as all U.S. employers.⁴² Delivery drivers also face strict standards and time constraints by being required to deliver upward of 400 packages a day in a span of 10 hours.⁴³

Solutions

To remedy these abuses, the Open Markets Institute continues to advocate for the reforms we asserted in our first report:

- Congress must enact a statute that bans certain forms of invasive worker surveillance practices.
- The National Labor Relations Board should promulgate a rule prohibiting forms of surveillance that presumptively interfere with unionization efforts.
- Federal and state legislatures and administrative agencies must enact prohibitions on invasive forms of worker surveillance.
- Congress must enact a statute that legalizes the unionization of independent contractors, secondary boycotts, and other solidarity actions.
- The Federal Trade Commission and Department of Justice must amend their merger guidelines to enact bright-line rules to prohibit mergers above a certain size.
- The FTC must ban worker noncompete agreements and class-action waivers.

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