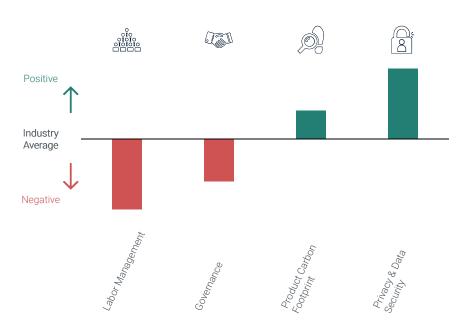
# Retail - Consumer Discretionary | US

Ambitious carbon footprint reduction programs; labor management challenges persist

# Score attribution by key issue

This chart highlights the company's positioning relative to the industry average for each Key Issue that contributed to its ESG Rating as of December 10, 2021.



# **Last ESG Rating action**

Rating action date: December 10, 2021

Amazon's rating is unchanged at 'BBB'.

Our research indicates Amazon's privacy policies provide transparency on customers' digital rights. However, the global e-commerce firm supports commissions with advertising revenue; this could expose its data use practices to the risk of scrutiny. Amazon was fined EUR 746 million by Luxembourg's data protection authority in July 2021 for alleged use of customer data in targeted advertising. This followed a EUR 35 million fine in December 2020 by a French regulator along similar lines.

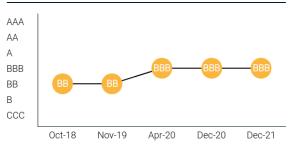
- Our assessment indicates Amazon enhanced its programs to manage risks of increased input costs linked with rising energy prices in its value chain. In 2020, it measured its upstream carbon footprint, including transportation and logistics operations, along with lifecycle assessment conducted for select products. Programs to reduce this footprint include transitioning its fleet of vans to electric vehicles.
- ▶ Amazon may face labor management challenges as it employs a large workforce (~1.3 million employees, as of FY2020) and has heavy reliance on part-time workers. While wages offered to US, Canada and few EU-based staff seemed in line with living wage levels, it faces allegations of non-payment of bonuses, poor working conditions, and limited safety measures for staff during COVID-19 pandemic.
- While Amazon's corporate governance practices compare favorably with global peers, it faces controversies related to anticompetitive practices, including allegations of antitrust violations in the US, India, and the EU.

Analyst: Jestine Dale Lavapie



LAST UPDATE: December 10, 2021

### **ESG Rating history**



ESG Rating history shows five most recent rating actions

### **ESG Rating distribution**

Universe: MSCI ACWI Index constituents, Retail - Consumer Discretionary, n=82



#### **Key scores**

	Weight	Score (0-10)
Industry-Adjusted Score		5.6
Weighted-Average Key Issue Score		4.7
Environmental Pillar Score	12%	5.5
Social Pillar Score	47%	5.0
Governance Pillar Score	41%	4.2

#### Report table of contents

ESG Rating tearsheet		Data report	
Rating model details	P02	Corporate governance data	P15
Recent developments	P03	Key issue details	P39
Corporate governance summary	P05	Appendix	P53
Analyst insights	P06	Glossary	P123
ESG Rating drill down	P11		

What is an ESG Rating? MSCI ESG Ratings aim to measure a company's resilience to long-term ESG risks. Companies are scored on an industry-relative AAA-CCC scale across the most relevant Key Issues based on a company's business model.





LAST UPDATE: December 10, 2021

# **ESG Rating scorecard**

As of December 10, 2021

AS OF December 10, 2021				
KEY ISSUE	WEIGHT	INDUSTRY AVERAGE	SCORE (0-10)	CHANGE EXPLANATION
Weighted-Average Key Issue Score		4.7	4.7	
> ENVIRONMENT	12%	4.0	5.5	
Product Carbon Footprint	12%	3.8	5.5	<ul> <li>Carbon or energy reduction programs established at most distribution centers or stores</li> </ul>
SOCIAL	47%	5.2	5.0	
Privacy & Data Security	29%	6.2	7.3	<ul> <li>Involved in moderate <u>controversies</u></li> <li>Evidence of extensive data protection processes, including certification to external information security management standards and robust compliance programs (e.g system audits and employee trainings)</li> </ul>
Labor Management	18%	4.2	1.3	<ul> <li>Involved in severe &amp; moderate <u>controversies</u></li> <li>High risk of operational disruptions, employment litigation or reduced productivity relative to peers</li> <li>Relatively limited labor management initiatives compared to peers</li> </ul>
> GOVERNANCE	41%	4.9	4.2	
Corporate Governance		5.6	6.6	<ul> <li>The company falls into the average scoring range relative to global peers, reflecting relatively few areas of concern.</li> </ul>
Corporate Behavior		5.8	1.9	• Involved in moderate controversies

<sup>\*</sup> denotes company-specific Key Issue

### **Rating model details**

 $\label{lem:max} \mbox{Amazon was rated based on a standard version of the $\mbox{\bf Retail}$ - $\mbox{\bf Consumer Discretionary Industry ESG Rating Model}.$ 

### **Company response**

Response in last 12 months?	Yes
Date of last interaction ————————————————————————————————————	Dec 2021
Frequency of interactions*	High

All companies are provided the opportunity to review their data. For details, see  $\underline{\text{Appendix}}$  in full ESG Rating report

\*Frequency of interactions represents interactions over the past two years: High = Ten or more incoming communications; Medium = Between 3 and 9 incoming communications; Low = Between 1 and 2 incoming communications



This table shows the Key Issue scores and weights contributing to the company's ESG Rating and any changes to those scores since the last ESG Rating action. The range of possible scores is 0-10, where 10 is best and 0 is worst.



LAST UPDATE: December 10, 2021

# **Recent developments affecting ESG scores**

This table shows the	last 10 score changes* and rating actions that	have occurred in the	past 12 month	ns.
Date ▲	Туре	Score (0-10)	Change	Explanation
	Current Weighted-Average Key Issue Score	4.7		
Dec 10, 2021	ESG Rating action			Amazon's rating is unchanged at 'BBB'.
Dec 10, 2021	ESG Rating action	4.7	▲0.1	Amazon's rating is unchanged at 'BBB'.
Sep 02, 2021	Data Update: Corporate Governance		▼0.1	Flags Added: Entrenched Board
Aug 23, 2021	Data Update: Exposure		▲0.1	Change in exposure score for the following Key Issue(s): Labor Management, Privacy & Data Security, Product Carbon Footprint,
Aug 10, 2021	Data Update: Corporate Governance		▲0.2	Flags Added: Long-Term Pay Performance Versus Peers, Leadership Concerns, CEO Equity Policy Flags Removed: CEO Pay Perks & Other Comp, Entrenched Board, Combined CEO/Chair
May 28, 2021	Data Update: Corporate Governance		▼0.3	Flags Added: Expense Recognition, Revenue Recognition, Entrenched Board Flags Removed: Expense Recognition, Revenue Recognition, Internal Pay Equity Governance Score changed based on the listed Key Metric(s): Asset-Liability Valuation, Expense Recognition
May 26, 2021	Data Update: Controversies		▼0.1	
Jan 29, 2021	Data Update: Corporate Governance		▲0.2	Flags Removed: Variable Interest Entity
Dec 04, 2020	ESG Rating action	4.6	▼0.1	Amazon's rating is unchanged at 'BBB'.

This table outlines the latest changes to specific data points that have occurred, the trigger for change (e.g. issuer feedback, data update or methodology enhancements) and the overall impact on the company's Weighted Average Key Issue Score. Companies are monitored on a continuous basis and significant score changes may trigger an ESG Rating action.

View additional recent developments affecting the ESG score

Data Update: Corporate Governance

### **Most recent controversies**

Dec 04, 2020

Last update	Headline	Assessment	Туре
Oct-21	United States: Investigations into alleged anti-competitive business practices	Moderate	Anticompetitive Practices
Oct-21	US: Regulator inquiry on potential data surveillance and other consumer protection risks in payment systems	Moderate	Privacy & Data Security
Oct-21	Ohio, United States: Lawsuit over alleged racial discrimination against fulfillment associate in relation to refusal to	Minor	Discrimination &
	accept doctor's note		Workforce Diversity
Oct-21	United States: Criticism from five members of the House Judiciary Committee that alleged top executives lied to	Minor	Governance Structures
	Congress during sworn testimony about the company's business practices		



Flags Added: CEO Pay Perks & Other Comp



LAST UPDATE: December 10, 2021

Oct-21 United States: Twitch source code and user payout information attacked by unknown hackers; no financial damages reported Minor Privacy & Data Security

This table shows the most recently updated controversies facing the company. Controversies are considered alongside other factors when assessing a company and may or may not impact the company's ESG Rating. For further details, See Controversies Detail section in full ESG Rating report appendix.





LAST UPDATE: December 10, 2021



<sup>\*</sup>CEO pay figures are sourced from listed company annual reports and proxy filings. When a new CEO is named the pay figures for the previous CEO will be displayed until this information has been updated for the new CEO

### Peer benchmarking

LARGEST 5 INDUSTRY PEERS (RETAIL - CONSUMER DISCRETIONARY)	Product Carbon Footprint	Labor Management	Privacy & Data Security	Corporate Governance	Corporate Behaviour	Rating & Trend
THE HOME DEPOT, INC.	• • • •	• •	• • •	• • •	• • • •	AA <b>∢</b> ►
Prosus N.V.	• • •	• • •	• • • •	• •	• • • •	AA 🔺
MEITUAN	N/A	• •	• • • •	•	•	AA 🔺
LOWE'S COMPANIES, INC.	• • • •	•	• •	• • • •	• • • •	AA <b>∢</b> ►
AMAZON.COM, INC.	• • • •	•	• • •	••••	•	BBB ◀▶
ALIBABA GROUP HOLDING LIMITED	•	• • •	• • • •	•	•	BBB 🔺

QUARTILE KEY : Bottom Quartile ullet Top Quartile ullet ullet

RATING TREND KEY: Maintain 🔻 🕨 Upgrade 🛕 Upgrade by two or more notches 🛕 Downgrade 🔻 Downgrade by two or more notches

This table shows the company's positioning relative to five of its 82 industry peers. Industry peers are constituents of the MSCI ACWI Index in the ESG Ratings Industry classified as Retail - Consumer Discretionary, as of December 10, 2021. The selection of five industry peers in this distribution is based on market capitalization, sorted by ESG Ratings (best to worst).





LAST UPDATE: December 10, 2021

### **Analyst insights**

Amazon levied with the largest GDPR fine to date

December 10, 2021 Andrew Young

Amazon was levied with a EUR 746 million (USD 888 million) fine by Luxembourg's privacy regulator in July 2021.\* It was the largest fine to date under the EU's stringent privacy regulation, the EU General Data Protection Regulation (GDPR) and Amazon's second major fine under the regulation. The previous fine (EUR 35 million) was levied in December 2020. This latest fine adds to the precedent of increasing boldness by European privacy regulators, especially against big tech companies and a reliance on the broad principles set out by the regulation to justify their enforcement actions.

Amazon and its U.S. big tech peer, Alphabet (Google) now account for four of the five largest fines to date under the GDPR (two each). This enforcement action appeared similar in nature with the previous large enforcement actions, which are all to do with the appropriation of user/customer data for further processing, like advertising.\*\* To justify these actions, regulators have typically relied on the broad general collection and processing principles and individual rights to privacy (GDPR sections 5-11 and 12-23 respectively).^

It seems that EU privacy regulators may be targeting dominant tech companies to set the tone of acceptable privacy practices in the region. And the boldness of the regulators is perhaps demonstrated by the growth in aggregated fines, which was a modest EUR 737,000 in 2018, EUR 73 million in 2019, EUR 172 million in 2020 and EUR 1.2 billion in 2021 YTD. Amazon is challenging the decision.

\*Amazon's European headquarters is domiciled is Luxembourg

\*\*Inferred from the complaint filed by French privacy advocacy group, La Quadrature du Net, which focused on issues of user/customer consent and the company's legitimate interest to further process personal data. Luxembourg's privacy regulator does not publicly comment on complaints or enforcement actions, making the exact details

A "Three Years of EU GDPR Enforcement: What have we learned?" September 2021, ESG Manager.

A race to the bottom on carbon emissions?

November 19, 2021 Andrew Young

The businesses of Alphabet, Apple, Amazon, Meta (Facebook) and Microsoft, or collectively the US 'big tech' companies, generally have low carbon emissions footprints. But given their outsized role in the global economy and the lives of billions of consumers, the group may have important role to play in supporting a transition to low carbon economy:

Increased competition amongst the group, such as in the cloud infrastructure market, may not only be good for innovation but also enable an arms race of climate action, as the competitors looks to build favor with their customers (and shareholder and other stakeholders) yearning for leadership on the issue. Their actions may also have a multiplier effect by forcing their suppliers to get in line with their targets in order to keep winning contracts.

As of November 2021, we estimated that all companies, except for Amazon, appeared aligned with the IPCC's 2 degree warming scenario.\* However this is broadly by virtue of the nature of their businesses. There remains substantial scope for a leader to emerge, as we found limitations in all of their climate commitments:

Amazon has the largest footprint of the group because of emissions associated with its global e-commerce business. It has set an ambitious target to be 'net zero' across all its operations by 2040. But we assessed two limitations in this goal. Firstly, Scope 3 emissions are only partially acknowledged. For example, Scope 3, Category 12 emissions, which accounts for the end-of-life treatment of their products is absent from their reporting (by our estimation, this category accounted for over half of its Scope 3 footprint). Secondly, the target did not include an emissions base year, a fundamental component of a GHG emissions reductions plan. Without a base year, stakeholders cannot evaluate the ambition, comprehensiveness, or feasibility of the pledge.

\*Based on our Implied Temperature Rise methodology, which estimates the 2100 temperature rise based on a GHG emissions budget over/undershoot approach. We





LAST UPDATE: December 10, 2021

estimated Amazon to be aligned with a 2.26 degree warming scenario, based on available data.

Facial recognition markets: tread lightly

May 17, 2021 Andrew Young Public scrutiny and increasingly high regulatory hurdles look to be considerable barriers to develop and market facial recognition (FR) technologies.

Facial recognition (FR) is an already established technology market with an estimated market value of USD3.4 billion in 2019, which some analysts expect to double in the coming years.\* But the market opportunity appears fraught with ethical and legal pitfalls: Amazon, Facebook and Alphabet have all faced distinct controversies regarding their FR products. Demonstrating the impact of broad civil scrutiny of the technology, a group of shareholders proposed at the 2020 AGM that Amazon produce a report on potential misuse of its Rekognition FR software (voted down with 34% support).

Regulatory scrutiny in the US has followed public unease with the pervasive use of the FR technology in typical US fashion with a patchwork of authorities supervising its use. Several US cities have banned the use of FR by law enforcement agencies and landmark legislations like California's Consumer Privacy Act (CCPA) allows for the collection of biometric data, but gives rights to individuals to have their data deleted or opt of its collection and processing. Similar laws in further US states are expected to follow the framework established by the CCPA.

Probably the most complex market is the European Union were regulators defined FR as a high risk application of Artificial Intelligence that would require certification and human oversight.\*\* To achieve certification, products would need to comply with the region's privacy regulation, the EU General Data Protection Regulation (GDPR) which sets a high bar for developers on themes of legitimacy, data security, accountability and ethics, and may limit the use cases in the region.

\*Grand View Research, March 2020

\*\*European Commission White Paper on Artificial Intelligence, February 2020, and Convention 108: Consultative Committee: Guidelines on Facial Recognition, January 28, 2021

What the health!

November 19, 2020 Aurelie Ratte Amazon's latest move into healthcare and recent launch of a digital pharmacy for its U.S. customers (November 2020) is intensifying expected pressure on healthcare, especially pharmacies and pharmacy benefit managers. Its joint venture with Berkshire Hathaway and JPMorgan and its acquisition of PillPack (2018) represented direct competition for players such as CVS Health, Walgreens, Rite Aid, and Express Scripts/Cigna, which has only intensified with this latest move.

This also comes at a time where online transactions have risen sharply on the back of the coronavirus pandemic. Yet, the U.S. healthcare system is notoriously opaque, and Amazon is entering a market that is highly regulated and depends on a complex web of interconnected data and payer relationships with health insurance plans and PBMs. As such, the success of Amazon's foray into healthcare remains uncertain, although one thing that is certain is that the industry has officially become consumer-centric. The threat of competition from new entrants like Amazon and the emergence of savvy consumers (vs patients) who, on aggregate, demand better, faster, and cheaper products and services – all delivered to their front door in 48-hour "prime" style has escalated over recent years. Like all of healthcare, the Health Care Providers & Services (HCP&S) industry faces various regulatory, business, and consumer pressures: the "Amazon effect", downward pricing pressure via consumers and the regulatory environment, and the long-standing, ever-pervasive pressure of the possible realization of a US-based single-payer system. Pharmacies and PBMs may be most at risk of needing to overhaul or innovate in their current business models across all three pressures.

Big tech anti-trust enforcement: Pincer movement

November 02, 2020 Andrew Young The US 'big tech' companies, Apple, Amazon, Facebook and Alphabet have faced significant anti-trust scrutiny in their home market in 2020. This includes hearings by the US Senate Judiciary Committee in August 2020 and document request orders from the regulator, the US Federal Trade Commission (FTC) in February 2020 regarding their acquisitions between 2010 and 2020, which are being subjected to fresh antitrust review.





LAST UPDATE: December 10, 2021

The outcome of these investigations has culminated in an antitrust case brought by the Department of Justice (DoJ) against Alphabet's Google Search internet search engine which enjoys a market share approaching 90% in the US (see research note: "Default Status" on the Alphabet ESG Ratings report).

There may be many questions about what this case means for this group of big tech companies, such as, who will be next? But the group of companies might do well to keep their eye on as seemingly more forward-looking anti-trust regulator, the European Commission (EC):

The EC has open investigations into Apple and Amazon and is in a legal dispute with Facebook. It fined Alphabet a combined EUR8.2 billion in three separate cases between 2017 and 2019, including in a similar case of product 'bundling' to the one launched by the DoJ. However, the EC's Commissioner for Competition, Margarethe Vestager suggested that cases to date have been ineffectual from the point of view of stimulating competition (Reuters interview, June 2020). It appears to have shifted focus to a regulatory approach to stimulating competition: The region's anticipated Digital Services Act (publication is expected by the end of 2020) may have implications for all the US big tech companies. For example, it may require tech companies to share data with smaller competitors in standardized and non-discriminatory ways, potentially lowering the barriers for access to data, a key input for innovation.

Amazon's position as a major global online retailer has placed it in a position to perform exceptionally well during the Covid-19 pandemic. It has good governance practices, relative to peers, that should allow it to navigate through a time of crisis and emerge financially stronger. However, increased demands on management and respecting the workforce's concerns for their safety and wages will be new challenges for the board. Amazon's board is majority independent, but Jeffrey Bezos' dual role as CEO/Chair may

Amazon's board is majority independent, but Jeffrey Bezos' dual role as CEO/Chair may cause him to become stretched as he addresses company operational issues alongside shareholders' concerns. Wendell Weeks is the CEO of Corning and serves on three boards in total, so there may be additional demands on his time as companies hold more meetings. The rest of the board looks equipped to provide sufficient guidance and availability for Amazon's management alongside their other duties, but they may wish to consider appointing a lead director to assist with shareholders' concerns.

In March 2020, the board's performance was effective at addressing the increased demand from Covid-19 as the company announced that it would be hiring 100,000 new workers in the US and Europe, while increasing hourly wages for new and existing staff. But it has not closed warehouses in the US where a member of staff has tested positive for Covid-19, opting to disinfect them instead. This has already resulted in conflicts between staff and management, and the board will ultimately be judged on how it resolves these complex issues.

In the past few weeks, the US largest e-retailer Amazon has seen a sharp surge in demand for its online delivery of food and other essentials, driven by global lockdown measures aimed at containing the coronavirus pandemic. This surge has resulted in spiking demand for workers. On March 16, 2020, Amazon announced it aimed to hire 100,000 full-time and temporary staff in the U.S. and Canada to meet the delivery demand, and a \$2 an hour pay raise for existing employees. We note that the increase, to \$17 an hour equates to a living wage level across the US (with the exception of Manhattan, NY, where the living wage is \$17.46, per the latest available data). Further, the company said it was happy to hire workers who list their jobs in the hospitality sector during the outbreak, like Alibaba's move with its grocery delivery business in China. This is undoubtedly welcome news in a period of record levels of new unemployment in the US.

However, with a massive and geographically diverse workforce, there are questions about the consistent application of worker conditions and health & safety standards. Unlike Alibaba, as of 24 March 2020, we had found no evidence of proactive measures by Amazon to ensure workers' protection against the virus. In regions where unions have a stronger presence such as Spain, France and Italy, the company has been accused by unions of putting sales ahead of worker safety, with few protective measures taken, according to reporting by Bloomberg.

March 27, 2020
Zanele Mtshali

Hiring in the time of COVID-19

March 24, 2020





LAST UPDATE: December 10, 2021

Amazon has long been mired in multiple severe controversies worldwide related to poor working conditions and failure to pay overtime and bonuses to its warehouse workers, as well as at subsidiary Whole Foods in the U.S. Failure to protect the lowest-paid members of the Amazon workforce during the pandemic may result in an inability to recruit warehouse and delivery workers to meet surging demand, along with operational disruptions like calls for strikes over working conditions in France.

Leading initiatives for sustainable packaging among internet retailers, yet risks remain

February 11, 2020

Rise in e-commerce may lead to increasing use of plastic and paper packaging. The e-commerce giant Amazon has shown evidence of setting a target to reduce and recycle its delivery packaging by 2020, which set itself apart from some of its peers such as Alibaba. However, with increasing volume of shipping, the company remains vulnerable to potential reputational and compliance risks of sustainable packaging given its operations in US and EU.

E-commerce sales is predicted to grow by17% compound annual growth rate (CAGR) in 2018 and 2023 (versus 4% CAGR for total retail sales during the same period according to e-Marketer). Currently, about 164 billion packages are shipped in the United States each year (the U.S. business publications Forbes and Fast Company). According to Morgan Stanley's estimate in 2019, Amazon logistics already delivers around 50% of Amazon US volume, where the company derives majority of its 2018 revenue. Its US packages is estimated to grow at 68% CAGR from 2018 to 2022. This is likely to increase Amazon's exposure to reputational and compliance risks of sustainable packaging going forward should regulations on packaging extends logistics and shipping.

Amazon designs packaging in a way to reduce waste and make packaging fully recyclable. Since 2008 till 2018, its own initiatives have eliminated more than 665,000 tons of packaging materials—more than 1.18 billion shipping Boxes. In 2019, the company also piloted plastic film recycling at four fulfillment centers, which the company expects to expand in 2020 with a target to recycle over 7,000 tons of plastic film a year, in addition to the 1,500 tons of plastic waste already being recycled annually in Europe. However, as Amazon's own shipping volume increases and we have not yet found evidence that it extends its sustainable packaging to suppliers of logistics, it remains seen whether its current programs would shield itself from increasing risk exposure.

Challenges from managing complex workforce remain

February 16, 2019

Amazon's workforce is arguably the most stratified in the MSCI ACWI Consumer Discretionary Retail subset in terms of its skillsets. In addition to employing some of the world's most valuable tech talent, it is heavily reliant on part-time and seasonal employees who typically receive fewer benefits than their full-time, skilled tech counterparts. The 2017 acquisition of Whole Foods also added approximately 90,000 retail employees from a very different business culture than Amazon's. Despite its investment in autonomous driving to advance its logistics in 2019, such innovation is still in its infancy, with large-scale labor cost benefits yet to materialize. The integration of Whole Foods employees into the Amazon culture, though it provided jobs, benefits and opportunities for professional growth, could still result in poor employee morale owing to the perceived threat of job automation and the pay and benefits disparities among Amazon workers in different parts of the business. Additionally, the reliance on highly skilled tech talent from across the globe makes Amazon one of the U.S. companies most dependent on the H-1B visa program, which has been tightened under the Trump administration.

After repeatedly being accused of excessive hours and low pay at its fulfillment centers, in October 2018 Amazon announced its intent to increase its minimum wage for U.S.-based full-time and part-time employees to USD 15 from November 2018. It also announced a pay increase for 17,000 U.K.-based employees. While the news was announced with much fanfare and received praise from labor rights advocates, the policy applied to only two of Amazon's global centers, coincidentally the ones where unions struggle to get recognized by large retailers. Meanwhile, unrest among warehouse employees in other parts of Europe continues, with strikes already affecting nearly 4,000 employees in Germany and Spain. It is unclear how Amazon aims to finance the wage increase in the U.S. and the U.K.

More private-label products likely to prompt scrutiny into supply-chain practices

February 16, 2019

The acquisition of Whole Foods accelerates Amazon's push to develop its own product lines to be sold through its e-commerce platform. In addition to food, Amazon also has its own household products, electronics and apparel brands. Given the company's size and





LAST UPDATE: December 10, 2021

global reach, its private-label expansion is likely to prompt scrutiny into its supply-chain practices. Between its U.S. and European operations, Amazon is operating in a regulatory environment that is increasingly demanding companies to audit multiple tiers of their supply chain to identify potential labor rights abuses.





LAST UPDATE: December 10, 2021

# **ESG Rating drill down**

	As of prior rating ac	tion date: Dec 04, 2020	As of last update	date: Dec 10, 2021	Difference	
Description	Score	Weight	Score	Weight	Score	Weigh
ESG Rating Letter Grade	BBB		BBB		-	-
ndustry Adjusted Score	5.6		5.6		-	-
ndustry Minimum Score	2.4		2.4		-	-
ndustry Maximum Score	6.5 <b>4.</b> 7		6.5 <b>4.</b> 7		-	-
Neighted Average Key Issue Score	4.7		4.7		-	-
Environmental Pillar Score	5.5	12.0%	5.5	12.0%	-	-
Product Carbon Footprint Key Issue Score	5.5	12.0%	5.5	12.0%	-	-
Exposure Score	5.7		5.7		-	-
Business Segment Exposure Score	5.7		5.7		-	_
Management Score	4.2		4.2		-	_
Practices Score	4.2		4.2		-	-
Social Pillar Score	5.0	47.0%	5.0	47.0%	-	-
Labor Management Key Issue Score	1.3	18.0%	1.3	18.0%	-	-
Exposure Score	8.6		8.6		-	-
Business Segment Exposure Score	6.7		6.7		-	-
Geographic Exposure Score	5.3		5.3		-	-
Company-Specific Exposure Score	10.0		10.0		-	-
Management Score	2.9		2.9		-	-
Management Score - Excluding Controversies	5.4		5.4		-	-
Practices Score	6.6		6.6		-	-
Performance Score	3.0		3.0		-	-
Controversy Deduction	-2.5		-2.5		-	-
Privacy & Data Security Key Issue Score	7.3	29.0%	7.3	29.0%	-	-
Exposure Score	6.4		6.4		-	-
Business Segment Exposure Score	5.0		5.0		-	_
Geographic Exposure Score	7.9		7.9		-	_
Management Score	6.7		6.7		-	_
Management Score - Excluding Controversies	8.0		8.0		=	-
Practices Score	8.0		8.0		-	-
Controversy Deduction	-1.3		-1.3		-	-
Sovernance Pillar Score*	4.2	41.0%	4.2	41.0%	-	-
Controversy Deduction  Governance Pillar Score*		41.0%		41.0%	-	
overnance Pillar Deductions**	-5.8		-5.8		-	-
Corporate Governance Deductions	-2.6		-2.6		-	-
Board	-1.4		-1.4		-	-
Pay	-0.8		-0.8		=	-
Ownership & Control	-0.5		-0.5		-	-
Accounting	0.0		0.0		=	-
Corporate Behavior Deductions	-3.2		-3.2		_	_





LAST UPDATE: December 10, 2021

	As of prior rating ac	tion date: Dec 04, 2020	As of last update	e date: Dec 10, 2021	Diffe	erence
Description	Score	Weight	Score	Weight	Score	Weight
Business Ethics	-2.6		-2.6		-	-
Tax Transparency	-0.5		-0.5		-	-

<sup>\*</sup>Companies last rated prior to November 2020 will continue to show legacy Governance Key Issues (Corruption & Instability, Financial System Instability, Business Ethics & Fraud, and Anticompetitive Practices) in the ESG Rating drill down. These key issues will be removed from the drill down and replaced with Corporate Behavior and Corporate Governance Deductions at the next re-rating.



<sup>\*\*</sup>Beginning November 2020, the Environmental Pillar Score and Social Pillar Score are calculated based on the weighted average of underlying Key Issue Scores, while the Governance Pillar Score is calculated based on 10 minus the sum of Corporate Governance and Corporate Behavior deductions. In the ESG Rating drill-down, deductions are scaled to indicate impact on the overall Governance Pillar Score. In subsequent sections of the report, deductions are scaled to show impact on the Corporate Behavior and Corporate Governance Theme Scores.



# Overflow table: Recent developments affecting ESG scores

Date ▲	Туре	Score (0-10)	Change	Explanation
	Current Weighted-Average Key Issue Score	4.7		
Dec 10, 2021	ESG Rating action			Amazon's rating is unchanged at 'BBB'.
Dec 10, 2021	ESG Rating action	4.7	▲0.1	Amazon's rating is unchanged at 'BBB'.
Sep 02, 2021	Data Update: Corporate Governance		▼0.1	Flags Added: Entrenched Board
Aug 23, 2021	Data Update: Exposure		▲0.1	Change in exposure score for the following Key Issue(s): Labor Management, Privacy & Data Security, Product Carbon Footprint,
Aug 10, 2021	Data Update: Corporate Governance		▲0.2	Flags Added: Long-Term Pay Performance Versus Peers, Leadership Concerns, CEO Equity Policy Flags Removed: CEO Pay Perks & Other Comp, Entrenched Board, Combined CEO/Chair
May 28, 2021	Data Update: Corporate Governance		▼0.3	Flags Added: Expense Recognition, Revenue Recognition, Entrenched Board Flags Removed: Expense Recognition, Revenue Recognition, Internal Pay Equity Governance Score changed based on the listed Key Metric(s): Asset-Liability Valuation, Expense Recognition
May 26, 2021	Data Update: Controversies		▼0.1	
Jan 29, 2021	Data Update: Corporate Governance		▲0.2	Flags Removed: Variable Interest Entity
Dec 04, 2020	ESG Rating action	4.6	▼0.1	Amazon's rating is unchanged at 'BBB'.
Dec 04, 2020	Data Update: Corporate Governance			Flags Added: CEO Pay Perks & Other Comp
Dec 04, 2020	Data Update: Controversies			
Nov 05, 2020	Methodology Update: ESG Ratings	4.7	▼0.6	Methodology Enhancements: scores recalculated to reflect enhancements to the ESG Ratings model.
Oct 16, 2020	Issuer Verification: ESG		▲0.6	Feedback provided on Privacy & Data Security
Oct 16, 2020	Data Update: Controversies			
Sep 04, 2020	Data Update: Governance		▼0.1	Flags Added: CEO Pay Total Fixed
Aug 14, 2020	Data Update: Governance		▲0.1	Flags Removed: CEO Pay Total Fixed
Jul 31, 2020	Data Update: Governance		▼0.1	Flags Added: CEO Pay Total Fixed
Jul 10, 2020	Data Update: Governance		▲0.1	Flags Removed: CEO Pay Total Fixed





LAST UPDATE: December 10, 2021

Jun 16, 2020	Data Update: Governance		▼0.1	Flags Added: CEO Pay Perks & Other Comp, CEO Pay Total Fixed, Internal Pay Equity, Variable Interest Entity Flags Removed: Significant Votes Against Directors, Director Equity Policy
May 08, 2020	Data Update: Governance		▼0.1	Flags Added: CEO Pay Total Fixed Governance Score changed based on the listed Key Metric(s): Revenue Recognition
Apr 29, 2020	ESG Rating action	4.8		Amazon has been upgraded to 'BBB' from 'BB'.
Apr 24, 2020	Data Update: Governance		▼0.1	Flags Added: CEO Pay Perks & Other Comp Flags Removed: CEO Pay Total Fixed, CEO Pay Perks & Other Comp
Apr 20, 2020	Data Update: Exposure		▲0.1	Change in exposure score for the following Key Issue(s): Labor Management, Privacy & Data Security, Product Carbon Footprint
Mar 03, 2020	Issuer Verification: ESG		▲0.6	Feedback provided on Privacy & Data Security and Product Carbon Footprint
Nov 15, 2019	ESG Rating action	4.2	▼0.1	Amazon's rating is unchanged at 'BB'.
Oct 11, 2018	ESG Rating action	3.6		Amazon's rating is unchanged at 'BB'.





LAST UPDATE: December 10, 2021

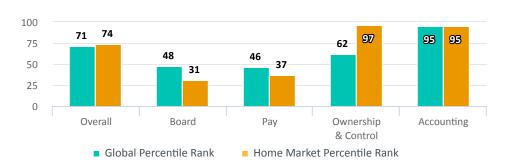


# Corporate Governance

Score	Change (since rating)	Quartile	As of
6.6	0.0	••••	Sep 17, 2021

Market Cap: 1,720,949,662,232 USD Home Market: United States Last Data Update: Sep 17, 2021

#### **GOVERNANCE THEMES AND RANKINGS**



#### **SUMMARY**

AMAZON.COM falls into the average scoring range for all the companies we assess relative to global peers and reflects a relatively low level of governance risk in most areas.

### **KEY AREAS OF CONCERN\***

### **SCORING DEDUCTIONS**

Board Skills & Diversity  Entrenched Board	(-0.80)
Risk Management Expertise	
Pay Performance Alignment	(-0.70)
Long-Term Pay Performance Versus Peers	
CEO Equity Policy	
Significant Vote Against Pay Practices	
Pay Linked to Sustainability	
Board Leadership	(-0.40)
E Leadership Concerns	
₹ Independent Chair	

#### **KEY DATES**

December 31
Apr 15, 2021
May 26, 2021

#### **WEBSITE**

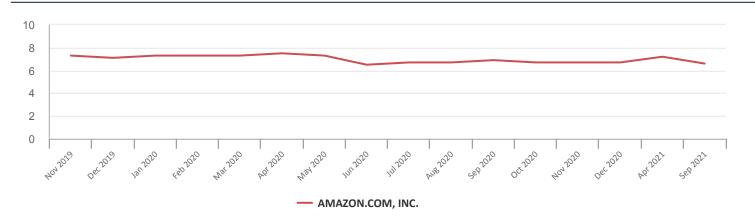
https://www.amazon.com/

\*Key areas of concern include flagged key metrics within the three subissues that represent the largest scoring deductions. Please review the full report to see the complete set of flagged key metrics.



LAST UPDATE: December 10, 2021

### **CORPORATE GOVERNANCE SCORE HISTORY**



# **CHANGES TO FLAGGED KEY METRICS (SINCE AUGUST 2020)**

Key Metric	Key Metric Change	Date	Score Change*	Change Notes
Entrenched Board	Flag Added	Jul 29, 2021	-0.60	Update of age/tenure criteria
CEO Pay Perks & Other Comp	Flag Removed	Jul 09, 2021	0.20	
Long-Term Pay Performance Versus Peers	Flag Added	Jul 05, 2021	-0.20	
Leadership Concerns	Flag Added	Jul 05, 2021	-0.30	
Entrenched Board	Flag Removed	Jul 05, 2021	1.20	
Combined CEO/Chair	Flag Removed	Jul 05, 2021	0.20	
CEO Equity Policy	Flag Added	Jul 05, 2021	-0.20	
Significant Vote Against Pay Practices	Flag Added	Jun 09, 2021	-0.10	
Internal Pay Equity	Flag Removed	May 25, 2021	0.20	
Entrenched Board	Flag Added	May 25, 2021	0.00	
Revenue Recognition	Flag Removed	Feb 19, 2021	-0.22	Updates to data for accounting peer group member(s)
Expense Recognition	Flag Removed	Feb 19, 2021	-0.03	Updates to data for accounting peer group member(s)
Revenue Recognition	Flag Added	Feb 15, 2021	0.22	Updates to data for accounting peer group member(s)
Expense Recognition	Flag Added	Feb 15, 2021	0.03	Updates to data for accounting peer group member(s)
Variable Interest Entity	Flag Removed	Jan 25, 2021	0.50	
CEO Pay Perks & Other Comp	Flag Added	Nov 17, 2020	-0.20	
CEO Pay Perks & Other Comp	Flag Removed	Oct 23, 2020	0.20	
CEO Pay Total Fixed	Flag Added	Sep 03, 2020	-0.20	

Note: A full list of score changes (including where there is no Key Metric Change) is included in the Appendix. \*Score change available in respect of changes dated on or after 13 December 2017.



Andrew Jassy



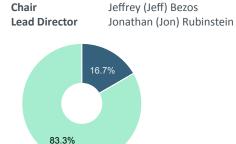
LAST UPDATE: December 10, 2021

# **BOARD OVERVIEW**

#### **Board Type: Unitary Board**

#### **Board of Directors**

CEO



# **Executive Leadership**

**■**Executive

CFO Brian Olsavsky

Links to Management

■Independent of Management

Since: Jun 01, 2015

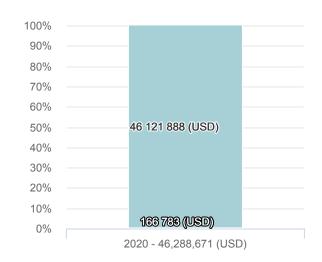
Since: Jul 05, 2021

Since: Jan 01, 1994

Since: May 23, 2017

# **PAY OVERVIEW**

### **Highest Paid Executive - David Clark**



Long Term Incentives AwardedShort Term Incentives AwardedFixed Pay

46,121,888 (USD) 0 (USD) 166,783 (USD)





LAST UPDATE: December 10, 2021

# **BOARD**

The policies and practices of the AMAZON.COM board fall within the average scoring range relative to global peers. We have flagged this board for potential concerns regarding the board leadership structure, the presence of certain related party transactions and possible board entrenchment.

0-10 Score	Global Percentile Rank	Home Market Percentile Rank		
7.0	48 <sup>th</sup> (Average)	31 <sup>st</sup> (Average)		

### **KEY METRICS SCORING**

	Deduction
AUDIT OVERSIGHT	
Audit Committee Industry Expert	-0.10
Auditor Tenure	-0.20
BOARD INDEPENDENCE	
Related Party Transactions	-0.24
BOARD LEADERSHIP	
E Leadership Concerns	-0.30
Independent Chair	-0.10
BOARD SKILLS & DIVERSITY	
≅ Entrenched Board	-0.60
Risk Management Expertise	-0.20



Average

0 10 20 30 40 50 60

Worst

# ▼ Global ▼ Home Market

70

80

Best

90 100





#### **LEADERSHIP**

#### **CHIEF EXECUTIVE OFFICER**

History	CEO Since	Until	Name	Gender	Age
Current	Jul 2021		Andrew Jassy	M	53
Former	May 1996	Jul 2021	Jeffrey (Jeff) Bezos	М	55

#### **CHIEF FINANCIAL OFFICER**

History	CFO Since	Until	Name	Gender	Age
Current	Jun 2015		Brian Olsavsky	M	53

#### **CHAIR**

History	Chair Since	Until	Name	Gender	Age
Current	Jan 1994		Jeffrey (Jeff) Bezos	M	55

#### **LEADERSHIP CONCERNS**

- The composition of the Board of Directors includes both an Executive Chair and a CEO.
- The Chairman previously served as the CEO of the company.





LAST UPDATE: December 10, 2021

### **BOARD OF DIRECTORS**

The AMAZON.COM board currently has an independent majority, which enables it to more effectively fulfill its critical function of overseeing management on behalf of shareholders. We also note concerns with the board leadership structure which creates the potential for increased management influence and board level conflicts of interest.

#### **Number of Board Meetings: 6**

Non-executives meet in absence of Executives: Yes

Name	M/F	Age	Tenure (Years)	Boards	Indepo of Mgmt	endent of Other Interests	Management Link/ Designation Reason	Nationality
Andrew Jassy CEO 1	M	53	< 1	1	No	Yes	Executive	Not Disclosed
Daniel Huttenlocher	М	62	5	2	Yes	Yes		Not Disclosed
Edith Cooper \$	F	59	< 1	3	Yes	Yes		United States of America
Indra Nooyi \$	F	65	2	2	Yes	Yes		United States of America
Jamie Gorelick	F	70	9	2	Yes	Yes		United States of America
Jeffrey (Jeff) Bezos COB 1	M	55	27	1	No	No	Founder Firm Director; Executive	United States of America
Jonathan (Jon) Rubinstein	M	64	11	2	Yes	Yes		United States of America
Judith McGrath	F	66	7	1	Yes	Yes		Not Disclosed
Keith Alexander	М	66	1	1	Yes	Yes		Not Disclosed
Patricia (Patty) Stonesifer	F	62	24	1	Yes	Yes		United States of America
Thomas Ryder \$	М	74	19	1	Yes	Yes		Not Disclosed
Wendell Weeks	M	61	5	2	Yes	Yes		Not Disclosed
	F	# >= 70	# >= 15 yrs	# >= 4				
Total (of 12)	5	2	3	0	10	11		
Percentage	41.7%	16.7%	25%	0%	83.3%	91.7%		

Note: Board count includes the membership of this board.

§ - Financial Expert (4) 1 - Industry Expert (2) CEO - Chief Executive Officer COB - Chair of the Board LD - Lead Director

# **RELATED PARTY TRANSACTIONS**

The risk to minority shareholders arising from related party transactions is a function of the nature of the related party, the relative size of the transaction and the pricing of the transaction. The board, and in particular the independent directors or audit committee, play a key role in the protection of minority shareholders' interests, and monitoring and managing potential conflicts of interest of management, board members and shareholders. We note that the following circumstances which suggest elevated risk for independent shareholders:

The company is a founder firm and there are related party transactions with the founder. There are related party transactions with the CEO.





LAST UPDATE: December 10, 2021

### **Reported Transactions**

Jeff Bezos, our President, CEO, and Chairman, owns Blue Origin, an aerospace manufacturer and spaceflight services company, and entities that publish The Washington Post, and we do business in the ordinary course with each company. In 2020, Amazon sold approximately of consumer goods to Blue Origin under a line of credit. In 2020, Amazon purchased approximately of advertising from, and paid approximately related to digital content to, the Washington Post entities, all on terms negotiated on an arms-length basis.

For the two most recently reported fiscal years, these value of these transactions can be summarised as follows:

Fiscal Year	Related Party Types	Aggregate Tra Value (CUR)	Туре		
Dec 31,	CEO, Executive director, Founder	3,500,000 USD	0.001% of Total Revenue	Recurring income from related party	
2020		8,100,000 USD	0.002% of Expenses	Recurring purchases from related party	
Dec 31,	CEO, Executive director, Founder	4,330,000 USD	0.002% of Total Revenue	Recurring income from related party	
2019		8,200,000 USD 0.003% of Expenses		Recurring purchases from related party	

Sources: DEF14A2020 Pa65, 2021 def 14a pa 74

#### **BOARD EFFECTIVENESS**

#### **Nomination Committee - Number Of Meetings: 4**

Name	M/F	Age	Board Tenure (Years)	Indepo of Mgmt	endent of Other Interests	Committee Status
Jamie Gorelick	F	70	9	Yes	Yes	Chair
Jonathan (Jon) Rubinstein \$	M	64	11	Yes	Yes	Member
Patricia (Patty) Stonesifer	F	62	24	Yes	Yes	Member

\$ - Financial Expert

#### **BOARD SKILLS & DIVERSITY**

MSCI ESG Research has flagged the board as potentially entrenched due to a number of long-serving directors. An entrenched board may be detrimental to sustainable shareholder interests during periods of extended underperformance and we do see the potential for such entrenchment at this firm due to a significant number of long-serving directors. While we recognize the benefits of experience, long-tenured directors may form relationships that could compromise their independence and therefore hinder their ability to provide effective oversight. Additional factors, e.g. the lack of an independent chairman together with the high number of long-tenured directors, may raise some investors' concerns about the board's ability to provide an effective counterbalance to management. The pay decisions approved by this board have met with dissent in excess of 10% from shareholders at the most recent annual meeting (See further the Pay section of this report) and we raise additional concerns regarding the related party transactions. We note that 26% in United States have been flagged for having an entrenched board.





LAST UPDATE: December 10, 2021

### **AUDIT OVERSIGHT**

### **Audit Committee - Number Of Meetings: 6**

Name	M/F	Age	Board Tenure (Years)	Boards	Indepe of Mgmt	endent of Other Interests	Committee Status
Indra Nooyi \$	F	65	2	2	Yes	Yes	Chair
Keith Alexander	M	66	1	1	Yes	Yes	Member
Wendell Weeks	M	61	5	2	Yes	Yes	Member

\$ - Financial Expert

### **PAY OVERSIGHT**

# **Pay Committee - Number Of Meetings: 7**

The AMAZON.COM board includes an independent pay committee, which is considered best practice for oversight of executive pay according to international corporate governance standards.

Name	M/F	Age	Independent Board Tenure (Years) of Mgmt of Other CEO Role? Interests			Committee Status	
Daniel Huttenlocher	M	62	5	Yes	Yes		Member
Edith Cooper \$	F	59	< 1	Yes	Yes		Member
Judith McGrath	F	66	7	Yes	Yes		Chair
Thomas Ryder \$	М	74	19	Yes	Yes		Member

\$ - Financial Expert (2)

# **CONTROVERSIES & EVENTS**

No major relevant controversies have been uncovered.





LAST UPDATE: December 10, 2021

# **PAY**

Executive pay practices at AMAZON.COM fall into the average scoring range relative to global peers.

0-10 Score	Global Percentile Rank	Home Market Percentile Rank
5.5	46 <sup>th</sup> (Average)	37 <sup>th</sup> (Average)

### **KEY METRICS SCORING**

	Deduction
EQUITY PLAN DILUTION	
Dilution Concerns	-0.10
PAY FIGURES	
CEO Pay Total Fixed	-0.20
PAY PERFORMANCE ALIGNMENT	
Long-Term Pay Performance Versus Peers	-0.20
CEO Equity Policy	-0.20
Significant Vote Against Pay Practices	-0.10
Pay Linked to Sustainability	-0.20



#### **PAY FIGURES**

#### **EXECUTIVE PAY - 2020**

Executive	Title	Tenure (Years)	Total Awarded Pay (USD)	Total Realized Pay (USD)
Andrew Jassy	CEO	< 1	35,848,449	41,688,515
Brian Olsavsky (1)\$	CFO	6	17,174,185	15,890,298
David A. Zapolsky	Executive		17,174,185	15,890,298
David Clark 1	Executive		46,288,671	21,291,096
Jeffrey (Jeff) Bezos	Chair	27	1,681,840	1,681,840

5 - Financial Expert 1 - Industry Expert (5)





LAST UPDATE: December 10, 2021

### **CEO PAY DETAILS - Andrew Jassy**

Pay Awarded	2020
Fixed Pay	
Salary	175,000 USD
Fees	0 USD
Pension	0 USD
Perks & Other Pay	34,381 USD
Variable Pay	
Short-term incentives	
Annual Bonus	0 USD
Other Non-equity Incentive Plan	0 USD
Long-term incentives	
Grant date value of Stock Options	0 USD
Grant date value of Stock Awards	35,639,068 USD
Total Awarded Pay	35,848,449 USD

Pay Realized	
Fixed Pay	
Salary	175,000 USD
Fees	0 USD
Pension	0 USD
Perks & Other Pay	34,381 USD
Variable Pay	
Short-term incentives	
Annual Bonus	0 USD
Other Non-equity Incentive Plan	0 USD
Long-term incentives	
Options Exercised	0 USD
Stock Awards Vested	41,479,134 USD
Total Realized Pay	41,688,515 USD

# **PAY PEER GROUP**

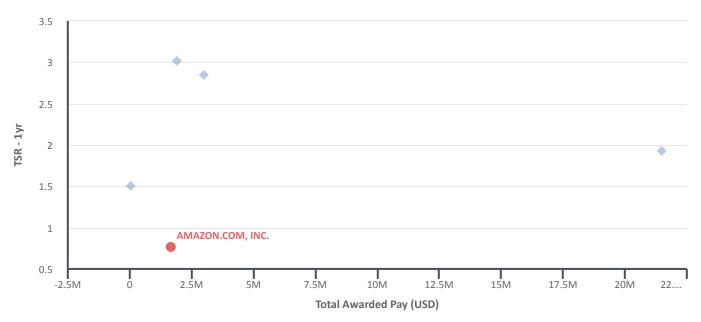
# LARGECAP - DEVELOPED AMERICAS - INTERNET & CATALOG RETAIL (6 COMPANIES)

Company	Home Market	Market Cap (USD m)	Pay Year	1 Yr TSR	Total CEO Annual Pay (USD)	CEO Name	CEO Since
MERCADOLIBRE, INC.	United States	87,898	2020	1.93%	21,509,523	Galperin	Oct 1999
CHEWY, INC.	United States	23,624	2021	2.84%	3,027,525	Singh	Apr 2019
ETSY, INC.	United States	24,151	2020	3.02%	1,934,307	Silverman	May 2017
AMAZON.COM, INC.	United States	1,712,851	2020	0.76%	1,681,840	Bezos	May 1996
DOORDASH, INC.	United States	61,328	2020		300,297	Xu	May 2013
WAYFAIR INC.	United States	25,910	2020	1.50%	83,274	Shah	Jan 2002



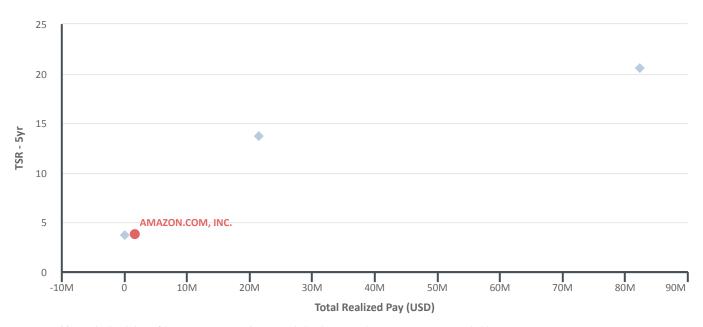


#### **CEO TOTAL AWARDED PAY VERSUS PAY PEER GROUP**



Pay Peers (\*) are used in the calculation of the Key Metric CEO Pay Total Summary and selected as set out in the MSCI Governance Metrics Methodology Document.

#### **CEO TOTAL REALIZED PAY VERSUS PAY PEER GROUP**



Pay Peers (\*) are used in the calculation of the Key Metric CEO Pay Total Summary and selected as set out in the MSCI Governance Metrics Methodology Document.

# **PAY PERFORMANCE ALIGNMENT**

### **CEO & EXECUTIVE EQUITY**

No effective stock ownership guidelines have been identified.

No CEO Equity Policy Found.





Executive	Tenure (Years)	Shares Held	YoY % Change	Shareholding As % of Salary
Andrew Jassy 1	< 1	86,475		
Brian Olsavsky [] \$	6	1,771		
Jeffrey (Jeff) Bezos	27	70,616,270	-5.91%	

\$ - Financial Expert - Industry Expert (3)

#### **PAY LINKED TO SUSTAINABILITY**

The company has failed to incorporate links to sustainability performance in its current incentive pay policies.

#### **CLAWBACK & MALUS**

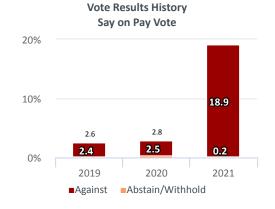
Clawback or malus provisions are in place.

Clawback Type:

#### **Performance Based**

#### **LATEST PAY VOTES**

Year	Vote Type	Votes For %	Votes Against %	Abstain %
2021	Advisory Vote on Executive Compensation	80.8%	18.9%	0.2%



# **EQUITY PLAN DILUTION**

	2020	2019	2018
Shares Outstanding	503,564,743	497,810,444	491,202,890
Equity Reserved	23.2%	24.6%	26.3%
Shares granted/awarded (in year)	1.6%	1.4%	1%





# **NON-EXECUTIVE DIRECTOR PAY**

#### **NON-EXECUTIVE EQUITY**

Director	Tenure (Years)	Shares Held
Daniel Huttenlocher	5	950
Indra Nooyi \$	2	851
Jamie Gorelick	9	6,612
Jonathan (Jon) Rubinstein \$	11	6,758
Judith McGrath	7	1,984
Patricia (Patty) Stonesifer	24	1,967
Thomas Ryder \$	19	9,491
Wendell Weeks	5	1,745

\$ - Financial Expert (3)

#### **NON-EXECUTIVE PAY TABLES**

Director	Tenure (Years)	Cash Fees	Other Comp	Stock Award	Total Pay	Total Pay (USD)
Daniel Huttenlocher	5			0 USD	0 USD	0
Indra Nooyi \$	2			0 USD	0 USD	0
Jamie Gorelick	9			938,533 USD	938,533 USD	938,533
Jonathan (Jon) Rubinstein \$	11			0 USD	0 USD	0
Judith McGrath	7			934,297 USD	934,297 USD	934,297
Keith Alexander	1			934,297 USD	934,297 USD	934,297
Patricia (Patty) Stonesifer	24			0 USD	0 USD	0
Rosalind Brewer	N/A (Resigned)			0 USD	0 USD	0
Thomas Ryder \$	19			0 USD	0 USD	0
Wendell Weeks	5			0 USD	0 USD	0

\$ - Financial Expert (3)

### **CONTROVERSIES & EVENTS**

No major relevant controversies have been uncovered.





LAST UPDATE: December 10, 2021

# **OWNERSHIP & CONTROL**

The company's ownership structure and shareholder rights at AMAZON.COM fall within the average scoring relative to global peers.

0-10 Score	Global Percentile Rank	Home Market Percentile Rank	
7.9	62 <sup>nd</sup> (Average)	97 <sup>th</sup> (Best In Class)	

#### **KEY METRICS SCORING**

	Deduction
DIRECTOR ELECTIONS	
Majority Voting	-0.20
OWNERSHIP STRUCTURE	
SHAREHOLDER RIGHTS	
Bylaws Amendments	-0.10
Shareholder Rights to Convene Meeting	-0.20
TAKEOVER PROVISIONS	
Fair Bid Treatment Provisions	-0.10



#### **CORPORATE STRUCTURE**

**Public Company** 

### **CAPITAL STRUCTURE**

Capital Type	Votes Per Share	Shares Outstanding
Common stock	1.0	504,116,631

### **OWNERSHIP STRUCTURE**

### **OWNERSHIP CATEGORIES**

- Principal Shareholder
- Founder Firm

# **NOTABLE SHAREHOLDERS**

Jeffrey P. Bezos - 14.0%14%5%+ shareholders - Aggregate Voting Power11.9%Insider Voting Power14%

We note that despite being classified as a family firm/founder firm, the company does not have a controlling shareholder. The company does not have a special capital structure, thus one vote right is afforded per common share. This principle of 'one share one vote' helps align economic and voting power and ensures that no class of shareholders has more voting power than economic exposure.





#### **FOUNDER FIRM**

Jeff Bezos founded Amazon as 'Cadabra' in July 1994, changing its name and launching the website Amazon.com in 1995.

#### **TAKEOVER PROVISIONS**

Fair Price Provision	Mandatory Bid Provision	Mandatory Bid Ownership Thresho
No	No	
State of Incorporation	Business Co	mbination Provision
Delaware		No
% of Votes to Approve a	Merger	
51%		

#### **GOVERNING DOCUMENTS**

#### **MAJORITY REQUIREMENTS**

	Bylaws	Charter
Default percentage of votes required to amend a provision	51%	51%

The Board shall have the power to adopt, amend or repeal the Bylaws of this corporation; provided, however, the Board may not repeal or amend any bylaw that the stockholders have expressly provided may not be amended or repealed by the Board. The stockholders shall also have the power to adopt, amend or repeal the Bylaws of this corporation.

AOI: This corporation reserves the right to amend or repeal, by the affirmative vote of the holders of a majority of the outstanding shares entitled to vote, any of the provisions contained in this Certificate of Incorporation. The rights of the stockholders of the corporation are granted subject to this reservation.

#### SHAREHOLDER RIGHTS

There may be governance risks for investors in relation to shareholder rights and management-controlled takeover defense mechanisms at AMAZON.COM including:

- The board's ability to amend the company's bylaws without shareholder approval
- fair price provisions that fail to ensure that all shareholders are treated fairly
- Limits on the right of shareholders to convene a special or emergency general meeting

#### **SHAREHOLDER MEETINGS & RESOLUTIONS**

	Call Special Meeting	Requisition a Resolution at AGM	Act by Written Consent
Percentage of shares required	25%		51%

#### **RESTRICTIONS ON LEGAL ACTION BY SHAREHOLDERS**

No exclusive forum provision has been identified.





#### **SAY ON PAY**

We note that shareholder votes on executive pay are mandatory in this market, affording shareholders the ability to review and approve executive pay practices at this company.

#### **DIRECTOR ELECTIONS**

#### **BOARD RE-ELECTION PROVISIONS**

Board Re-election Provisions	
Board Re-election Frequency (Years)	1
% of Board subject to re-election	100%

#### **DIRECTOR ELECTION STANDARD**

The company has not adopted a binding majority director election standard (with immediate resignation if the director does not receive a majority of the votes cast), which may limit shareholders' ability to hold members of the board accountable in uncontested elections.

Director Election Rules	
Vote Standard	Majority & Resignation Policy
Immediate Binding Resignation	No

A nominee for director shall be elected to the Board if the votes cast for such nominee's election exceed the votes cast against such nominee's election. If the votes cast for any nominee do not exceed the votes cast against the nominee, the Board will consider whether to accept or reject such director's resignation, which is tendered to the Board pursuant to the Board of Directors Guidelines on Significant Corporate Governance Issues.

The board of directors are elected for a term of 1 year.

### **PROXY ACCESS**

A proxy access provision is in place.

Proxy Access Terms		
Ownership Duration (Years)	3	
Ownership Threshold (% of shares)	3%	
Min/Max % of Board Seats	20%	





LAST UPDATE: December 10, 2021

# **ACCOUNTING**

Based on the company's disclosures and other public information, accounting and financial reporting practices at AMAZON.COM appear to be generally appropriate and effective relative to global peers.

0-10 Score	Global Percentile Rank	Home Market Percentile Rank
9.8	95 <sup>th</sup> (Above Average)	95 <sup>th</sup> (Above Average)

#### **KEY METRICS SCORING**

**Deduction** 

### **ACCOUNTING VARIANCE**

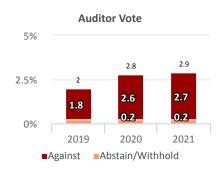
Asset-Liability Valuation

-0.03



### **EXTERNAL AUDITORS**

Туре	Since	Firm	Most Recent Fiscal Year End Signed Off
Primary	1996	Ernst & Young LLP	2020



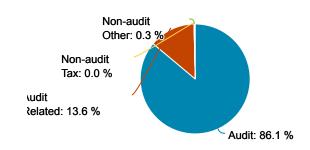




#### **AUDITOR FEES**

# Fees paid to: Ernst & Young LLP (Primary)

Fee	Dec 31, 2020 (USD)	Dec 31, 2019 (USD)	Dec 31, 2018 (USD)
Audit	26,608,000	22,486,000	20,676,000
Audit Related	4,200,000	2,966,000	2,092,000
Total Audit + Audit Related	30,808,000	25,452,000	22,768,000
Tax Compliance/ Advice	0	0	0
Other Non- audit Services	95,000	181,000	62,000
Total Non- audit Fees	95,000	181,000	62,000
Total Fees	30,903,000	25,633,000	22,830,000



#### **AUDITOR REPORT**

	Dec 31, 2020	Dec 31, 2019	Dec 31, 2018
Report Disclosed	Yes	Yes	Yes
Opinion	Unqualified Opinion	Unqualified Opinion	Unqualified Opinion
Emphasis of Matter	No	No	No

### **EMPHASIS OF MATTER**

### Dec 31, 2019

As discussed in Note 1 to the consolidated financial statements, the Company has changed its method for accounting for leases in 2019 due to the adoption of ASU No. 2016-02, Leases (Topic 842).

### **CONTROVERSIES & EVENTS**

No major relevant controversies have been uncovered.





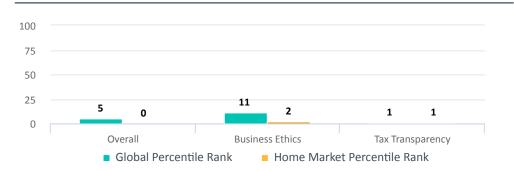
LAST UPDATE: December 10, 2021



# Corporate Behavior

0-10 Score	Change (since rating)	Quartile	As of
1.9	0.0	•	Dec 07, 2021

### **CORPORATE BEHAVIOR THEME AND KEY ISSUE RANKINGS**



#### **METHODOLOGY NOTE**

This theme evaluates the extent to which companies may face ethics issues such as fraud, executive misconduct, corruption scandals, money laundering, anti-trust violations, or tax-related controversies.

\*[For symbols and terms used in this report, refer to the Glossary section at the end of the report]

#### **KEY AREAS OF CONCERN**\*

Tax Controversies

### **SCORING DEDUCTIONS**

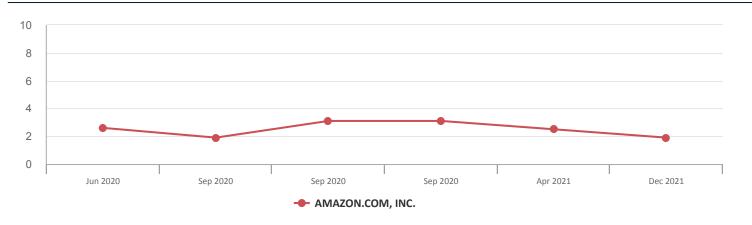
Business Ethics Policies & Practices
Bribery and Anti-Corruption Policy
Regular Audits of Ethical Standards
Whistleblower Protection
Employee Training on Ethical Standards

Business Ethics Risk & Controversies
Business Ethics Controversies
Tax Transparency

(-3.40)

\*Key areas of concern include flagged key metrics that represent the largest scoring deductions. Please review the full report to see a complete set of flagged key metrics.

### **CORPORATE BEHAVIOR SCORE HISTORY**







LAST UPDATE: December 10, 2021

# **BUSINESS ETHICS**

### **KEY METRICS SCORING**

	Deduction
BUSINESS ETHICS POLICIES & PRACTICES	-3.10
Bribery and Anti-Corruption Policy	-0.70
Regular Audits of Ethical Standards	-0.70
Whistleblower Protection	-0.70
Employee Training on Ethical Standards	-1.00
BUSINESS ETHICS RISK & CONTROVERSIES	-3.60
<b>Business Ethics Controversies</b>	-3.60

Note: Business Ethics Policies & Practices deductions as well as Business Ethics Risk & Controversies are capped at a maximum of -7.0. Cumulative deductions are capped at 10.

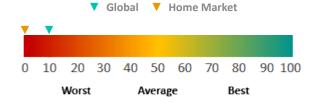
0-10 Score	Change (since rating)	Global Percentile Rank	Home Market Percentile Rank
3.2	0.0	11 <sup>th</sup> (Below Average)	2 <sup>nd</sup> (Worst In Class)

#### **METHODOLOGY NOTE**

Companies are evaluated on their oversight and management of business ethics issues such as fraud, executive misconduct, corrupt practices, money laundering, or anti-trust violations.

\*[ For symbols and terms used in this report, refer to the Glossary section at the end of the report ]

#### **BUSINESS ETHICS VS.**



### **BUSINESS ETHICS POLICIES & PRACTICES**

Indicators	Company Practice	Best Practice	Deduction
Oversight for Ethics Issues	Board-level committee	Board-level committee or C-suite or Executive committee	0.00
Bribery and Anti-Corruption Policy	General statements of commitment to address bribery and corruption issues	Detailed formal policy on bribery and anti-corruption	-0.70
Regular Audits of Ethical Standards	Evidence of audits but no specific details / Audits conducted but not on a regular schedule	Audits of all operations at least once every three years	-0.70
Whistleblower Protection	Whistleblower protection with no details on system or legal protection	Formal anonymous whistleblower system with legal protection	-0.70
Employee Training on Ethical Standards	General statements on employee training on ethical standards	Programs covering all employees (including part-time) and contractors	-1.00
Anti-Corruption Policy for Suppliers	NA	All suppliers are required to have anti-corruption policies and programs to verify compliance	0.00
Policies Related to Anti- Money Laundering	NA	Policy and implementation strategy articulated	0.00

<sup>\*</sup>Business Ethics Policies & Practices deductions are capped at a maximum of -7.0.





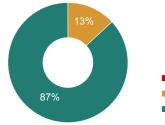
LAST UPDATE: December 10, 2021

### **CORRUPTION RISK EXPOSURE**

**Exposure to:** Regulatory risks or lost market access due to corruption scandals or political and social instability **Business Types:** Percentage of operations in business segments perceived most likely to pay or receive bribes



Business Locations: Percentage of operations in countries with high/moderate/low level of corruption and political instability, violence or terrorism



- No operations in markets with high risks
- other countries
- USA, North America

Source: Corruption Perceptions Index (Transparency International); World Governance Indicators (World Bank); Refinitiv; MSCI ESG Research; company disclosure

### **CORRUPTION RISK EXPOSURE SCORING DEDUCTION KEY**

% of operations in medium and high risk geographies	% of operations in high risk business segments	>=20% government ownership	<20% government ownership	No evidence of government ownership
20% or more	50% or more	-4.00	-2.60	-2.00
	Less than 50%	-1.20	-1.20	-1.20
Less than 20%	50% or more	-0.60	-0.60	-0.60
	Less than 50%	0.00	0.00	0.00

<sup>\*</sup>The Corruption Risk and Controversies Deduction is based on the maximum of deductions from the corruption risk exposure and corruption controversies category listed below

#### **BUSINESS ETHICS CONTROVERSIES**

Controversy Cases					
Category	Assessment	Headline	Status	Last Updated	Deduction
Business Ethics & Fraud	Moderate	United Kingdom: CMA investigation into alleged failure to perform due diligence to detect and remove fake reviews on its marketplace platform	Ongoing	August 2021	-1.8
	Moderate	New Jersey, United States: Settlement of whistleblower lawsuit by a former employee over alleged wrongful termination after raising health concerns during the COVID-19 pandemic	Concluded	February 2021	
	Moderate	India: ED investigation into alleged violations of the Foreign Exchange Management Act and Foreign Direct Investment rules	Ongoing	January 2021	





LAST UPDATE: December 10, 2021

Category	Assessment	Headline	Status	Last Updated	Deduction
	Moderate	United States: Republican House Judiciary members investigated allegations of unfairly exclusion of conservative groups from AmazonSmile charity program	Ongoing	August 2020	
	Minor	Project Nimbus: Employees' criticism against cloud service contracts with Israeli government due to potential use for surveillance of Palestinians	Ongoing	October 2021	_
	Minor	United States, Whole Foods Market: Putative class action over alleged deceptive labeling of Organic 365 brand products	Ongoing	February 2021	
	Minor	United Kingdom: GBP 55,000 penalty over alleged delayed responses to information requests on regulator's inquiry	Concluded	August 2020	_
	Moderate	United States: Investigations into alleged anti-competitive business practices	0 0	October 2021	
	Moderate	India: Regulator probe over alleged antitrust violations related to discounting practices with preferred sellers	Ongoing	October 2021	
	Moderate	India: Regulator issued show cause notice over alleged concealment of facts in transaction approval process	Ongoing	August 2021	-1.8
Anticompetitive Practices	Moderate	Spain: CNMC investigation into potential anticompetitive practices in the online sales of Apple products	Ongoing	July 2021	
	Moderate	EUR 4 million Paris court penalty and ongoing European Commission and Germany FCO investigations into alleged antitrust violation as marketplace provider and retailer	Ongoing	June 2021	
	Moderate	India: ED investigation into allegations of favoring select sellers in its platform and using various strategies to bypass foreign investment regulator restrictions	<b>y</b> Ongoing	May 2021	
	Moderate	EU investigation into alleged sale of its own-label products similar to other sellers on the website; Germany Bundeskartellamt ended investigation into allegations of anticompetitive practices	Ongoing	May 2021	
	Moderate	Italy: Investigation over alleged anti-competitive restrictions on the online sales of certain branded products	Ongoing	July 2020	
	Moderate	Italy: Regulator Investigation into Alleged Abuse of Dominant Position in Online Commerce	Ongoing	April 2019	
	Minor	United States: Two Republicans urged DOJ to investigate the Pentagon's Joint Enterprise Defense Infrastructure procurement process alleging Amazon improperly influenced the bid process	<b>t</b> Ongoing	May 2021	
	Minor	Japan: Regulator investigation into alleged abuse of market position over small businesses; JPY 2 billion business improvement plan approved	Concluded	September 2020	
Corruption	Minor	India: Confederation of All India Traders urged Central Bureau of Investigation to investigate Amazon lawyers for allegedly bribing governmen officials in order to retain or obtain business	<b>t</b> Ongoing	October 2021	0.0

<sup>\*</sup>The maximum deductions from the Anticompetitive Practices and Business Ethics & Fraud categories are summed to arrive at the overall Business Ethics Controversies deduction, which is capped at a maximum of -7.0.





LAST UPDATE: December 10, 2021

### **TAX TRANSPARENCY**

### **KEY METRICS SCORING**

TAX TRANSPARENCY -1.40
Tax Controversies -1.40

0-10 score	Change (since rating)	Global Percentile Rank	Home Market Percentile Rank	
3.0	0.0	1 <sup>st</sup> (Worst In Class)	1 <sup>st</sup> (Worst In Class)	

# **TAX GAP ASSESSMENT**

#### **Tax Gap**

**Indicators** 

Estimated Effective Tax Rate	19.5%
Estimated Corporate Income Tax Rate	26.3%
Estimated Tax Gap	(6.8%)
Tax Gap Assessment	Moderate Gap

## Revenue

Foreign Revenue	88.3%

## Confidence

Involvement in Controversies	YES
Tax Gan Score*	7.0

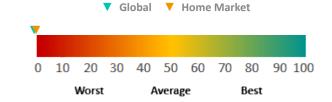
<sup>\*</sup>The Tax Gap Score is based on the estimated tax gap, country revenue transparency, foreign revenues, controversies and whether a company is classified as a tax-favored structure such as a REIT. The score is derived on a 0-10 scale and can be used for cross-company comparisons but does not contribute to a company's overall ESG Rating.

### **METHODOLOGY NOTE**

Companies are evaluated on their estimated corporate tax gap (i.e. gap between estimated effective tax rate and estimated corporate income tax rate) and their involvement in tax-related controversies.

 $^{*}[$  For symbols and terms used in this report, refer to the Glossary section at the end of the report ]

#### TAX TRANSPARENCY VS.



#### **TAX CONTROVERSIES**

Confidence Level of Estimation

# Controversy Cases

Category	Assessment	Headline	Status	Last Updated	Deduction
Tax Transparency	Moderate	European General Court annulled EC's tax penalty due to lack of evidence to prove Amazon received a special tax benefit from Luxembourg; U.S. court ruled against the tax litigation	Concluded	May 2021	-1.4

Low





LAST UPDATE: December 10, 2021

#### TAX CONTROVERSIES SCORING DEDUCTION KEY

Involvement in tax controversies	Estimated tax gap	Tax gap assessment	Deduction
Yes	Below 5%	Low	-0.80
	5-10%	Moderate	-1.40
	Above 10%	High	-2.00
No	Below 5%	Low	0.00
	5-10%	Moderate	0.00
	Above 10%	High	0.00

Tax related controversies are not considered for companies in Real Estate Management services or Mortgage REITs industries. Tax gap assessment is effectively low for companies with less than 5% of total revenue categorized as foreign.





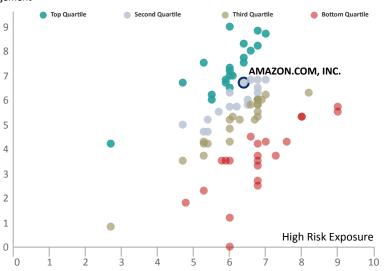
LAST UPDATE: December 10, 2021



# Privacy & Data Security

Score	Change (since rating)	Quartile	Weight	As of
7.3	0.0	•••	29.0%	Dec 07, 2021

## Strong Risk Management



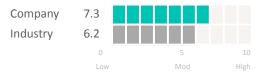
# **KEY ISSUE SCORE DISTRIBUTION**\*



#### **TOP 5 INDUSTRY LEADERS**

VIPSHOP HOLDINGS LIMITED	10.0
KINGFISHER PLC	9.8
AMERICANAS S.A.	9.2
AUTOZONE, INC.	9.0
TRACTOR SUPPLY COMPANY	9.0

# KEY ISSUE ASSESSMENT



### **BOTTOM 5 INDUSTRY LAGGARDS**

HengTen Networks Group Limited	3.4
CARVANA CO.	2.9
ROSS STORES, INC.	2.7
Ozon Holdings PLC	2.2
CHINA MEIDONG AUTO HOLDINGS LIMITED	1.0

#### RISK EXPOSURE ASSESSMENT

Company Industry	6.4 6.3		
·	0 Low	5 Mod	10 High Risk

# RISK MANAGEMENT ASSESSMENT

Company	6.7		
Industry	5.4		
	0	5	10
	Low	Mod	Strong Risk

#### **Drivers of Risk Exposure**



#### - .. .



#### **Controversy Deduction**

**Drivers of Risk Management** 

controversy	Deadellon		
Company	- 1.3		
	Γ.0	2.5	0

#### **METHODOLOGY NOTE**

Companies are evaluated on the amount of personal data they collect, their exposure to evolving or increasing privacy regulations, their vulnerability to potential data breaches, and their systems for protecting personal data.

\*[ For symbols and terms used in this report, refer to the Glossary section at the end of the report ]

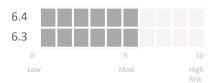




**EXPOSURE** 

# RISK EXPOSURE **ASSESSMENT**

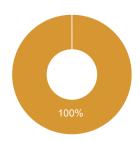
Company Industry



## Key Drivers of Risk Exposure

Exposure to: Risk of compliance cost increase or reputational damage from data breaches or controversial use of personal data

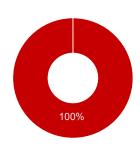
Business Types: Percentage of revenue derived from business segments that require collection and/or handling of sensitive personal data have witnessed high cost and frequency of data breaches



- No exposure to high risk segments
- No exposure to low risk segments

Source: Cost of Data Breach Report (Ponemon Institute); Data Cloud computing services, Catalog retailing Breach Investigations Report (Verizon); Refinitiv; MSCI ESG Research; company disclosure

Business Locations: Percentage of operations in countries with strengthening or evolving data and privacy regulations, with high cost of data breaches



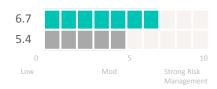
- USA, North America, other countries
- No operations in markets with medium
- No operations in markets with low risks

Source: Cost of Data Breach Report (Ponemon Institute); Refinitiv; MSCI ESG Research; company disclosure

### **MANAGEMENT**

**RISK MANAGEMENT ASSESSMENT** 

Company Industry







LAST UPDATE: December 10, 2021

- LOW MID

TOP

Description	Company Practice	Best Practice	Practices Score <sup>2</sup>
Practices - Operations			
Scope of company's publicly available data protection policy	Policy governs all relevant business lines/subsidiaries	Policy governs all relevant business lines/subsidiaries	- LOW MID TOP
Rights provided to individuals regarding the control of their data	Right of access and rectification of individuals' data	Right of access, rectification and deletion of individuals' data	- LOW MID TOP
Information Security Policies and Systems audit frequency	· ·	ts External independent audits e are conducted at least once every two years	- LOW MID TOP
Company's executive body responsible for: Privacy and Data security	Board-level committee	Board-level committee	- LOW MID TOP

Training is provided to

selected employees or

scope unclear

# Data Breaches

procedures

**Practices - Employees** 

Scope of employee training on data

security and/or privacy-related risks &

Year	Number of Data Breach Instances	Number of Data Incident / Customer Complaints	Records Lost	Attack Vector	Details (e.g. liability or legal action, cost of data breach)
2019					
2016			80,000	Server	A hacker allegedly breached a server containing personal details (login credentials, city, state, zip code, phone number, and IP address) of 80,000 Kindle users, which were then leaked online. Amazon retorted that its servers were not breached but reset its customers' passwords nonetheless.

Training is provided to all

employees, including

contractors

# **CONTROVERSIES**

All controversies are assessed as part of the annual review of a company's ESG rating. MSCI ESG Research tracks controversies for all companies on a regular basis. The Amazon has been flagged for involvement in controversial events or alleged misconduct.

ses		
Headline	Status	Last Updated
US: Regulator inquiry on potential data surveillance and other consumer protection risks in payment systems	Ongoing	November 2021
United Kingdom: Sales records containing customers' personal data reportedly exposed online	Ongoing	October 2021
European Union: EUR 746 million penalty over alleged violations of Europe's General Data Protection Regulation; appeal underway	Ongoing	August 2021
Hundreds of thousands of user accounts potentially hacked by unknown hackers due to alleged system vulnerabilities	Ongoing	July 2021
California, United States: Purported class action over subsidiary's alleged involvement in data leak exposing hotel booking website users personal information	Ongoing	February 2021
	Headline US: Regulator inquiry on potential data surveillance and other consumer protection risks in payment systems United Kingdom: Sales records containing customers' personal data reportedly exposed online European Union: EUR 746 million penalty over alleged violations of Europe's General Data Protection Regulation; appeal underway Hundreds of thousands of user accounts potentially hacked by unknown hackers due to alleged system vulnerabilities California, United States: Purported class action over subsidiary's alleged involvement in data leak	Headline  Us: Regulator inquiry on potential data surveillance and other consumer protection risks in payment systems  United Kingdom: Sales records containing customers' personal data reportedly exposed online  European Union: EUR 746 million penalty over alleged violations of Europe's General Data Protection Regulation; appeal underway  Hundreds of thousands of user accounts potentially hacked by unknown hackers due to alleged system vulnerabilities  California, United States: Purported class action over subsidiary's alleged involvement in data leak Ongoing





LAST UPDATE: December 10, 2021

Assessment	Headline	Status	Last Updated
Moderate	United States: Investigation Requested over Allegations of Failure to Secure Servers Preceding Capital One Hack	Ongoing	January 2020
Minor	United States: Twitch source code and user payout information attacked by unknown hackers; no financial damages reported	Ongoing	November 2021
Minor	United States: Purported class action lawsuits over alleged unauthorized transmission of users' voice messages recorded through Alexa Devices	Ongoing	October 2021
Minor	United States: Two Illinois residents filed a lawsuit over alleged used people's images obtained without permission to train facial recognition technologies	Ongoing	October 2021
Minor	United States: Putative class action lawsuit on Echo smart speakers and Ring security camera systems equipped with Amazon's Sidewalk due to increased risk of data security after alleged sharing of private Internet connections without prior user consent	Ongoing	October 2021
Minor	United States: Criticisms by consumers regarding AI cameras in delivery vans over alleged security and privacy concerns	Ongoing	February 2021
Minor	India: Supreme Court petitions over data security concerns related to unified payments interface	Ongoing	February 2021
Minor	France: EUR 35 million penalty over alleged unauthorized use of advertising cookies on website	Concluded	January 2021
Minor	United States: Allegations of data breach by unknown hackers and sending customers fake delivery notifications; no financial damages reported	Ongoing	January 2021
Minor	S. Korea, Amazon Web Services Korea: KRW 10 million KCC penalty over alleged failure to report data breach in appropriate time	Concluded	July 2020





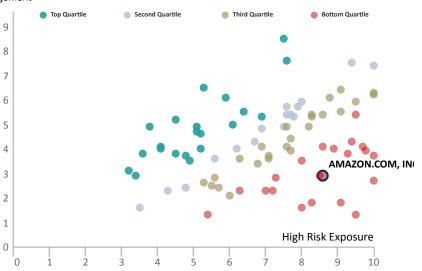
LAST UPDATE: December 10, 2021



# **Labor Management**

Score	Change (since rating)	Quartile	Weight	As of
1.3	0.0	•	18.0%	Dec 02, 2021





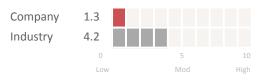
### KEY ISSUE SCORE DISTRIBUTION



### **TOP 5 INDUSTRY LEADERS**

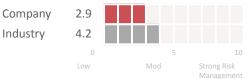
EBAY INC.	8.2
Home Product Center Public Company Limited	8.1
BEST BUY CO., INC.	8.0
Jarir Marketing Company SJSC	7.7
TRACTOR SUPPLY COMPANY	7.2

# **KEY ISSUE ASSESSMENT**



#### RISK EXPOSURE ASSESSMENT RISK MANAGEMENT ASSESSMENT

Company Industry	8.6 7.1				
	0		5	10	
	Low	r	Mod	High Risk	
Drivers of Risk Exposure					



# **Drivers of Risk Management**

JD SPORTS FASHION PLC	0.6
Ozon Holdings PLC	0.5
DOLLARAMA INC.	0.0
TRENT LIMITED	0.0
WESFARMERS LIMITED	0.0

**BOTTOM 5 INDUSTRY LAGGARDS** 

# **Business Types**

**Business Locations** 

Company



### **Practices Score**

· ractices se	010		
Company	6.6		
	0	5	10

Controversy	Deduct	ion	
	0	5	10
Company	0.0		

controversy	Deddetton		
Company	- 2.5		
	E O	2 =	0

## **METHODOLOGY NOTE**

Companies are evaluated on the complexity of their workforce (size, labor intensity, and regions of operation), employee relations, strength of worker protections, and employee engagement efforts.



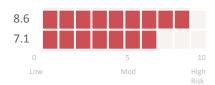
<sup>\*[</sup> For symbols and terms used in this report, refer to the Glossary section at the end of the report ]



**EXPOSURE** 

# RISK EXPOSURE ASSESSMENT

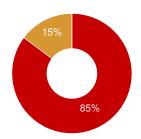
Company Industry



## Key Drivers of Risk Exposure

Exposure to: Risk of workflow disruptions due to labor unrest, or reduced productivity due to poor job satisfaction

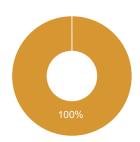
**Business Types :** Percentage of operations in business segments with high/moderate/low labor intensities, as measured by average sales per employee of industries



- Catalog retailing
- Cloud computing services
- No exposure to low risk segments

Source: MSCI ESG Research; Refinitiv; company disclosure

Business Locations: Percentage of operations in countries with high/moderate/low likelihood of labor unrest (based on historic precedent)



- No operations in markets with high risks
- USA, North America, other countries
- No operations in markets with low risks

Source: International Labour Organization; Refinitiv; MSCI ESG Research; company disclosure

## **Additional Drivers of Exposure**

Collective bargaining negotiation expected in next 12 months: Yes

**Layoffs Events** 

Major Layoffs: No

Size and Composition of Workforce

Number of employees: 1,298,000

## **Number of Employees**

Year	Number of employees	Part time workers (%)	Contract or temporary workers (%)	Estimated Part time/contract %
2020	1,298,000			
2019	798,000			





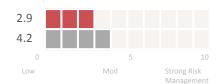
LAST UPDATE: December 10, 2021

Year	Number of employees	Part time workers (%)	Contract or temporary workers (%)	Estimated Part time/contract %
2018	647,500			
2017	566,000			
2016	341,400			
2015	230,800			
2014	154,100			
2013	117,300			
2012	88,400			
2011	56,200			
2010	33,700			
2009	24,300			
2008	20,700			

## **MANAGEMENT**

# RISK MANAGEMENT ASSESSMENT

Company Industry



Description	Company Practice	Best Practice	Practices Score <sup>2</sup>
Strategy			
Percentage of workforce covered by trade unions/ collective agreements	1.00%		
Estimate Key: Percentage of workforce covered by trade unions/ collective agreements	Estimated	Reported	- LOW MID TOP
Evidence of collective agreements	Yes	Yes	- LOW TOP
Employee stock ownership plan (ESOP) or employee stock purchase plan (ESPP)	Sector-leading number of employees eligible for ESOF and/or ESPP	Sector-leading number of Pemployees eligible for ESOP and/or ESPP	- LOW MID TOP
Variable performance-based component to pay	No evidence of variable incentive pay for non-office staff	Strong performance-based rincentive pay structure covers all employees	- LOW MID TOP
Non-compensation benefits including pension and retirement	Benefits cover selected employees	Benefits cover all employees	- LOW MID TOP

## Performance

External recognition as employer of choice (last three years) Company witnessed strikes / lock-outs in the last three years Performance Score

Yes, more than one award in the last year Strike(s) affecting less than 1% of workforce 3.00





LAST UPDATE: December 10, 2021

## External recognition - details

Year	Awarding authority name	Title of the Award
2020	Forbes	Forbes Best Employers by State, 2019-2020.
2019	Fortune	World's Most Admired Companies
2019	Fast Company	Best Workplaces for Innovators
2019	LinkedIn	Top Companies of 2019
2018	Forbes	World's Best Employers 2018
2018	LinkedIn	List of the most desirable places to work in the U.S.
2018	Fortune	World's Most Admired Companies
2018	Fast Company	The World's 50 Most Innovative Companies
2017	Military Friendly	Top 10 Employer
2017	Fortune	World's Most Admired Companies
2016	Military Times	Best for Vets

## Strikes

Year	Location	Number of employees	Percentage of employees	Details
2020	New York	5,000	0.39%	Amazon has fired a New York warehouse worker who organised a protest over the safety precautions taken by the firm to deal with the coronavirus pandemic.
2019			0.00%	July 2019:
				'BEAT THE MACHINE': AMAZON WAREHOUSE WORKERS STRIKE TO PROTEST INHUMANE CONDITIONS
				The company uses a severe efficiency metric called 'the rate' to surveil employees' productivity, so workers in Minneapolis walked on Prime Day
2018	Germany	2,400	0.37%	Approximately 2,400 workers in Germany warehouses conducted strike during Amazon.com's Prime Day event to demand better work and pay conditions.
2018	Spain	1,200	0.19%	Approximately 1,200 workers in Spain warehouses went on strike during Amazon.com's Prime Day event to demand better work and pay conditions.
2017	Germany	2,500	0.44%	Fulfillment employees in Germany strike over pay practices
2016	Germany		0.00%	German Amazon workers marked World Health day by going on strike at six Amazon warehouses including Bad Hersfeld, Leipzig, Rheinberg, Werne, Digging and Koblenz.
2016	Germany	400	0.12%	Hundreds of workers, part of labor union Verdi, at three of the nine German warehouses went on strike during Christmas period
2015	Germany	100	0.04%	Hundreds of workers, part of labor union Verdi, at six of the nine German warehouses went on strike during Christmas period
2014	Germany	2,000	1.30%	Several Amazon warehouses in Germany participated in at least four separate strikes, each lasting between two to three days, due to ongoing wage dispute
2013	Germany	1,600	1.36%	Distribution centers in Bad Hersfeld and Leipzig staged at least three strikes and walk-outs demanding higher wages, "13th-month salary" (common annual bonus in Germany), and collective bargaining representation





LAST UPDATE: December 10, 2021

**Employee turnover** 

Year	Annual employee turnover (%)	Details
2020		
2019		The 2019 annual total compensation of our median compensated employee globally other than Mr. Bezos was \$28,848;
2018		The 2018 annual total compensation of our median compensated employee other than Mr. Bezos was
		\$28,836;
2017		The 2017 annual total compensation of our median compensated employee other than Mr. Bezos was
		\$28,446;

## **Employee Productivity**

Year	Profit per employee (USD '000)
2019	14
2018	16
2017	0
2016	7
2015	3
2014	-2
2013	0
2012	0

# **CONTROVERSIES**

All controversies are assessed as part of the annual review of a company's ESG rating. MSCI ESG Research tracks controversies for all companies on a regular basis. The Amazon has been flagged for involvement in controversial events or alleged misconduct.

ases		
Headline	Status	Last Updated
Germany: Warehouse employees staged strikes with the Verdi trade union demanding better salary and working conditions since 2013	Ongoing	August 2021
United States, Whole Foods Market: Class action lawsuit alleging non-payment of bonuses; plaintiffs seeking USD 200 million in damages	Ongoing	August 2021
Widespread allegations of poor working conditions at warehouse centers; announced minimum wage increase for workers in France and the United States	Ongoing	August 2021
France, Italy, Canada and the United States: Alleged poor working conditions and inadequate safety measures for employees during the COVID-19 pandemic	Ongoing	August 2021
United Kingdom: Thousands of Britons delivery workers sought employee rights including sick pay	Ongoing	October 2021
New Jersey, United States: Lawsuit filed by one former warehouse employee over alleged wrongful termination due to taking frequent bathroom breaks	Ongoing	October 2021
	Germany: Warehouse employees staged strikes with the Verdi trade union demanding better salary and working conditions since 2013  United States, Whole Foods Market: Class action lawsuit alleging non-payment of bonuses; plaintiffs seeking USD 200 million in damages  Widespread allegations of poor working conditions at warehouse centers; announced minimum wage increase for workers in France and the United States  France, Italy, Canada and the United States: Alleged poor working conditions and inadequate safety measures for employees during the COVID-19 pandemic  United Kingdom: Thousands of Britons delivery workers sought employee rights including sick pay  New Jersey, United States: Lawsuit filed by one former warehouse employee over alleged wrongful	Germany: Warehouse employees staged strikes with the Verdi trade union demanding better salary Ongoing and working conditions since 2013  United States, Whole Foods Market: Class action lawsuit alleging non-payment of bonuses; Ongoing plaintiffs seeking USD 200 million in damages  Widespread allegations of poor working conditions at warehouse centers; announced minimum Ongoing wage increase for workers in France and the United States  France, Italy, Canada and the United States: Alleged poor working conditions and inadequate safety Ongoing measures for employees during the COVID-19 pandemic  United Kingdom: Thousands of Britons delivery workers sought employee rights including sick pay Ongoing New Jersey, United States: Lawsuit filed by one former warehouse employee over alleged wrongful Ongoing





LAST UPDATE: December 10, 2021

			ENOT OF BATE. December 10, 2021
Assessment	Headline	Status	Last Updated
Moderate	United States: Proposed class action withdrawn by delivery drivers over alleged job termination due to discriminatory background checks	Concluded	October 2021
Moderate	United States: NLRB confirmed Amazon illegally terminated two employees who demanded better working conditions during the COVID-19 pandemic; Settlement reached with two former employees	Concluded	October 2021
Moderate	United States, Whole Foods Market: Federal judge dismissed a class-action lawsuit for allegedly punishing employees who wear Black Lives Matter masks on the job; ruling appealed	Ongoing	October 2021
Moderate	Pennsylvania, United States: USD 13.5 million settlement over alleged unpaid wages for time spent in security checks after shifts	Concluded	October 2021
Moderate	Illinois, United States: Lawsuit over alleged unpaid overtime wages through third party provider	Ongoing	August 2021
Moderate	United States: Criticisms by employees for the company's unrealistic and complex performance-improvement system	Ongoing	August 2021
Moderate	United States: Lawsuits over allegations of discrimination, harassment and retaliation based on gender and race	Ongoing	August 2021
Moderate	United States, Amazon Flex: USD 61.7 million settlement with FTC for allegedly falling to pay its drivers the full amount of tips received from customers	Concluded	February 2021
Moderate	Chicago, United States: Criticisms by warehouse employees for allegedly being forced to sign up for a ten-hour overnight shift at new warehouses after DCH1 warehouse closure	Ongoing	February 2021
Moderate	United States: Proposed class action lawsuit for allegedly discriminating against African Americans and Hispanic warehouse workers during COVID-19 pandemic	Ongoing	November 2020
Moderate	Washington: Manifesto Signed by More than 350 Employees against Company's Communications Policy	Ongoing	February 2020
Moderate	China: Alleged Employment of Student Interns Illegally Required to Work Night Shifts and Overtime at Supplier Foxconn's Hengyang Factory	Ongoing	September 2019
Minor	Connecticut, US: Proposed class action over alleged unpaid wages for time spent in security screenings during breaks and after shifts	Ongoing	October 2021
Minor	United States: Retail Wholesale and Department Store Union filed a complaint to National Labor Relations Board over alleged illegal interference with a vote on unionizing an Alabama facility	Ongoing	October 2021
Minor	United States: Six senators urged EEOC to open an investigation into alleged discrimination against pregnant warehouse workers	Ongoing	October 2021
Minor	Kentucky, United States: Class action settlement over alleged unpaid wages for the time spent during security checks	Concluded	October 2021
Minor	Oregon, United States: Class action lawsuit over alleged unpaid time claims due to purported rounding up instead of rounding down of tax deductions	Ongoing	October 2021
Minor	Ohio, United States: Purported class action lawsuits over alleged unpaid overtime wages for time spent on mandatory security screenings	Ongoing	October 2021
Minor	Ohio, United States: Lawsuit over alleged racial discrimination against fulfillment associate in relation to refusal to accept doctor's note	Ongoing	October 2021
Minor	United States: Putative class action lawsuits over alleged unpaid wage claims and unfair business practices	Ongoing	October 2021
Minor	New York, United States: Putative class action lawsuit over alleged rescinded job offers following positive test for marijuana	Ongoing	October 2021
Minor	United States: Putative class actions over alleged failure to pay minimum wage, overtime pay, and not providing and compensating for rest breaks and meal breaks	Ongoing	October 2021
Minor	New York, United States: Putative class action lawsuit over alleged failure to pay employees on short-term military leave	Ongoing	October 2021
Minor	United States, Amazon.com Services: Lawsuit filed by one employee over alleged failure to pay overtime and furnish accurate wage statements	Ongoing	October 2021
Minor	United States, Amazon Flex: Proposed class action lawsuit for allegedly hiring intelligence experts to track and intercept drivers' social media activity	Ongoing	October 2021
Minor	United States, Amazon Retail LLC: Putative class action lawsuit over alleged wage-and-hour violations	Ongoing	October 2021
Minor	United States: Proposed class action lawsuits over alleged misclassification of delivery drivers as independent contractors and related wage law violations	Ongoing	September 2021





LAST UPDATE: December 10, 2021

Assessment	Headline	Status	Last Updated
Minor	California, United States: Putative class action lawsuit over alleged failure to pay for time spent undergoing mandatory COVID-19 screenings	Ongoing	August 2021
Minor	Spain: General Union of Workers filed a complaint with General Directorate of Labor and Social Security Inspection over alleged illegal transfer of deliveries from its platform to outsourcing distributors	Ongoing	July 2021
Minor	Florida, United States: Putative class action lawsuits over alleged failure to properly compensate for overtime	r Ongoing	July 2021
Minor	United States: Dismissed putative class action lawsuits over alleged failure to pay minimum wage, overtime wages and customer tips	Concluded	July 2021
Minor	California, United States: Putative class action lawsuit over alleged misclassification of shift managers as exempt resulting to unpaid overtime wages	Ongoing	July 2021
Minor	United States: Amazon apologized after falsely denying the issue of its delivery drivers urinating in water bottles and defecating in bags due to lack of time while on the job	Ongoing	July 2021
Minor	Washington, United States: USD 8.2 million class action settlement with Seattle-based Flex delivery drivers for failure to provide mandated breaks, overtime and minimum wage pay	Concluded	May 2021
Minor	New Jersey, United States: Purported class action over alleged unpaid wages for time spent on mandatory security screenings after shifts	Ongoing	May 2021
Minor	Oregon, United States: Former employee filed a lawsuit over alleged failure to pay all wages earned during employment	d Ongoing	April 2021
Minor	United States: Proposed class action lawsuits over alleged failure to pay customer tips	Ongoing	April 2021
Minor	Pennsylvania, United States: Proposed class action over alleged violation of state law for rejecting job applicants with criminal record despite no conviction	Ongoing	March 2021
Minor	Amazon Web Services Inc., United States: Proposed class action over alleged ERISA violation relate to workers' compensation benefits	<b>d</b> Ongoing	March 2021
Minor	United Kingdom: Criticisms by market researchers for allegedly paying less in business rates than local shops	Ongoing	February 2021
Minor	California, United States: Proposed class action lawsuits against subsidiaries over alleged non- provision of proper wages, meal and rest periods, and accurate wage statements	Ongoing	February 2021
Minor	California, United States: Settlement reached in class action over alleged age discrimination in targeted job advertisements in social media platform	Concluded	January 2021





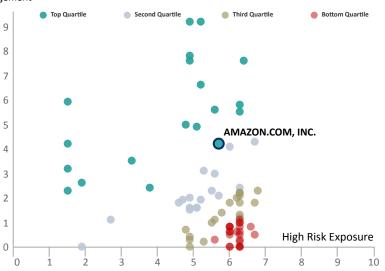
LAST UPDATE: December 10, 2021



# **Product Carbon Footprint**

Score	Change (since rating)	Quartile	Weight	As of
5.5	0.0	••••	12.0%	Dec 02, 2021

### Strong Risk Management



# **KEY ISSUE SCORE DISTRIBUTION**\*



### **TOP 5 INDUSTRY LEADERS**

H & M Hennes & Mauritz AB	10.0
KINGFISHER PLC	10.0
NASPERS LIMITED	10.0
Industria de Diseno Textil, S.A.	9.9
FAST RETAILING CO., LTD.	9.7

# KEY ISSUE ASSESSMENT



### **BOTTOM 5 INDUSTRY LAGGARDS**

Ozon Holdings PLC	0.9
HIKARI TSUSHIN, INC.	0.8
CHEWY, INC.	0.7
DOORDASH, INC.	0.7
WAYFAIR INC.	0.7

#### **RISK EXPOSURE ASSESSMENT**

Company	5.7		
Industry	5.1		
	0	5	10
	Low	Mod	High Risk

# RISK MANAGEMENT ASSESSMENT

Company	4.2		
Industry	2.3		
	0	5	10
	Low	Mod	Strong Risk Management

## **Drivers of Risk Exposure**



# **Drivers of Risk Management**

<b>Practices Sc</b>	ore		
Company	4.2		

### **METHODOLOGY NOTE**

Companies are evaluated on the carbon intensity of their products and their ability to reduce the carbon footprint in their supply chains or in the use of their products and services.



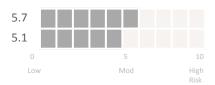
<sup>\*[</sup> For symbols and terms used in this report, refer to the Glossary section at the end of the report ]



## **EXPOSURE**

# RISK EXPOSURE ASSESSMENT

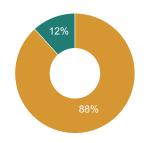
Company Industry



## Key Drivers of Risk Exposure

**Exposure to:** Risk of having to pay increased product purchasing costs (cost of goods sold) due to aggregate increase in input costs (primarily energy) throughout the upstream stages

**Business Types:** Percent of total revenue from products with large/moderate/low carbon footprint (carbon emissions attributed to upstream supply chain per economic value of output) For Automobile: Composition of product portfolio (as percent of total revenue) by vehicle type based on regulatory requirements for vehicle carbon emissions or fuel efficiency, (expressed as fleet average gCO2/km or mpg)



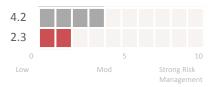
- No exposure to high risk segments
- Catalog retailing
- Cloud computing services

Source: IERS' Comprehensive Environmental Data Archive (CEDA); International Council on Clean Transportation; Refinitiv; MSCI ESG Research; company disclosure

## **MANAGEMENT**

# RISK MANAGEMENT ASSESSMENT

Company Industry





programs in distribution centers / store

operations



LAST UPDATE: December 10, 2021 Practices Score<sup>2</sup> Description **Company Practice Best Practice** Risk Management No targets Targets on measuring upstream carbon The company has already LOW MID TOP emissions calculated the carbon footprint of its core products and production stages and has a plan for impact reduction Company has carbon or energy reduction programs at the following stages Extent of carbon or energy reduction General statement All or core products LOW TOP programs in raw materials production, including suppliers Extent of carbon or energy reduction Some facilities (anecdotal All or core production LOW TOP programs in manufacturing operations, facilities cases) including suppliers' operations Extent of carbon or energy reduction Improvements in fleet, Improvements in fleet, LOW MID **TOP** programs in transportation and routes, AND load/packaging routes, AND load/packaging logistics stages optimization optimization Extent of carbon or energy reduction All or most stores and All or most stores and LOW MID **TOP** 

distribution centers

distribution centers





# **APPENDIX**

## **CONTENTS**

ADDITIONAL ESG ISSUES

**CONTROVERSIES DETAIL** 

## ADDITIONAL CORPORATE GOVERNANCE CONTENT

**KEY METRIC & SCORE CHANGES** 

**CEO PAY CHARTS** 

**DIRECTOR VOTES** 

SHAREHOLDER/MANAGEMENT PROPOSALS

**GOVERNANCE STANDARDS** 

**DIRECTOR PROFILES** 





LAST UPDATE: December 10, 2021

# **ISSUER COMMUNICATION SUMMARY**

## **COMPANY COMMUNICATION PAST 15 MONTHS**

Direction	Method	Category	Research Product	Date
Outgoing	E-mail	Other	ESG Ratings	Dec 16, 2021
Incoming	E-mail	Data Review - Feedback Provided	ESG Ratings	Dec 15, 2021
Outgoing	E-mail	Data Review - Feedback Provided	ESG Ratings	Dec 15, 2021
Outgoing	E-mail	Updated ESG Rating	ESG Ratings	Dec 10, 2021
Outgoing	E-mail	Feedback Notice	ESG Ratings	Dec 02, 2021
Outgoing	E-mail	Data Update Notification	ESG GovernanceMetrics	Nov 17, 2021
Outgoing	E-mail	Feedback Notice	ESG GovernanceMetrics	Nov 12, 2021
Incoming	Issuer Communication Portal	Data Review - Feedback Provided	ESG Ratings	Oct 26, 2021
Outgoing	E-mail	Other	ESG Ratings	Sep 21, 2021
Outgoing	E-mail	New Disclosure	ESG Ratings	Jul 12, 2021
Incoming	E-mail	New Disclosure	ESG Ratings	Jul 12, 2021
Outgoing	E-mail	Other	ESG Ratings	May 12, 2021
Outgoing	E-mail	Feedback Notice	ESG Ratings	May 10, 2021
Outgoing	E-mail	Feedback Notice	ESG Ratings	May 10, 2021
Outgoing	E-mail	Feedback Notice	ESG Ratings	May 10, 2021
Outgoing	E-mail	Updated ESG Rating	ESG Ratings	May 07, 2021
Outgoing	E-mail	Updated ESG Rating	ESG Ratings	May 07, 2021
Incoming	Issuer Communication Portal	Data Review - Feedback Provided	ESG Ratings	Apr 16, 2021
Incoming	Issuer Communication Portal	Data Review - Feedback Provided	ESG Ratings	Mar 04, 2021
Incoming	Issuer Communication Portal	Data Review - Feedback Provided	ESG Ratings	Mar 04, 2021
Outgoing	E-mail	Updated ESG Rating	ESG Ratings	Dec 04, 2020
Outgoing	E-mail	Feedback Notice	ESG Ratings	Nov 10, 2020
Outgoing	E-mail	Feedback Notice	ESG Ratings	Nov 10, 2020
Outgoing	E-mail	Feedback Notice	ESG Ratings	Nov 10, 2020
Outgoing	E-mail	Feedback Notice	ESG Ratings	Nov 10, 2020
Outgoing	E-mail	Feedback Notice	ESG Ratings	Oct 15, 2020
Outgoing	E-mail	Feedback Notice	ESG Ratings	Oct 15, 2020
Outgoing	E-mail	Feedback Notice	ESG Ratings	Oct 14, 2020
Incoming	Issuer Communication Portal	Data Review - Feedback Provided	ESG Ratings	Oct 01, 2020
Incoming	Issuer Communication Portal	Data Review - Feedback Provided	ESG Ratings	Oct 01, 2020





LAST UPDATE: December 10, 2021

## LEGEND

#### Direction

**Outgoing:** MSCI ESG Research contacts issuer.

**Incoming:** Query by corporate issuer.

#### Category

**Data Review - Alert:** Notification of pending annual update of ESG Rating, and invitation to engage MSCI.

**Data Review - Report:** MSCI ESG Research delivers report of updated ESG data

**Data Review - Feedback Provided:** Feedback provided to MSCI ESG Research.

**Request for Information:** Issuer inquiries; MSCI ESG Research queries.

**Published Report Sent:** MSCI ESG Research delivers issuers' ESG product report that is posted to the MSCI ESG Manager platform.

**Other:** Issuer notified of custom projects; Miscellaneous queries.





LAST UPDATE: December 10, 2021



# **Anticompetitive Practices**

Score	Change (since rating)	Quartile	Weight	As of
4.2	0.0	N/A		Aug 12, 2020

A chart is not available because we do not measure exposure on this key issue.

# KEY ISSUE

**ASSESSMENT** 



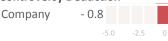
Risk Exposure

#### **RISK MANAGEMENT ASSESSMENT**



# **Drivers of Risk Management**

# Controversy Deduction



#### **TOP 5 INDUSTRY LEADERS**

ADVANCE AUTO PARTS, INC.	5.0
AMERICANAS S.A.	5.0
AUTOZONE, INC.	5.0
Allegro.eu SA	5.0
BEST BUY CO., INC.	5.0

#### **BOTTOM 5 INDUSTRY LAGGARDS**

LOTTE SHOPPING CO.,LTD.	4.2
MEITUAN	4.2
Rakuten Group, Inc.	4.2
SUNING.COM CO., LTD.	4.2
VIPSHOP HOLDINGS LIMITED	4.2

## **METHODOLOGY NOTE**

This issue evaluates the extent to which companies may face regulatory risks relating to anti-competitive practices. Companies successfully avoiding incident score "5", while companies that have faced controversies in the last three years score lower, based on the severity and type of controversy. This Key Issue is discontinued effective November 2020.

\*[ For symbols and terms used in this report, refer to the Glossary section at the end of the report ]

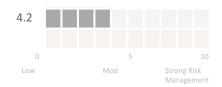




# **MANAGEMENT**

# RISK MANAGEMENT ASSESSMENT

Company Industry



Assessment	Headline	Status	Last Updated
Moderate	United States: Investigations into alleged anti-competitive business practices	Ongoing	November 2021
Moderate	India: Regulator probe over alleged antitrust violations related to discounting practices with preferred sellers	Ongoing	October 2021
Moderate	EU investigation into alleged sale of its own-label products similar to other sellers on the website; Germany Bundeskartellamt ended investigation into allegations of anticompetitive practices	Ongoing	October 2021
Moderate	India: Regulator issued show cause notice over alleged concealment of facts in transaction approva process	Ongoing	August 2021
Moderate	EUR 4 million Paris court penalty and ongoing European Commission and Germany FCO investigations into alleged antitrust violation as marketplace provider and retailer	Ongoing	July 2021
Moderate	India: ED investigation into allegations of favoring select sellers in its platform and using various strategies to bypass foreign investment regulatory restrictions	Ongoing	July 2021
Moderate	Spain: CNMC investigation into potential anticompetitive practices in the online sales of Apple products	Ongoing	July 2021
Moderate	Italy: Investigation over alleged anti-competitive restrictions on the online sales of certain branded products	Ongoing	August 2020
Moderate	Italy: Regulator Investigation into Alleged Abuse of Dominant Position in Online Commerce	Ongoing	May 2019
Minor	United States: Two Republicans urged DOJ to investigate the Pentagon's Joint Enterprise Defense Infrastructure procurement process alleging Amazon improperly influenced the bid process	Ongoing	May 2021
Minor	Japan: Regulator investigation into alleged abuse of market position over small businesses; JPY 2 billion business improvement plan approved	Concluded	September 2020





LAST UPDATE: December 10, 2021



# **Business Ethics & Fraud**

Score	Change (since rating)	Quartile	Weight	As of
3.7	0.0	N/A		Aug 12, 2020

A chart is not available because we do not measure exposure on this key issue.

### **TOP 5 INDUSTRY LEADERS**

ADVANCE AUTO PARTS, INC.	5.0
AUTOZONE, INC.	5.0
Allegro.eu SA	5.0
BEST BUY CO., INC.	5.0
BURLINGTON STORES, INC.	5.0

#### **BOTTOM 5 INDUSTRY LAGGARDS**

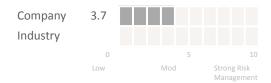
ALIBABA GROUP HOLDING LIMITED	3.7
AMAZON.COM, INC.	3.7
LOTTE SHOPPING CO.,LTD.	3.7
VIPSHOP HOLDINGS LIMITED	3.7
JD.COM, INC.	3.3

# KEY ISSUE ASSESSMENT



Risk Exposure

#### **RISK MANAGEMENT ASSESSMENT**



# **Drivers of Risk Management**

# Controversy Deduction



## **METHODOLOGY NOTE**

This issue evaluates the extent to which companies may face regulatory or legal risks or loss of investor confidence due to ethics issues such as fraud, executive misconduct, or insider trading. Companies successfully avoiding incident score "5", while companies that have faced controversies in the last three years score lower, based on the severity and type of controversy. This Key Issue is discontinued effective November 2020.

\*[ For symbols and terms used in this report, refer to the Glossary section at the end of the report ]

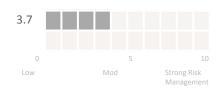




# **MANAGEMENT**

# RISK MANAGEMENT ASSESSMENT

Company Industry



Controversy C	Cases		
Assessment	Headline	Status	Last Updated
Moderate	United Kingdom: CMA investigation into alleged failure to perform due diligence to detect and remove fake reviews on its marketplace platform	Ongoing	October 2021
Moderate	United States: Republican House Judiciary members investigated allegations of unfairly exclusion conservative groups from AmazonSmile charity program	of Ongoing	August 2021
Moderate	India: ED investigation into alleged violations of the Foreign Exchange Management Act and Foreign Direct Investment rules	<b>gn</b> Ongoing	March 2021
Moderate	New Jersey, United States: Settlement of whistleblower lawsuit by a former employee over allege wrongful termination after raising health concerns during the COVID-19 pandemic	<b>d</b> Concluded	February 2021
Minor	Project Nimbus: Employees' criticism against cloud service contracts with Israeli government due potential use for surveillance of Palestinians	<b>to</b> Ongoing	November 2021
Minor	United States, Whole Foods Market: Putative class action over alleged deceptive labeling of Organ 365 brand products	<b>nic</b> Ongoing	February 2021
Minor	United Kingdom: GBP 55,000 penalty over alleged delayed responses to information requests on regulator's inquiry	Concluded	September 2020





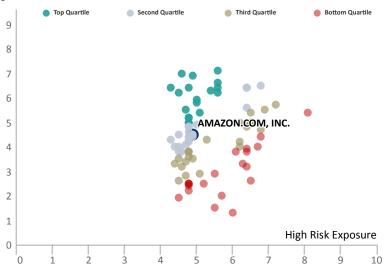
LAST UPDATE: December 10, 2021



# **Corruption & Instability**

Score	Change (since rating)	Quartile	Weight	As of
6.6	0.0	•••	0.0%	Feb 08, 2021

#### Strong Risk Management



This issue does not present significant risks or opportunities to the company and with the assigned weight of 0% does not contribute to the overall ESG rating for the company.

MSCI ESG Research provides additional scores on a select set of ESG Issues for all companies on the MSCI ACWI Index and MSCI ACWI IMI Index. Every company on the index receives scores for the following ESG Issues, regardless of whether they contribute to the overall Company ESG Rating.

The additional key issue scores and data available by index are as follows:

- MSCI ACWI: Water Stress, Labor Management, Privacy and Data Security
- MSCI ACWI IMI: Carbon Emissions, Human Capital Development and Tax Transparency

We continue to provide data and scores for the discontinued Key Issues under the ESG Rating model for the MSCI ACWI Index: Corruption & Instability, Business Ethics & Fraud, Anticompetitive Practices.

#### **KEY ISSUE SCORE DISTRIBUTION\***



#### **TOP 5 INDUSTRY LEADERS**

KINGFISHER PLC	9.4
WESFARMERS LIMITED	9.1
FAST RETAILING CO., LTD.	9.0
Just Eat Takeaway.com N.V.	8.7
BEST BUY CO., INC.	8.6

#### **BOTTOM 5 INDUSTRY LAGGARDS**

Jarir Marketing Company SJSC	3.3
Central Retail Corporation PCL	3.1
HOTEL SHILLA CO.,LTD	3.0
JUMBO S.A.	2.3
BATH & BODY WORKS, INC.	2.2

### **METHODOLOGY NOTE**

This issue evaluates the extent to which companies may face regulatory risks or lost market access due to corruption scandals or political and social instability. Scores are based on reliance on government contracts and operations in regions facing political instability or high perceived corruption levels; anti-bribery policies, programs, and transparency; and controversies. This Key Issue is discontinued effective November 2020.





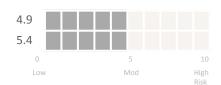
LAST UPDATE: December 10, 2021

\*[ For symbols and terms used in this report, refer to the Glossary section at the end of the report ]

## **EXPOSURE**

# RISK EXPOSURE ASSESSMENT

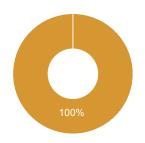
Company Industry



## Key Drivers of Risk Exposure

Exposure to: Regulatory risks or lost market access due to corruption scandals or political and social instability

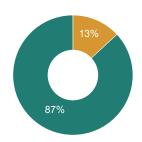
Business Types: Percentage of operations in business segments perceived most likely to pay or receive bribes



- No exposure to high risk segments
- Cloud computing services, Catalog retailing
- No exposure to low risk segments

Source: Bribe Payers Index (Transparency International); State Capture Index (Transparency International); Refinitiv; MSCI ESG Research; company disclosure

Business Locations: Percentage of operations in countries with high/moderate/low level of corruption and political instability, violence or terrorism



- No operations in markets with high risks
- other countries
- USA, North America

Source: Corruption Perceptions Index (Transparency International); World Governance Indicators (World Bank); Refinitiv; MSCI ESG Research; company disclosure

#### Additional Drivers of Exposure

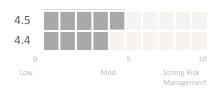
Company is reliant on the government sectors for a major proportion:

Not Disclosed

#### **MANAGEMENT**

RISK MANAGEMENT ASSESSMENT

Company Industry







LAST UPDATE: December 10, 2021

Description	Company Practice	Best Practice	Practices Score <sup>2</sup>
Policies & Commitments			
Executive body responsible for managing business ethics and corruption issues	Board-level committee	Board-level committee	- LOW MID TOP
Company's bribery and anti-corruption policy	General statements of commitment to address bribery and corruption issues	Detailed formal policy on bribery and anti-corruption	- LOW MID TOP
Scope of anti-corruption policy for suppliers	All suppliers are required to have anti-corruption policies	All suppliers are required to have anti-corruption policies and programs to verify compliance	- LOW MID TOP
Programs & Structures			
Scope of employee training on ethical standards	General statements on employee training on ethica standards	Programs covering all alemployees (including part-time) and contractors	- LOW MID TOP
Provision of whistleblower protection	Whistleblower protection with no details on system o legal protection	Formal anonymous r whistleblower system with legal protection	- LOW MID TOP

# **CONTROVERSIES**

All controversies are assessed as part of the annual review of a company's ESG rating. MSCI ESG Research tracks controversies for all companies on a regular basis. The Amazon has been flagged for involvement in controversial events or alleged misconduct.

## **Controversy Cases**

Assessment	Headline	Status	Last Updated
Minor	India: Confederation of All India Traders urged Central Bureau of Investigation to investigate	Ongoing	October 2021
	Amazon lawyers for allegedly bribing government officials in order to retain or obtain business		





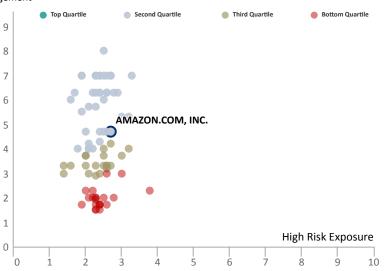
LAST UPDATE: December 10, 2021



# **Carbon Emissions**

Score	Change (since rating)	Quartile	Weight	As of
9.0	▲ 0.2	•••		Dec 02, 2021





#### **KEY ISSUE SCORE DISTRIBUTION\***



#### **TOP 5 INDUSTRY LEADERS**

ADVANCE AUTO PARTS, INC.	10.0
AMERICANAS S.A.	10.0
AUTOZONE, INC.	10.0
BATH & BODY WORKS, INC.	10.0
BEST BUY CO., INC.	10.0

# KEY ISSUE ASSESSMENT



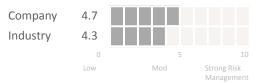
### **BOTTOM 5 INDUSTRY LAGGARDS**

HIKARI TSUSHIN, INC.	6.2
PINDUODUO INC.	6.2
CARVANA CO.	6.1
China Tourism Group Duty Free Corporation Limited	6.1
HOTEL SHILLA CO.,LTD	5.5

#### **RISK EXPOSURE ASSESSMENT**

Company	2.7		
Industry	2.4		
	0	5	10
	Low	Mod	High Risk

# RISK MANAGEMENT ASSESSMENT



#### **Drivers of Risk Exposure**



**Drivers of Risk Management** 



### **METHODOLOGY NOTE**

Companies are evaluated on the carbon intensity of their operations and their efforts to manage climaterelated risks and opportunities.

\*[ For symbols and terms used in this report, refer to the Glossary section at the end of the report ]

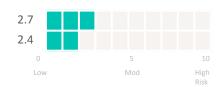




## **EXPOSURE**

# RISK EXPOSURE ASSESSMENT

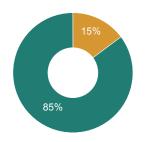
Company Industry



## Key Drivers of Risk Exposure

Exposure to: Risks of having to pay increased compliance costs tied to carbon emissions regulations

Business Types: Percentage of operations in business segments with high/moderate/low carbon intensity



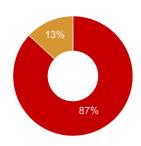
■ No exposure to high risk segments

Cloud computing services

■ Catalog retailing

Source: IERS' Comprehensive Environmental Data Archive (CEDA); Air Emissions Accounts (Eurostat); Refinitiv; MSCI ESG Research; company disclosure

Business Locations: Percentage of operations in countries with strengthening or pending carbon emissions regulation



■ USA, North America

other countries

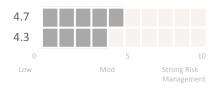
■ No operations in markets with low risks

Source: MSCI ESG Research; Refinitiv; company disclosure

### **MANAGEMENT**

# RISK MANAGEMENT ASSESSMENT

Company Industry







LAST UPDATE: December 10, 2021

Description Company Practice Best Practice Practices Score<sup>2</sup>

**Targets** 

Aggressiveness of the company's reduction target in the context of its current performance

No target

Aggressive target with a low

base

- LOW MID TOP

### **Carbon Improvement Targets**

Baseline Year	Target Year	Target Description	Target Reduction (%)	
	2040	Net zero by 2040	100.00%	

### Mitigation

Strength of Greenhouse Gas Mitigation 7.00 Strategy (0-10 Score, 0=worst, 10=best)

## Programs or actions to reduce the emissions intensity of core operations

Use of cleaner sources of energy

Some efforts

Aggressive efforts

- LOW MID TOP

Energy consumption management and operational efficiency enhancements

Aggressive efforts

- LOW MID TOP

CDP disclosure Yes Yes

- LOW

# ТОР

## Performance

Carbon Emissions Performance Relative to Peers (0-10 Score, 0=worst, 10=best)

7.00

## GHG Emissions - metric tons CO2e

Year	Scope 1 Disclosed	Scope 1 Estimate Key	Scope 2 Disclosed	Scope 2 Estimate Key	Scope 1+2 Disclosed	Scope 3 (upstream)	Scope 3 (downstream)	Scope 3 (undefined)	Scope 1 Estimated	Scope 2 Estimated	Scope 1+2 Estimated	Scope 1+2 Estimate Key	GHG Emissions Details
2020	9,620,000.0	Reported	5,270,000.0	Reported	14,890,000.0	42,990,000.0	2,770,000.0					Reported	
2019	5,760,000.0	Reported	5,500,000.0	Reported	11,260,000.0	35,860,000.0	4,050,000.0					Reported	
2018	4,980,000.0	Reported	4,710,000.0	Reported	9,690,000.0	30,480,000.0	4,230,000.0					Reported	
2017		E.CSI		E.CSI					3,935,159.0	3,071,843.0	7,007,002.0	E.CSI	December 2021 Estimation Update
2016		E.CSI		E.CSI					3,008,615.0	2,348,570.0	5,357,185.0	E.CSI	December 2021 Estimation Update
2015		E.CSI		E.CSI					2,367,609.0	1,848,190.0	4,215,799.0	E.CSI	December 2021 Estimation Update
2014		E.CSI		E.CSI					1,968,796.0	1,536,871.0	3,505,667.0	E.CSI	December 2021 Estimation Update
2013		E.GICSSI - LOW		E.GICSSI - MODERATELY LOW					520,147.0	393,727.0	913,874.0	E.GICSSI - LOW	Dec-2015 Estimation Update
2012		E.GICSSI - LOW		E.GICSSI - MODERATELY LOW					425,080.0	323,080.0	748,160.0	E.GICSSI - LOW	Dec-2015 Estimation Update
2011		E.GICSSI - LOW		E.GICSSI - MODERATELY LOW					334,515.0	254,247.0	588,762.0	E.GICSSI - LOW	Dec-2015 Estimation Update
2010		E.GICSSI - LOW		E.GICSSI - MODERATELY LOW					237,988.0	180,882.0	418,870.0	E.GICSSI - LOW	Dec-2015 Estimation Update
2009		E.GICSSI - LOW		E.GICSSI - MODERATELY LOW					170,531.0	129,612.0	300,143.0	E.GICSSI - LOW	Dec-2015 Estimation Update
2008		E.GICSSI - LOW		E.GICSSI - MODERATELY LOW					133,355.0	101,356.0	234,711.0	E.GICSSI - LOW	Dec-2015 Estimation Update





LAST UPDATE: December 10, 2021

# GHG Emissions Intensity - metric tons CO2e / USD million sales

Year	GHG Intensity	<b>GHG Intensity Details</b>	GHG Intensity - Reported	GHG Intensity - Reported Details
2020	38.60		102.70	g CO2e per dollar (USD)
2019	40.10		122.80	g CO2e per dollar (USD)
2018	41.60		128.90	g CO2e per dollar (USD)
2017	39.40			
2016	39.40			
2015	39.40			
2014	39.40			
2013	12.30			
2012	12.20			
2011	12.20			
2010	12.20			
2009	12.20			
2008	12.20			





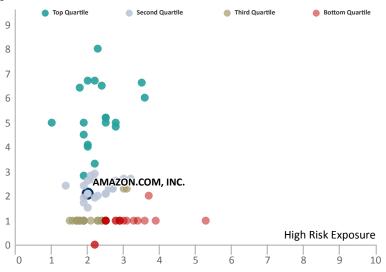
LAST UPDATE: December 10, 2021



# **Water Stress**

Score	Change (since rating)	Quartile	Weight	As of
7.1	0.0	•••	0.0%	Feb 08, 2021

#### Strong Risk Management



This issue does not present significant risks or opportunities to the company and with the assigned weight of 0% does not contribute to the overall ESG rating for the company.

MSCI ESG Research provides additional scores on a select set of ESG Issues for all companies on the MSCI ACWI Index and MSCI ACWI IMI Index. Every company on the index receives scores for the following ESG Issues, regardless of whether they contribute to the overall Company ESG Rating.

The additional key issue scores and data available by index are as follows:

- MSCI ACWI: Water Stress, Labor Management, Privacy and Data Security
- MSCI ACWI IMI: Carbon Emissions, Human Capital Development and Tax Transparency

We continue to provide data and scores for the discontinued Key Issues under the ESG Rating model for the MSCI ACWI Index: Corruption & Instability, Business Ethics & Fraud, Anticompetitive Practices.

#### **KEY ISSUE SCORE DISTRIBUTION\***



#### **TOP 5 INDUSTRY LEADERS**

EBAY INC.	10.0
H & M Hennes & Mauritz AB	10.0
Industria de Diseno Textil, S.A.	10.0
KINGFISHER PLC	10.0
NASPERS LIMITED	10.0

#### **BOTTOM 5 INDUSTRY LAGGARDS**

JUMBO S.A.	4.6
BATH & BODY WORKS, INC.	4.4
POOL CORPORATION	4.4
Jarir Marketing Company SJSC	4.1
HOTEL SHILLA CO.,LTD	2.7

### **METHODOLOGY NOTE**

Companies are evaluated on the water intensity of their operations, levels of water stress in their areas of operation and their efforts to manage water-related risks and opportunities.

\*[ For symbols and terms used in this report, refer to the Glossary section at the end of the report ]

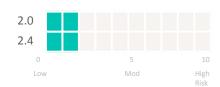




**EXPOSURE** 

# RISK EXPOSURE **ASSESSMENT**

Company Industry



## Key Drivers of Risk Exposure

Exposure to: Risk of increased cost of input, disputes around access rights to key resources or operational disruptions to production processes requiring water as a critical input

Business Types: Percentage of operations in business segments with high/moderate/low water intensity

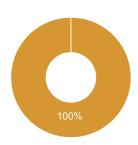


- No exposure to high risk segments
- No exposure to medium risk segments

Source: IERS' Comprehensive Environmental Data Archive (CEDA);

■ Cloud computing services, Catalog retailing MSCI ESG Research; Refinitiv; company disclosure

Business Locations: Percentage of operations in countries or regions with high/moderate/low percent of territory affected by oversubscription to water resources



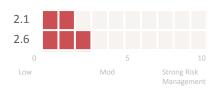
- No operations in markets with high risks
- USA, North America, other countries
- No operations in markets with low risks

Source: WRI Aqueduct; Refinitiv; MSCI ESG Research; company disclosure

## **MANAGEMENT**

**RISK MANAGEMENT ASSESSMENT** 

Company Industry







LAST UPDATE: December 10, 202

				LAST OF DATE. December	10, 2021
Description	<b>Company Practice</b>	<b>Best Practice</b>		Practices Sco	re <sup>2</sup>
Governance and Strategy					
Implementation of Water Efficient Production Processes	0.00				
Evidence of Using Alternative Water Sources	No	Yes		- LOW	ТОР
Executive body responsible for water	er management strategy a	and performance:			
CEO is responsible for water management strategy and performance	Yes	Yes		- LOW	ТОР
Performance					
Nater Intensity Relative to Peers (0-10 So Water Withdrawal Performance	core, 0=worst, 10=best)	3.00			
Year Freshwater Withdrawal (m3)	Freshwater Withdrawal Into	ensity (m3/ USD million sales)			
2020					
2019					
2018					
Water Consumption Performance					
Year Freshwater Consumption (m3)	Freshwater Consumption	Intensity (m3/ USD million sales)	Details		
2020					
2019					
2018					

# **CONTROVERSIES**

All controversies are assessed as part of the annual review of a company's ESG rating. MSCI ESG Research tracks controversies for all companies on a regular basis. There is no evidence of the Amazon's current involvement in prominent controversial events or alleged misconduct.





LAST UPDATE: December 10, 2021

## **CONTROVERSIES DETAIL**

Here you will find the narratives for all controversies relevant to the ESG Ratings issues covered for the company in addition to those controversies that do not map to the ESG Ratings issues.

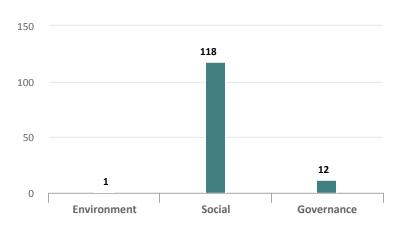
#### **CONTROVERSY CARD**

	MOST SEVERE CONTROVERSY	CONTROVERSY COUNT
Environment		
Carbon Emissions	None	0
Product Carbon Footprint	None	0
Water Stress	None	0
Social		
Labor Management	Severe	48
Privacy & Data Security	Moderate	15
Governance		
Corruption & Instability	Minor	1
Business Ethics & Fraud	Moderate	7
Anticompetitive Practices	Moderate	11
Corporate Governance	Minor	1
Corporate Behavior	Moderate	20

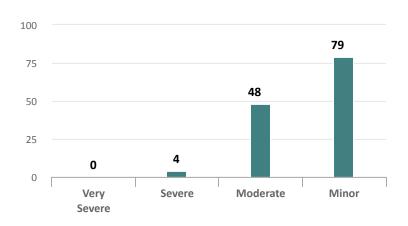
## **CONTROVERSIES**

- Very Severe: Indicates an action by a company that results in a very large impact on society and/or the environment.
- Severe: Indicates an action by a company that results in a large impact on society and/or the environment.
- Moderate: Indicates an action by a company that results in a moderate impact on society and/or the environment.
- Minor: Indicates an action by a company that results in a low impact on society and/or the environment.
- None: There is no evidence that a company is involved in any controversy.

### NUMBER OF CONTROVERSIES BY PILLAR



#### NUMBER OF CONTROVERSIES BY ASSESSMENT



## **ENVIRONMENTAL CONTROVERSIES**

#### **Moderate Controversies**

Date: July 2021

**Assessment:** Moderate **Status:** Ongoing

United Kingdom: Criticisms by NGOs and news media over alleged environmental impact of practices related to greenhouse gas emissions and destruction of unsold products

In November 2019, NGOs Attac, Friends of the Earth, and Union Syndicale Solidaires criticized Amazon.com Inc. (Amazon) over the alleged environmental impact of the company's practices, particularly in relation to its greenhouse gas emissions and destruction of unsold products. The NGOs also criticized Amazon's alleged statement of reaching carbon neutrality in 2040 and cited a lack of transparency in the company's carbon footprint. According to the NGOs' calculation, Amazon generated 55.8 million tonnes of greenhouse gases in 2018 based on cross-referenced public data and estimates.





LAST UPDATE: December 10, 2021

In June 2021, the Guardian reported that Amazon faced a political scrutiny by three Labour Member of Parliaments (MPs) after the ITV News' undercover investigation showed thousands of unsold products that were destroyed by the company at the Amazon fulfilment center in Dunfermline, Scotland.

UPDATES: 23 Jul 2021: Charities call for Amazon anti-waste law after firm denies destroying in-date food. (The Guardian)

22 Jun 2021: Amazon faces MPs' scrutiny after destroying laptops, tablets and books. (The Guardian)

24 Nov 2019: Des ONG dénoncent l'impact environnemental d'Amazon [NGOs denounce the environmental impact of Amazon]. (Le Figaro)

Source: 23 Jul 2021 (The Guardian)

## **SOCIAL CONTROVERSIES**

#### **Severe Controversies**

Date: August 2021

Assessment: Severe Status: Ongoing

# France, Italy, Canada and the United States: Alleged poor working conditions and inadequate safety measures for employees during the COVID-19 pandemic

Amazon.com, Inc (Amazon) has faced criticisms over alleged poor working conditions and inadequate safety measures related to practices followed at its warehouses in France, Italy, Canada and the United States (U.S.) during the COVID-19 pandemic.

#### France

Hundreds of Amazon employees requested the company to halt its operations or allow staff to take leaves with full pay, owing to the health and safety challenges posed by COVID-19.

In April 2020, Amazon suspended its distribution operations after a court in Paris issued a ruling to stop all non-essential deliveries. The French government also ordered the company to ensure safety measures are put in place at its distribution centers to protect its employees from COVID-19. Three trade unions proposed a gradual resumption of activity with limited staff and a revised work organization then a consultation with management for feedback after about two weeks before resuming full operations.

In May 2020, the Ministry of Labor rejected Amazon's request for a state partial unemployment scheme for employees at six of its warehouses, citing the closure of the company's sites are linked to a court decision and not to a decline in activity. In addition, Amazon reportedly reached an agreement with unions regarding the conditions of resumption of activity at six warehouses which would be done gradually and on a voluntary basis.

Italy In March 2020, Approximately 100 workers at an Amazon delivery station in Calenzano staged a protest against the company, calling for improved safety measures for employees and independent couriers. Some workers raised apprehensions related to inadequate face masks.

In March 2021, Amazon warehouse and delivery workers in Italy staged a 24-hour strike to demand better working conditions and labor rights during the COVID-19 pandemic. The workers staged the strike after failing to reach negotiations with management in January 2021.

## United States

In April 2020, more than 300 employees from 50 warehouses as well as hundreds of grocery workers at Amazon's subsidiary, Whole Foods Market, called in sick to protest the company's response to COVID-19. Employees claimed the company allegedly failed to provide enough face masks at workplaces and refused to give workers paid sick leave. The workers also urged for an increase in pay during the pandemic. In addition, dozens of employees staged on-site strikes at its facilities in Chicago, New York, and Staten Island, refusing to come to work after certain employees were tested positive for COVID-19. Since March 2020, a group of five U.S. senators and 15 U.S. attorney generals have issued letters to the CEO of Amazon over the company's health and safety practices amid the pandemic. According to the letters, more than 1,500 Amazon employees have criticized the company for the measures undertaken on health and safety. The letters alleged there have been reports of crowded and extended meetings, shortages of sanitary supplies, inadequate time for bathroom breaks, and lack of additional cleaning in some warehouses, increasing the risk of COVID-19 infections among employees. In the letters, attorney generals also urged Amazon and Whole Foods Market to adopt the requirement in the Families First Act, to provide up to 12 weeks of paid leave for employees who need to stay home to take care of their children or family members experiencing COVID-19 symptoms or are diagnosed with COVID-19 or quarantined.

In July 2020, warehouse employees in Memphis, Tenseness, claimed that the company withdrew unpaid leave and failed to ensure their safety at its facilities. They also claimed that a warehouse manager at MEM1 facility required employees to continue working even when experiencing symptoms.

In July 2020, the California Attorney General's office, the Division of Occupational Safety and Health, and the San Francisco Department of Public Health conducted onsite inspections at Amazon's San Francisco fulfillment center after a warehouse employee filed a lawsuit on June 11 alleging the company failed to properly protect warehouse employees during the COVID-19 pandemic. The worker claimed that they do not adequate protective gear and sufficient time to wash their hands during their shifts.

In November 2020, a New York federal judge dismissed a lawsuit against Amazon alleging it failed to follow workplace safety guidance during the COVID-19 pandemic. The lawsuit was filed in June by warehouse employees in Staten Island, New York against the company's oppressive and dangerous policies over alleged violations of public-nuisance laws. The workers claimed that the company reinstated warehouse productivity quotas despite telling a judge that it was suspending them during the COVID-19 pandemic.

In December 2020, a California Attorney General filed a lawsuit with the Sacramento County Superior Court, accusing Amazon for allegedly failing to adequately comply with the state's requests for information about its COVID-19 safety protocols and potential outbreaks at its facilities.





LAST UPDATE: December 10, 2021

In February 2021, New York Attorney General, Ms. Letitia James filed a lawsuit in a New York state court in Manhattan against Amazon over its handling of worker safety issues around the COVID-19 pandemic at two warehouses.

#### Canada

In March 2021, Ontario's Ministry of Labour launched investigations into Amazon facilities in the province over health and safety concerns during the COVID-19 pandemic. The Peel Public Health ordered to shut down its Brampton fulfilment center, for 14 days, following a massive COVID-19 outbreak in Mississauga, Ontario. The investigations determined that there was a high risk of exposure to COVID-19 for working at the Brampton fulfilment center.

UPDATES: 10 Aug 2021: Amazon loses bid to stop New York from probing COVID-19 standards. (Reuters)

18 Jun 2021: Amazon.com, Inc. v. Attorney General Letitia James., 1:21-cv-00767. (District Court, E.D. New York) Motion to dismiss amended complaint or, in the alternative, stay proceedings by Attorney General Letitia James.

01 Jun 2021: Amazon's bad faith claim against NY AG faces doubts. (LAW360)

20 May 2021: 2nd Circuit judge signals that OSHA should handle Amazon COVID case. (Reuters)

10 Apr 2021: Judge hands Amazon a setback in New York lawsuit over COVID-19 shortfalls. (Reuters)

24 Mar 2021: Multiple Amazon facilities face scrutiny from Ontario for COVID-19, other health and safety concerns. (The Globe and Mail, Canada)

22 Mar 2021: Amazon workers strike in Italy over pandemic-driven delivery demands. (Reuters)

14 Mar 2021: Canadian health officials shut Amazon warehouse after mass COVID-19 outbreak. (World Socialist Web)

17 Feb 2021: New York attorney-general sues Amazon over Covid-19 shortfalls. (Times Live South Africa)

13 Feb 2021: Amazon says NY AG is overstepping on virus oversight. (LAW360)

21 Dec 2020: Amazon closes New Jersey warehouse after rise in Covid cases. (Hindustan Times)

17 Dec 2020: UPDATE 1-U.S. labor board claims Amazon illegally fired warehouse worker. (Reuters)

15 Dec 2020: Calif. AG Sues Amazon Over COVID-19 Workplace Data. (LAW360)

14 Dec 2020: California urges court to compel Amazon to comply with COVID-19 probe. (CHANNEL NEWSASIA)

02 Dec 2020: Amazon workers, community members protest outside Jeff Bezos' NYC home for better COVID-19 protections. (Fox Business)

27 Nov 2020: Amazon va verser un bonus aux employés pendant les fêtes. [Amazon to pay employees bonus over the holidays] (Les Echos)

27 Nov 2020: Amazon workers across the world protest on Black Friday. (Fox Business)

24 Nov 2020: Amazon workers turn to 2nd circ. in COVID-19 safety suit. (Law360)

02 Nov 2020: Palmer v. Amazon.com Inc., 1:20-cv-02468. (United States District Court for the Eastern District of New York) A New York federal judge dismissed a lawsuit filed against Amazon alleging it failed to follow workplace safety guidance during COVID-19.

15 Oct 2020: Amazon workers say Prime Day rush breaks virus safety vows. (Reuters)

01 Oct 2020: Update on COVID-19 Testing. (Amazon.com, Inc.) The company said that it recorded approximately 20,000 COVID-19 cases among its front-line workers in the United States which was proportionally lower than that of the general population.

31 Aug 2020: Amazon Workers Say Virus Suit Can Proceed Despite OSHA Jurisdiction. (InsideOSHAOnline) As of August 2020, a lawsuit alleging inadequate COVID-19 protections at a New York warehouse remained ongoing.

19 Aug 2020: Amazon touts California ruling to fight workers' COVID-19 civil suit. (InsideOSHAOnline)

27 Jul 2020: California probing Amazon worker treatment during pandemic, court says. (Channel NewsAsia)

15 Jul 2020: Amazon workers in Memphis are spooked as virus rages. (Macau Daily Times)

15 Jul 2020: Amazon says OSHA primacy bars suits to enforce state virus policies. (InsideOSHAOnline)

03 Jun 2020: Amazon warehouse employees sue company over possible exposure to coronavirus: report. (Market Watch) Three employees filed a lawsuit in New York over alleged unsafe working conditions.

03 Jun 2020: Enquête au coeur de la mécanique Amazon [Investigation at the heart of Amazon mechanics]. (Les Echos)

20 May 2020: Amazon renonce à se pourvoir en cassation après son accord avec les syndicats [Amazon renounces appeal to cassation after agreement with unions]. (Le Figaro Economie)

18 May 2020: Amazon a convaincu ses syndicats d'accepter ses conditions [Amazon convinced unions to accept terms]. (Le Figaro Economie)

15 May 2020: Amazon travaille à une réouverture progressive de ses entrepôts en France à partir du 19 mai [Amazon is working on a gradual reopening of its warehouses in France from May 19]. (Le Monde)

08 May 2020: Amazon : les entrepôts français resteront fermés jusqu'au 13 mai [Amazon: French warehouses will remain closed until May 13]. (Les Echos)

04 May 2020: Amazon a demandé le chômage partiel, refusé par l'administration [Amazon asked for partial unemployment, refused by the administration]. (Le Figaro)

04 May 2020: Amazon voit sa demande de chômage partiel rejetée par le ministère du Travail [Amazon sees his request for partial unemployment rejected by the Ministry of Labor]. (Les Echos)

29 Apr 2020: Coronavirus : CGT, CFDT et SUD proposent une reprise progressive d'activité chez Amazon France [Coronavirus: CGT, CFDT and SUD propose a gradual resumption of activity at Amazon France]. (Le Parisien)





LAST UPDATE: December 10, 2021

28 Apr 2020: Workers worried after being told about 3 positive COVID-19 cases at Amazon's Shakopee facility. (StarTribune)

27 Apr 2020: Amazon Extends Closure Of French Warehouses To May 5. (Barron's)

27 Apr 2020: Amazon workers in Minnesota stage walkout over Covid-19 tensions. (American City Business Journals)

24 Apr 2020: Amazon loses appeal against worker safety ruling in France that prompted it to close. (CNN)

24 Apr 2020: Amazon tech workers are calling out sick in protest over COVID-19 response. (The Verge)

21 Apr 2020: Hundreds of Amazon warehouse workers to call in sick in coronavirus protest. (The Guardian)

09 Apr 2020: U.S. senators question Amazon CEO about firing of warehouse protest leader. (Reuters)

09 Apr 2020: Jeff Bezos Makes Surprise Visit to Amazon Warehouse and Whole Foods Store Amid Worker Safety Concerns. (NBC10 Philadelphia)

31 Mar 2020: Dozens of Whole Foods Workers Skip Work but Stores Are Unaffected. (The Wall Street Journal)

31 Mar 2020: Workers protest at Instacart, Amazon and Whole Foods for health protections and hazard pay. (The Washington Post)

25 Mar 2020: AG Healey Calls on Amazon and Whole Foods to Immediately Improve Paid Leave to Employees During COVID-19 Emergency. (Commonwealth of Massachusetts)

21 Mar 2020: BOOKER, MENENDEZ PRESS AMAZON ON WORKPLACE SAFETY. (STATES NEWS SERVICE)

18 Apr 2020: Amazon trapped by strained union relations. (World Today News)

17 Apr 2020: The hearing on the thorny Amazon case scheduled for Tuesday, before the Versailles Court of Appeal. (Archyworlds)

16 Apr 2020: Coronavirus: Amazon appeals, Minister of Labor kicks in touch. (Les Echos)

14 Apr 2020: Justice restricts Amazon's business in France pending risk assessment of Covid-19. (Le Figaro)

08 Apr 2020: Coronavirus: Amazon unions call strike, demand site closure. (Les Echos)

03 Apr 2020: Coronavirus: "The formal notice from Amazon confirms everything we said". (Le Monde)

31 Mar 2020: Amazon faces strong criticism from trade unions in France. (FRENCH NEWS (ENGLISH LANGUAGE))

31 Mar 2020: Workers go on strike at Amazon delivery site in Italy amid coronavirus. (Reuters)

19 Mar 2020: France says pressure on Amazon workers 'unacceptable' amid lockdown. (Reuters)

Source: 10 Aug 2021 (Reuters)

## Germany: Warehouse employees staged strikes with the Verdi trade union demanding better salary and working conditions since 2013

Amazon.com has experienced multiple strikes due to wage disputes at its German distribution centers since 2013. Approximately 500 to 2,500 warehouse employees participated in each strike. The Verdi German United Services Trade Union, which supported all protests, claimed that Amazon warehouse employees have been paid lesser salaries than their peers in the same industries of retail and mail-order. The Verdi claimed that Amazon has allegedly refused to talk with the union on a collective wage agreement for its 160,000 warehouse employees across Germany since 2013, and it also allegedly hired thousands of seasonal temporary workers at its distribution centers in Germany to reduce the effect of the strikes.

In November 2017, approximately 2,500 employees at Bad Hersfeld, Leipzig, Rheinberg, Werne, Graben and Koblenz distribution centers in Germany went on a strike and continued to protest over the ongoing wage disputes. Further, as per reports, few permanent warehouse employees near the Piacenza facility in Italy also conducted a one-day strike over the wage dispute of warehouse workers. Similarly, employees at Amazon warehouse at France and Poland also faced the same issues.

In May 2018, Amazon reached an agreement with the Filcams Cgil Nazionale Union and its warehouse employees in Italy over alleged improper working conditions. As per the agreement, the employees would be appropriately allocated alternate shifts on weekends and night shifts, along with 25% increased compensation for the night shift. The agreement would also ensure that the employees would be provided with four consecutive free weekends every eight weeks.

In July 2018, approximately 2,400 warehouse employees in Germany and 1,200 in Spain conducted strikes during Amazon's Prime Day event to demand better work and pay conditions. In November 2018, warehouse employees in Italy, Germany, Spain and the United Kingdom also staged strikes to negotiate a new wage deal after Amazon decided to increase the minimum wage to USD 15 for its American employees and to USD 12.39 for its British employees due to eliminating stock awards and bonuses for hourly temporary workers.

In November 2019, approximately 100 warehouse employees in Amazon Germany went on a strike during the company's Black Friday sale, demanding better pay and working conditions. The Verdi, which called for the strike, accused Amazon of making the employees work under extreme pressure which resulted in many employees getting sick.

In June 2020, Verdi called on warehouse employees at six Amazon locations in Germany to hold a 48-hour strike amid an ongoing wage dispute. The strike was part of Verdi's push to conclude wage negotiations with Amazon for a collective barraging agreement for healthy and safe workplaces. Verdi and warehouse employees sought a collective bargaining agreement for employees at German distribution centers that aligns with the retail and mail-order industries. Verdi also claimed that the current wage earned by Amazon warehouse employees in Germany started at around USD 14 an hour before tax, whilst the average payment for a retail was between USD 17.5 and USD 21 an hour.

In Jun 2021, Reuters reported that Verdi called on employees at seven Amazon warehouses to go on a three-day strike to ask for better pay and working conditions.

UPDATES: 21 Jun 2021: German union calls for Amazon workers to strike on Prime Day. (Reuters)

Date: June 2021

Assessment: Severe Status: Ongoing





LAST UPDATE: December 10, 2021

13 Oct 2020: Amazon-Mitarbeiter streiken am Schnäppchen-Tag [Amazon employees strike on bargain day]. (Der Spiegel) The trade union Vendi planned to lead a strike on the German Prime Day event at six Amazon locations over the wage dispute.

28 Jun 2020: German trade union calls for Amazon workers to strike amid wage dispute. (DW News)

29 Nov 2019: Amazon workers in Germany stage strike on Black Friday. (CBS News)

15 Jul 2019: Amazon workers in Germany strike over pay, Verdi union says. (Reuters)

15 Apr 2019: Amazon workers strike at four German warehouses. (Reuters)

17 Dec 2018: Strikes hit two Amazon distribution centres in Germany. (Alliance News)

28 Nov 2018: Spain: Amazon allegedly asked for police presence at warehouse to ensure productivity, company denies claims. (Business & Human Rights Resource Centre)

23 Nov 2018: We are not robots!: Amazon warehouse workers protest on Black Friday. (The Sydney Morning Herald) In November 2018, workers across Germany, Spain and France conducted strikes. Further, according to the union, in the United Kingdom, approximately 500 workers from across five facilities conducted the strike.

02 Nov 2018: Workers at two Amazon plants in Germany commence strikes. (Alliance News)

03 Oct 2018: Amazon raises US minimum hourly wage to \$15, as German union calls strike. (DW News)

17 Jul 2018: Amazon employees strike in Spain and Germany. (Agence France Press)

17 Jul 2018: Amazon's Prime Day is a flash-point for protests; Many workers walk off job in Europe amid web retailer's biggest sales event of year. (Los Angeles Times)

24 May 2018: Italy: First-ever direct agreement between unions & Amazon tackles workplace health incl. inhumane hours. (Business & Human Rights Resource Centre)

20 Feb 2018: Les syndicats européens se coordonnent face au manque de dialogue social à Amazon. (Business & Human Rights Resource Centre)

24 Nov 2017: Amazon workers in Germany, Italy stage Black Friday strike. (Associated Press)

07 Jun 2017: Striking German Amazon workers describe grueling conditions and digital surveillance. (World Socialist Web Site) Approximately 500 workers at the Rheinberg facility went on a three-day strike. The warehouse workers protested the working conditions in the facility.

27 May 2017: Striking Amazon workers in Germany support call for international cooperation. (World Socialist Web Site) Approximately 100 distribution workers from Amazon's warehouse in Bad Hersfeld conducted a strike and around 40 workers responded to a call of strike action by the labor union, Verdi in the state of Hesse.

24 Feb 2017: Amazon warehouse workers in Germany continue strike actions in 2017, Verdi. (Unifor Local 87-M) Around 550 workers in Leipzeig went on a two-day strike in January 2017.

21 Dec 2016: Union calls new strikes at Amazon's German warehouses. (Reuters) Koblenz warehouse workers initiated a strike on 19 December. The labor union, Verdi, further called the workers from three warehouses to join in the strike over wage and working conditions dispute.

29 Mar 2016: Amazon Workers In Germany Stage Another Walkout In Pay Row. (Alliance News) Approximately 400 distribution workers from Amazon's warehouses in Graben and Leipzig responded to a call of strike action by the labor union, Verdi. The warehouse workers protested anew on their claim for higher wages.

21 Mar 2016: Amazon German warehouse workers start fresh strike in pay row. (Channel NewsAsia) Amazon distribution workers from the warehouse located in Koblenz, Germany launched a two day strike in March 2016. The workers demanded their salary increases based on the national collective bargaining agreement covering the mail order and retail sector of Germany.

14 Jul 2015: Amazon Germany: the low price and low wage giant. (Equal Times)

30 Mar 2015: Amazon hit by fresh strikes in Germany on Mon. (SeeNews Germany) Amazon workers in five warehouse sites in Bad Hersfeld, Leipzig, Koblenz, Werne and Rheiberg held a two-day strike in March 2015. The protest action was due to the existing wage controversy with management.

17 Dec 2014: German Amazon.com workers extend strikes. (The Wall Street Journal) Seven Amazon warehouses out of its nine distribution locations in Germany participated in the three-day strike due to the ongoing wage controversy with management. According to the Verdi, distribution centers in Leipzig, Rehinberg, Werne and Bad Haersfeld planned to extend the strike before Christmas day.

27 Oct 2014: New strikes hit Amazon after month's respite. (Deutsche Welle) Amazon workers in the distribution centers of Bad Hersfeld, Leipzig, Graben, Werne and Rheiberg protested anew for two days in relation to the unresolved wage dispute.

24 Sep 2014: Workers at Another Amazon German Warehouse Walk Off Job. (The Wall Street Journal) Additional workers from the logistics centers in Werne and North Rhine-Westphalia joined the protest on its third day. Approximately 2,000 employees according to Verdi participated in the strike this time, considered to be a coordinated action of six distribution centers. Amazon has a total of nine distribution centers in Germany.

22 Sep 2014: German Amazon workers on strike. (The Wall Street Journal) Approximately 1,000 workers of four distribution centers namely Bad Hersfeld, Leipzig, Graben and Rheinberg participated in the strike concerning the wage dispute.

17 Apr 2014: Amazon workers in Germany strike again, union says. (The Wall Street Journal) Verdi announced that Amazon workers at the company's Leipzig and Bad Hersfeld sites in Germany would stage a two-day strike over the long-running wage dispute with the company. Employees also staged a similar one-day strike in April 2014.





LAST UPDATE: December 10, 2021

16 Dec 2013: Amazon workers in Germany launch strike over wages. (Aljazeera America) Approximately 1,600 Amazon workers in Germany staged a strike to pressure the company in signing a new wage agreement. Verdi claimed that Amazon workers receive lower wages in comparison to its peers in the industry. Ver.di reported that workers at the company's logistics centers in Leipzig, Bad Hersfeld, and Graben participated in the strikes, while their colleagues based in Seattle, US also staged a protest in support of the union

30 Nov 2013: Amazon Germany says more worried about snow than strikes. (Reuters) Approximately 1,000 workers from Amazon's German distribution centers in Bad Hersfeld, Hesse, and Leipzig, Saxony staged a one-day walkout. The workers reiterated the demand they had made at the time of their May and September 2013 strikes that the company establish collective bargaining agreements and pay higher wages. In particular, the employees demanded a wage agreement that would require the company to provide them a "13th-month salary", a traditional part of compensation agreements in the country. According to Verdi, the company should expect further strikes and protests until the wage dispute with the company was resolved.

09 Sep 2013: Amazon workers strike in Germany. (The Seattle Times) Approximately 600 employees from the two sites went on a three-day strike. Similarly, in May 2013, approximately 1,500 Amazon employees also from the same two German distribution centers staged a one-day strike, demanding the minimum hourly wage of EUR 10.66 (USD 8.28) for Leipzig and more than EUR 12 (USD 15.46) for Bad Hersfeld workers. Verdi claimed that Amazon employees should be paid wages parallel to minimum rates in the retail and mail-order industries.

28 May 2013: Amazon employees stage second one-day strike in Germany over pay and working conditions. (TNW News) Approximately 500 warehouse workers employed by several Amazon sites in Germany went on strike demanding better working conditions and higher wages.

Source: 21 Jun 2021 (Reuters)

## Widespread allegations of poor working conditions at warehouse centers; announced minimum wage increase for workers in France and the United States

Amazon.com, Inc. (Amazon.com) continued to face widespread criticism over alleged poor working conditions and low wages provided to workers at its multiple warehouse centers across below mentioned locations.

United Kingdom: In November 2017, an undercover reporter from The Sunday Mirror alleged that workers at Amazon.com's, Essex warehouse in Tilbury, faced poor working conditions. According to the five-week investigation, the workers were intimidated to complete difficult daily targets by threats of dismissals and were subjected to extreme surveillance, timed toilet breaks, and low wages. In addition, during the investigation, there was an incident of collapse and hospitalization of an employee, as well as an incident of an employee suffering from a panic attack due to the work pressure.

Later in April and June 2018, other undercover journalists reported similar working conditions at Amazon.com's Staffordshire and West Midlands countryside warehouse, United Kingdom. The report also alleged that many workers suffered from depression due to high work pressure.

In May 2018, The Guardian criticized Amazon.com for alleged improper working conditions at the United Kingdom warehouse citing GMB union data for requiring ambulances for 600 times in past three years, including 115 times for pregnancy or maternity problems, three for major trauma, two times to assist for electrocution incidents and eight times for employees who fainted. Further, the reports allege poor working conditions for pregnant women including to work standing and without chairs for up to 10hours, to bend and pick up objects, or walk long distance while carrying the load and one incident alleging miscarriage due to the work pressure. In July 2018, Seattle Times cited findings of an undercover report that employees in a U.K. warehouse were found urinating in bottles due to extreme pressures.

United States: In April 2018, similar concerns were raised in the U.S., with a call for U.S. Department of Labor to investigate the allegations of poor labor practices in Amazon's warehouse operations. In October 2019, approximately 60 warehouse workers at Amazon Minnesota Fulfillment Center staged a protest demanding for better working conditions. The workers were mostly women of Somali descent. They demanded an increase of wages on the night shifts, weight restrictions on boxes, and the reversal of a 30-hour weekly workload cap from their managers.

Germany, France, Spain, Poland and Italy: While in Berlin, Germany, according to reports, approximately 450 Amazon workers protested against the working conditions in Germany, France, Spain, Poland, and Italy. In September 2018, Amazon.com reportedly implemented remediation measures for a majority of issues identified by the State Labor Inspectorate at its warehouses and other centers in Poland. Further, the report stated that the company was continuously working with the Government of Poland to improve the working conditions at its warehouses.

According to the CFDT Services Union in French, the union helped Amazon warehouse workers to secure health guarantees, a voluntary return to work for workers, adjusted schedules to help with distancing, and increased pay of EUR 2 per hour (approximately USD 2.18) through the end of May 2020.

Australia: In September 2018, a BHRRC report cited that the workers in Amazon.com's Australian warehouse also faced similar allegations of poor working conditions including unreasonable targets.

The company denied the above allegations, stating that the findings were inaccurate. In October 2018, according to Reuters, Amazon.com announced an increase in the minimum wages of its United States employees to USD 15 per hour from the subsequent month. Reuters further stated that the minimum wage for Amazon's London employees was increased to GBP 10.5 per hour and GBP 9.50 per hour for other parts of Britain.

UPDATES: 28 Apr 2021: Amazon to hike wages for over 500,000 workers. (CNBC)

13 Oct 2020: Public Statement: It is time for Amazon to respect workers; right to unionize. (Amnesty International)

19 May 2020: Amazon is reopening its warehouses in France after dispute with workers ends. (CNN Business)

12 Dec 2019: USA: Part-time warehouse workers organise alleging Amazon fails to offer paid time off despite publicly stating otherwise. (Business & Human Rights Resource Centre (Main))

**Assessment:** Severe **Status:** Ongoing

Date: April 2021





LAST UPDATE: December 10, 2021

21 Oct 2019: UK: Workers report neglect of staff wellbeing at Amazon warehouse, including pressure on pregnant women to meet targets & staff falling asleep in toilet cubicles. (Business & Human Rights Resource Centre (Main))

07 Oct 2019: USA: Somali women lead protests against Amazon over working conditions, including wages and health & safety. (Business & Human Rights Resource Centre (Main))

29 Jul 2019: USA: Workers file complaint against Amazon for failing to pay overtime during Prime Week. (Business & Human Rights Resource Centre (Main))

25 Jul 2019: SAVON THOMAS, et al. vs. AMAZON.COM SERVICES, INC., and AMAZON.COM, INC. (United States District Court for the Northern District of Ohio)

18 Jul 2019: USA: Members of Congress ask for probe on Amazon working conditions following 'Prime Day' protests. (Business & Human Rights Resource Centre (Main))

21 May 2019: UK trade unions lobby investors to push Amazon to improve working conditions. (Business & Human Rights Resource Centre (Main))

23 Nov 2018: Europe: Amazon workers to protest 'inhuman' warehouse working conditions on Black Friday; incl. co comments. (Business & Human Rights Resource Centre (Main))

23 Nov 2018: 'We are not robots!': Amazon warehouse workers protest on Black Friday. (The Sydney Morning Herald) In November 2018, workers across Germany, Spain and France conducted strikes. Further, according to the union, in the United Kingdom, approximately 500 workers from across five facilities conducted the strike.

22 Nov 2018: Amazon Warehouse Worker Begins Writing New Anonymous Newspaper Column About Poor Working Conditions. (Business & Human Rights Resource Centre (Main))

20 Nov 2018: Somali Workers in Minnesota Force Amazon to Negotiate. (THE NEW YORK TIMES) Approximately 40 workers in the Minnesota warehouses reportedly planned to conduct a strike as they deemed that the terms of the contract under negotiations for better working conditions were insufficient.

09 Oct 2018: Why Some Amazon Workers Are Fuming About Their Raise. (THE NEW YORK TIMES)

02 Oct 2018: Amazon raises minimum wage to \$15, urges rivals to follow. (Reuters)

28 Sep 2018: Disappointed Amazon workers call raises 'damage control'. (ORLANDO SENTINEL (FLORIDA))

23 Sep 2018: Australia: Amazon staff in Melbourne warehouse claim unsustainable work targets; harsh working conditions. (Business & Human Rights Resource Centre (Main))

03 Sep 2018: Poland: Govt. to work with Amazon to improve conditions at facilities amid union concerns of worker exploitation; incl. co comments. (Business & Human Rights Resource Centre (Main))

29 Aug 2018: Amazon fires back at Bernie Sanders' 'inaccurate' claims about its warehouse working conditions. (Seattle Times)

20 Jul 2018: Amazon must be forced to change, for the sake of its workers | Fiona Onasanya. (The Guardian) The Labour MP for Peterborough requested the Prime Minister to investigate the allegations against Amazon.com and take appropriate actions.

02 Jul 2018: 'Whole other level' of stress on Amazonians. (THE SEATTLE TIMES)

31 May 2018: Amazon accused of treating UK warehouse staff like robots. (The Guardian)

25 Apr 2018: Jeff Bezos at Berlin prize ceremony greeted by protests against Amazon. (Deutsche Welle)

19 Apr 2018: Press Release- DEPARTMENT OF LABOR SHOULD INVESTIGATE AMAZON WORKPLACE ABUSE ALLEGATIONS. (Americans for Limited Government, website)

17 Apr 2018: Workers at Amazon avoid bathroom breaks under work pressure, claims report. (Times of India)

27 Nov 2017: Undercover at Amazon revealed - the gruelling and brutal conditions behind the UK's biggest retailer; As Christmas approaches and millions of us order presents online Amazon has been blasted as staff exploitation revealed - with timed toilet breaks, impossible targets and workers falling asleep on their feet. (DAILYPOST.CO.UK)

Source: 28 Apr 2021 (CNBC)

#### Date: March 2021

Assessment: Severe Status: Ongoing

## United States, Whole Foods Market: Class action lawsuit alleging non-payment of bonuses; plaintiffs seeking USD 200 million in damages

Whole Foods Market, Inc., a subsidiary of Amazon.com, Inc., has been involved in a federal proposed class action suit filed by one current employee and another former employee in Washington alleging that the company failed to provide its employees' bonus pay. The lawsuit sought to represent 20,000 workers in the District of Columbia and Maryland and sought punitive damages amounting to USD 200 million. Prior to the lawsuit, nine mid-Atlantic store managers were terminated for allegedly manipulating the company's 'gainsharing' program for their personal gain.

In September 2019, Whole Foods Market asked the U.S. Court of Appeals for the District of Columbia to impose a strict jurisdictional rule to stop unnamed individual claims for unpaid wages.

In March 2020, the U.S. Court of Appeals for the District of Columbia Circuit rejected a bid by Whole Foods Market to trim employees who worked outside of Washington D.C. from the potential USD 200 million class action lawsuit over employee bonuses.

UPDATES: 11 Mar 2021: Michael Molock v. Whole Foods Market, Inc. (18-7162), 1:16-cv-02483. (United States Court of Appeals for the District of Columbia Circuit) Status: Reset deadlines/hearing.

11 Mar 2020: Split D.C. Circuit rejects Whole Foods' bid to narrow class action over bonus pay. (Reuters)

10 Mar 2020: Michael Molock v. Whole Foods Market, Inc. (18-7162), 1:16-cv-02483. (United States Court of Appeals for the District of Columbia Circuit) The District Court's denial of Whole Foods' motion to dismiss the nonresident putative class members be affirmed, and the case be remanded to the District Court for further proceedings, for the reasons in the accompanying opinion.





LAST UPDATE: December 10, 2021

25 Sep 2019: DC Circuit might punt on whether Bristol-Myers applies to class actions. (Law.com)

29 Aug 2017: No new information available.

21 Dec 2016: Whole Foods accused of cheating workers out of bonuses in class-action lawsuit. (The Washington Post) The lawsuit alleged that the company's executives were aware that approximately 20,000 current and former employees did not receive bonus pay. The plaintiffs sought USD 200 million in damages.

Source: 11 Mar 2021 (United States Court of Appeals for the District of Columbia Circuit)

#### **Moderate Controversies**

Date: October 2021
Assessment: Moderate
Status: Ongoing

#### United States: Investigations into alleged anti-competitive business practices

In July 2019, the U.S. House of Representatives held a hearing into alleged anti-competitive business practices of Amazon.com Inc. and other tech giants over concerns that their dominant position might prevent new companies from competing and undermine market innovation. Amazon denied the allegations, arguing the company was also facing intensive competition from various competitors. Amazon also stated that their products and platforms helped facilitate the success of many other businesses.

In September 2019, the Federal Trade Commission (FTC) reportedly initiated an investigation into Amazon's market dominance by interviewing merchants that sold products on the platform. In December 2019, the FTC expanded its anti-competitive investigation into the company's cloud unit, Amazon Web Services (AWS), in addition to its retail business.

In February 2020, the FTC ordered Amazon and other tech giants to provide detailed information regarding their acquisitions over the past 10 years that were not previously subjected to federal review, as part of the agency's expanded investigation into possible antitrust violations. In addition, five major labor unions, including The International Brotherhood of Teamsters and the Communication Workers of America, filed a petition before the FTC to urge the agency to investigate Amazon for anti-competitive practices in relation to its dominance in online retail, cloud computing, and logistics.

In May 2021, Reuters reported that the Washington DC attorney general, Karl Racine filed an antitrust lawsuit against Amazon.com alleging that the company illegally required third-party sellers to offer a similar or much better deal of their products than what they offer on other platforms.

In October 2021, the U.S. Consumer Financial Protection Bureau (CFPB) ordered several large technology companies including Alphabet Inc. to provide information on their payment system plans as part of its monitoring of consumer protection risks such as user data surveillance and access restrictions.

UPDATES: 21 Oct 2021: CFPB Orders Tech Giants to Turn Over Information on their Payment System Plans. (U.S. Consumer Financial Protection Bureau)

15 Oct 2021: Online Merchants Guild Issues Public Comment on FTC Notice. (Online Merchants Guild) An association of e-commerce sellers issued a comment to the FTC alleging that Amazon engaged in harmful practices towards third-party merchants related to Amazon's fair price policy, lack of due process and forced arbitration, and arbitrary changes and unfair limitations.

13 Sep 2021: Amazon's wholesale business faces expanded lawsuit by DC Attorney General on anticompetitive practices. (CNET)

21 Jul 2021: Smith v. Amazon.com Inc., 2:21-cv-00838. (District Court, W.D. Washington) Order on application for leave to appear Pro Hac Vice.

30 Jun 2021: Amazon seeks recusal of FTC chairwoman Lina Khan in antitrust investigations of company. (The Wall Street Journal)

09 Jun 2021: Draft antitrust bills would restrict online platforms. (The Wall Street Journal)

28 May 2021: Amazon.com policies hike prices, 2 new antitrust suits allege. (The Seattle Times)

26 May 2021: District of Columbia accuses Amazon of unfair pricing strategies in new suit. (Reuters)

14 Apr 2021: How Amazon strong-arms partners using its power across multiple businesses. (The Wall Street Journal)

06 Apr 2021: Amazon is the target of small-business antitrust campaign. (The Wall Street Journal)

14 Jan 2021: Connecticut probes Amazon's digital books business for anti-competitive behavior. (Reuters) The state of Connecticut was reportedly investigating Amazon over potentially anticompetitive terms in its e-book distribution agreements with certain publishers. The company is also under investigation by the New York, California, and Washington state attorneys general in relation to its e-commerce platform's business practices.

02 Nov 2020: Frame-Wilson v. Amazon.com Inc., 2:20-cv-00424. (United States District Court for the Western District of Washington)

06 Oct 2020: Judiciary Antitrust Subcommittee Investigation Reveals Digital Economy Highly Concentrated, Impacted By Monopoly Power. (U.S. House Committee on the Judiciary)

28 Jul 2020: Facebook, Amazon CEOs to defend their companies before U.S. Congress by listing competitors. (Reuters India)

23 Jul 2020: FTC mulls taking pledged testimonies from Facebook CEO, COO. (SNL Kagan Media & Communications Report)

01 Jul 2020: Apple, Google, Amazon and Facebook CEOs agree to testify in House antitrust hearing. (CNBC)

22 May 2020: Amazon and Google face antitrust questions. (CBS News)

16 May 2020: Google likely to face U.S. antitrust lawsuit; Multi-state probe. (THE NATIONAL POST) Google along with Facebook Inc., Amazon.com Inc. and Apple Inc. could face U.S. antitrust lawsuit; Multi-state probe.

28 Feb 2020: Unions push the FTC to investigate Amazon for 'anti-competitive practices'. (CNBC)

11 Feb 2020: FTC Expands Antitrust Investigation Into Big Tech. (The Wall Street Journal)

05 Dec 2019: Amazon's AWS cloud business has reportedly come under scrutiny from the FTC as it looks into whether the company engaged in anti-competitive behavior. (Business Insider)

01 Oct 2019: Facebook, Google, Amazon face another House inquiry. (Reuters)





LAST UPDATE: December 10, 2021

13 Sep 2019: House Committee Requests Tech Executives' Emails in Antitrust Probe. (The Wall Street Journal) 16 Jul 2019: Lawmakers grill Amazon, Facebook, Google and Apple at antitrust hearing. (The Washington Post)

**Source:** 21 Oct 2021 (U.S. Consumer Financial Protection Bureau)

Date: October 2021
Assessment: Moderate
Status: Ongoing

Date: October 2021
Assessment: Moderate
Status: Ongoing

#### US: Regulator inquiry on potential data surveillance and other consumer protection risks in payment systems

In October 2021, the U.S. Consumer Financial Protection Bureau (CFPB) ordered several large technology companies including Amazon to provide information on their payment system plans as part of its monitoring of consumer protection risks such as user data surveillance and access restrictions. Among the concerns raised by the CFBP was the potential misalignment of consumers' expectations and payment companies' data harvesting and monetization practices.

UPDATES: 21 Oct 2021: CFPB Orders Tech Giants to Turn Over Information on their Payment System Plans. (U.S. Consumer Financial Protection Bureau)

Source: 21 Oct 2021 (U.S. Consumer Financial Protection Bureau)

#### India: Regulator probe over alleged antitrust violations related to discounting practices with preferred sellers

In January 2020, the Competition Commission of India launched an investigation on Amazon.com Inc. and Flipkart Pvt Ltd. for their alleged anticompetitive practices of promoting 'preferred sellers' over smaller sellers in their e-commerce platforms. A group of small and medium businesses complained that the 'preferred sellers' were allegedly affiliated with the companies. In February 2020, Amazon started the legal action towards the investigation in India, rejecting the anticompetitive allegations against the company.

In November 2020, the Confederation of All India Traders (CAIT) urged the Enforcement Directorate (ED) and the Department for Promotion of Industry and Internal Trade (DPIIT) to take actions to against Amazon.com over alleged violations of the Foreign Exchange Management Act, and the Rules and Regulations by imposing a maximum penalty of INR 14.4 million (approximately USD 194,600).

In March 2021, the All India Mobile Retailers Association wrote a letter to Prime Minister Narendra Modi, urging to suspend Amazon's operations in India until the investigation is done.

In October 2021, Reuters released a special report alleging that Amazon had been repeatedly copying sellers' products and manipulating product search results to promote its own brands of products in India. According to internal company documents reportedly reviewed by Reuters, Amazon collected and used sales data such as 'glance views' from its platform to identify successful 'reference' or 'benchmark' products to replicate for its own private brands or for its partners' brands. Amazon was also said to have used 'search seeding' and 'search sparkles' techniques to have its own products appear in advertisement banners above search results or to be among the first few products to be shown to customers in their search results.

UPDATES: 15 Oct 2021: Senator Warren Urges Amazon Breakup, India Retailers Want Probe After Reuters Story. (Reuters)

13 Oct 2021: Special Report: Amazon copied products and rigged search results to promote its brands, documents show. (Reuters)

23 Jul 2021: India court quashes Amazon, Walmarts Flipkart bid to stall antitrust probe. (Reuters)

30 Jun 2021: Amazon battles regulators in bid to stay dominant in India's e-commerce market. (Business Standard)

17 Jun 2021: UPDATE 3-Walmarts Flipkart, Amazon challenge India court order on antitrust probe. (Reuters)

14 Jun 2021: Rishi Sunak's billionaire in-laws hit with £5.5m bill in Amazon India tax dispute. (The Guardian)

11 Jun 2021: Amazon fails to quash investigation into its Indian selling practices. (The Guardian)

16 Apr 2021:Amazon tells court there is no reason to resume antitrust probe in India. (Gadgets Now)

03 Mar 2021: Indian mobile retailers' body slams Amazon, phone vendors. (Gadgets Now)

06 Dec 2020: Punish Amazon with Rs 1.44 lakh crore penalty: CAIT to ED. (IANS-ENGLISH)

23 Nov 2020: CAIT urges DPIIT to penalize Amazon, Flipkart for alleged violations. (ET Retail)

26 Aug 2020: Amazon faces new antitrust challenge from Indian online sellers: legal documents. (Reuters)

10 Feb 2020: Amazon challenges India antitrust probe in court: filing. (Reuters)

13 Jan 2020: India orders antitrust probe against Amazon, Walmart's Flipkart. (Reuters)

Source: 15 Oct 2021 (Reuters)

**Date:** October 2021 **Assessment:** Moderate **Status:** Ongoing

#### United Kingdom: Thousands of Britons delivery workers sought employee rights including sick pay

In October 2021, U.S. News reported that thousands of Britons delivery workers urged Amazon and its delivery service partners to reclassify their employee status and their rights to receive sick pay in the United Kingdom. The workers also sought to be recognized as employees since delivery workers are deemed to be self-employed contractors.

UPDATES: 13 Oct 2021: UK drivers delivering for Amazon seek employee rights. (U.S. News)

**Source:** 13 Oct 2021 (U.S. News)

Date: September 2021

# United States: NLRB confirmed Amazon illegally terminated two employees who demanded better working conditions during the COVID-19 pandemic; Settlement reached with two former employees

**Assessment:** Moderate **Status:** Concluded

In March 2020, the New York City's Commission on Human Rights launched an investigation against Amazon.com, Inc. over allegations that it had unfairly terminated a stock worker in its warehouse for organizing a 15-person protest over unsafe working conditions amid the COVID-19 outbreak. The company claimed that the employee violated the social-distancing guidelines after he had come into contact with an infected co-worker. The worker was rehired in the following month.





LAST UPDATE: December 10, 2021

In April 2021, the National Labor Relations Board (NLRB) stated Amazon illegally terminated two employees who advocated for better working conditions during the COVID-19 pandemic in April 2020. The NLRB urged the company to reach settlement with workers. If the company does not agree to settle the issue, the agency would file a legal complaint.

In September 2021, Reuters reported that Amazon and the NLRM reached a settlement with two former employees who were allegedly terminated in 2020 for criticizing the warehouse working conditions.

UPDATES: 29 Sep 2021: Amazon settles with employees allegedly fired for criticizing working conditions. (Reuters)

05 Apr 2021: Amazon illegally fired employees critical of work conditions, labor board finds. (Reuters)

05 May 2020: Canadian Tim Bray quits \$1 million job as Amazon engineer to protest firing of warehouse whistleblowers. (The National Post)

27 Apr 2020: Amazon re-hires warehouse employee after employees strike: report. (Daily News)

16 Apr 2020: Amazon employees plan 'online walkout' to protest firings and treatment of warehouse workers. (CNBC)

14 Apr 2020: Amazon fires two employees who condemned treatment of warehouse workers. (The Guardian)

 ${\tt 31~Mar~2020: New~York~City~Investigates~Amazon~Over~Firing~of~Worker.~(The~Wall~Street~Journal)}\\$ 

31 Mar 2020: Amazon fires worker who led strike over novel coronavirus. (The Seattle Times)

Source: 29 Sep 2021 (Reuters)

Date: September 2021

**Assessment:** Moderate **Status:** Ongoing

## United States, Whole Foods Market: Federal judge dismissed a class-action lawsuit for allegedly punishing employees who wear Black Lives Matter masks on the job; ruling appealed

In July 2020, 14 former and current Whole Foods Market employees in California, Massachusetts, New Hampshire and Washington filed a class-action lawsuit in a Massachusetts federal court alleging that Whole Foods Market, a subsidiary of Amazon.com, discriminated against its employees who wore Black Lives Matter masks while on-the-job. The employees claimed that one Massachusetts employee was fired after she recruited colleagues to wear the mask in protest of the company policy, and 13 others were disciplined without pay.

Whole Foods Market stated that the Massachusetts employee was terminated after missing shifts, tardiness, and leaving the store during her scheduled shifts. The company also stated that its company dress code bans visible slogans and advertising, to keep the focus on its customer services.

In February 2021, a federal judge dismissed the class-action lawsuits accusing Whole Foods Market of illegally punishing workers who wore Black Lives Matter face masks on the job.

In September 2021, Reuters reported that the United States Court of Appeals for the First Circuit suspected Whole Foods Market allegedly engaged in race discrimination by using its dress code to ban employees to wear Black Lives Matter masks.

UPDATES: 15 Sep 2021: 1st Circ. skeptical that Whole Foods' BLM mask ban was race bias. (Reuters)

05 Feb 2021: Judge rejects Whole Foods employees' claims over Black Lives Matter face masks. (Channel News Asia)

10 Sep 2020: Amazon Wants Out Of Whole Foods BLM Face Mask Suit. (LAW360)

28 Aug 2020: 'That Isn't A Political Thing': Employees Suing Whole Foods, Amazon Over Black Lives Matter Masks Nearly Doubles. (THE DAILY CALLER)

26 Jul 2020: Protesters at Whole Foods cite dispute over mask logo; rally comes after workers join lawsuit. (The Boston Globe)

20 Jul 2020: Workers sue Whole Foods over right to wear Black Lives Matter masks. (CBS News)

Source: 15 Sep 2021 (Reuters)

Date: August 2021
Assessment: Moderate
Status: Ongoing

#### India: Regulator issued show cause notice over alleged concealment of facts in transaction approval process

In July 2021, Reuters reported that the Competition Commission of India (CCI) alleged that Amazon.com, Inc. (Amazon) concealed its strategic interest in Future Retail from the CCI in its application for CCI's approval for its investment in the Future Group unit in 2019. The CCI reportedly sent a 'show cause notice' asking the company why it should not be penalized. In a statement to Reuters, Amazon said that it had received a letter and was cooperating with the CCI.

UPDATES: 30 Aug 2021: Amazon urges Sebi to comply with SC order on Future-Reliance deal. (INDIAN EXPRESS)

22 Jul 2021: EXCLUSIVE India watchdog accuses Amazon of concealing facts in deal for Future Group unit. (Reuters)

Source: 30 Aug 2021 (INDIAN EXPRESS)

Date: August 2021

**Assessment:** Moderate **Status:** Ongoing

# New Jersey, United States: Lawsuit filed by one former warehouse employee over alleged wrongful termination due to taking frequent bathroom breaks

In August 2021, Business Insider reported that a former warehouse employee filed a lawsuit against Amazon and a manager in New Jersey Superior Court alleging that she was wrongfully terminated for taking frequent bathroom breaks at Amazon warehouse in January 2021. The employee claimed that she was terminated five days after she told her manager that she needed to use the bathroom up to six times a day because of irritable-bowel syndrome. The employee stated that her manager asked her to submit to a doctor note within five days but she submitted it six days later because of her doctor's appointment schedule. The employee sought more than USD 75,000 for a compensation on her lost wages as well as punitive damages.

UPDATES: 22 Aug 2021: A former Amazon employee who says she has a bowel condition accused the company of firing her for taking too many bathroom breaks. (Business Insider)

Source: 22 Aug 2021 (Business Insider)





LAST UPDATE: December 10, 2021

Date: August 2021

**Assessment:** Moderate **Status:** Ongoing

Date: August 2021

Assessment: Moderate Status: Concluded

# United States: Criticisms by employees for the company's unrealistic and complex performance-improvement system

In August 2021, Business Insider reported that more than 300 hundreds of Amazon employees joined an internal channel discussion platform to criticize the company's unrealistic and complex performance-improvement system in the United States. The employees claimed the system allegedly gives too much powers to managers and easier for them to meet the company's firing quotas.

UPDATES: 18 Aug 2021: Hundreds of Amazon employees join an internal Slack channel to criticize its opaque performance review system (AMZN). (BUSINESS INSIDER)

Source: 18 Aug 2021 (BUSINESS INSIDER)

## Pennsylvania, United States: USD 13.5 million settlement over alleged unpaid wages for time spent in security checks after shifts

In July 2021, Business Insider reported that Amazon.com, Inc. (Amazon) and its staffing partner agreed to pay a total settlement of USD 13.5 million to resolve allegations of its failure to pay warehouse workers in Pennsylvania for time spent in mandatory security checks after their shifts. Out of the total settlement fund, USD 8.67 million would reportedly be distributed to over 42,000 workers in the state.

According to a July 2021 decision by the Pennsylvania Supreme Court, the Pennsylvania Minimum Wage Act (PMWA) did not exempt very small or 'de minimis' amounts of time from compensation as opposed to the U.S. federal Fair Labor Standards Act (FLSA). The court document noted that the time period at issue for the underlying class action was from September 2010 to August 2015 and that the uncompensated time spent by all class members was 205,725 hours.

In September 2021, Reuters reported that the United States Court of Appeals for the Sixth Circuit stated Amazon must pay its Pennsylvania warehouse workers for time spent in security screenings, after the Pennsylvania Supreme court ruled in a lawsuit led by warehouse workers at Amazon's fulfillment center.

UPDATES: 13 Aug 2021: 6th Circ revives Amazon security check case after Penn. court ruling. (Reuters)

27 Jul 2021: A group of 42,000 Amazon workers is getting \$8.6 million after they weren't paid for mandatory bag searches. (Business Insider)

22 Jul 2021: Amazon workers must be paid for security checks - Penn. top court. (Reuters)

21 Jul 2021: In Re: Amazon.com, Inc., Fulfillment Center Fair Labor Standards Act (FLSA) and Wage and Hour Litigation, 43 EAP 2019, J-76-2020. (Supreme Court of Pennsylvania)

10 Jun 2020: Amazon Asks Pa. Justices to Ax Workers' Post-Shift OT Suit. (Law360)

09 Mar 2020: Pa. Justices Urged to Side With Workers in Amazon OT Case. (Law360)

30 Aug 2018: High Court's FLSA Ruling Blocks Amazon Workers' Claims. (Law360)

23 Jun 2016: Amazon Says Workers Can't Get Paid for Walking Out Of Work. (Law360)

31 May 2016: Amazon Workers Say Security Screening Is Compensable. (Law360)

Source: 13 Aug 2021 (Reuters)

# Date: July 2021 European Union: EUR 746 million penalty over alleged violations of Europe's General Data Protection Regulation; appeal underway

In June 2021, the Wall Street Journal reported that Luxembourg's National Data Protection Commission (CNPD), the lead privacy regulator covering Amazon.com in European Union, has proposed a penalty of USD 425 million on Amazon.com over alleged violations of Europe's General Data Protection Regulation. The CNPD claimed that the company irregularly collected and used its customers' personal data without permission for its marketing and sales activities.

In July 2021, Amazon disclosed in a quarterly filing that the CNDP issued a penalty of EUR 746 million (approximately USD 867 million) on its subsidiary, Amazon Europe Core S.à.r.l. Reuters reported that an Amazon spokesperson said that the company will appeal the penalty.

UPDATES: 31 Jul 2021: Amazon hit with record EU data privacy fine. (Reuters)

30 Jul 2021: 10-Q. (Amazon.com, Inc.)

10 Jun 2021: Amazon faces possible \$425 million EU privacy fine. (The Wall Street Journal)

27 May 2021: EU bodies' use of Amazon, Microsoft cloud services faces privacy probes. (Reuters)

Source: 31 Jul 2021 (Reuters)

#### Date: July 2021 United States: Lawsuits over allegations of discrimination, harassment and retaliation based on gender and race

In March 2021, USA Today reported that a senior manager of Amazon Web Services (AWS), a subsidiary of Amazon.com Inc. (Amazon), filed a lawsuit against the company over allegations of race and gender discrimination, pay inequality, and sexual harassment and assault by a former AWS director.

In May 2021, Reuters reported that Amazon faced five new lawsuits filed by female employees in U.S. district courts in Arizona, California, Delaware, and Washington over allegations of gender and racial bias, and retaliation for complaining. In one of the lawsuits, an AWS professional services employee alleged in a complaint filed with the California Central District Court that she was terminated from her position in retaliation for pursuing legal claims against the company.



Assessment: Moderate

Status: Ongoing

Assessment: Moderate

Status: Ongoing



LAST UPDATE: December 10, 2021

In July 2021, the Washington Post reported that Amazon opened an internal investigation into allegations of discrimination, harassment against women and under-represented groups in AWS. The investigation was said to have followed after more than 550 employees signed a petition.

UPDATES: 23 Jul 2021: Amazon opens discrimination investigation after internal petition wins backing of hundreds of employees. (Washington Post)

20 Jul 2021: Vaden Anderson v. Amazon.Com, Inc., 1:21-cv-00127. (California Eastern District Court) Order granting plaintiff's motion for time extension for the filing of amended complaint.

20 May 2021: Amazon.com faces five new racial, gender bias lawsuits. (Reuters)

19 May 2021: Warner v. Amazon.com Inc. 5:21-cv00866. (California Central District Court

18 May 2021: Vaden Anderson v. Amazon.Com, Inc., 1:21-cv-00127. (California Eastern District Court)

01 Mar 2021: Black Amazon manager sues the tech giant, execs alleging discrimination and harassment. (USA Today)

Source: 23 Jul 2021 (Washington Post)

Date: July 2021

**Assessment:** Moderate **Status:** Concluded

Date: July 2021
Assessment: Moderate
Status: Ongoing

Date: June 2021
Assessment: Moderate
Status: Ongoing

Date: June 2021

**Assessment:** Moderate **Status:** Ongoing

## United States: Proposed class action withdrawn by delivery drivers over alleged job termination due to discriminatory background checks

In May 2019, six delivery drivers with African American and Latin American descent filed a class action lawsuit against Amazon.com Inc. (Amazon) after they were terminated due to the company's alleged racially discriminatory policy in background check.

In July 2021, Reuters reported that the delivery drivers withdrew a proposed class action accusing the company over background

UPDATES: 13 Jul 2021: Black, Latino Amazon drivers withdraw lawsuit over background checks. (Reuters)

12 Jul 2021: Andrews v. Amazon.com, Inc., 1:19-cv-10070. (District Court, D. Massachusetts) Judge Mark L. Wolf: order dismissing case.

22 Jul 2019: Andrews v. Amazon.com, Inc., 1:19-cv-10070. (District Court, D. Massachusetts)

Source: 13 Jul 2021 (Reuters)

#### Spain: CNMC investigation into potential anticompetitive practices in the online sales of Apple products

In July 2021, Spain's National Commission of Markets and Competition (CNMC) opened disciplinary proceedings against several companies including Amazon Services Europe S.À.RL, Amazon Europe Core S.A.RL, Amazon EU S.À.RL, and Amazon Online Spain SL for potential anti-competitive practices in the internet retail market for electronic products. According to the CNMC, the companies may have agreed to trade restrictions on the Amazon online platform in Spain which affected the retail sales of Apple electronic products by third-parties and the advertising of competing Apple products.

The other companies under investigation include Apple Distribution International Ltd., Apple Retail Spain SL, and Apple Marketing Iberia SA.

UPDATES: 02 Jul 2021: Spain looks into antitrust practices by Apple and Amazon. (Economic Times)

01 Jul 2021: The CNMC initiates disciplinary proceedings against Apple and Amazon for possible restrictive competition practices. (Comisión Nacional de los Mercados y la Competencia)

Source: 02 Jul 2021 (Economic Times)

#### United States: CPSC investigation into Amazon-branded electronic products for potential fire safety issues

In June 2021, CNN reported that the United States Consumer Product Safety Commission (CPSC) launched an investigation into Amazon-branded electronic products for potential fire safety issues in the United States. The investigation came after CNN reported in September 2020 that dozens of Amazon-branded electronic products remained for sale on its Amazon platform despite customers reporting that the products melted, exploded or burst into flames between 2017 and 2019. CNN disclosed that the CPSC rejected its request for records about the Amazon-branded electronic products.

UPDATES: 14 Jun 2021: Federal safety regulators investigating AmazonBasics products highlighted in CNN report. (CNN)

10 Sep 2020: Dozens of Amazon's own products have been reported as dangerous -- melting, exploding or even bursting into flames. Many are still on the market. (CNN)

**Source:** 14 Jun 2021 (CNN)

## Hundreds of thousands of user accounts potentially hacked by unknown hackers due to alleged system vulnerabilities

In June 2021, Daily Express reported that more than hundreds of thousands Amazon.com customers' accounts were exposed in a cyber attack on its database over alleged system vulnerabilities. Amazon has not yet identified who is responsible for the breach, and there were no financial damages reported.

UPDATES: 12 Jun 2021: Millions of Gmail, Facebook, and Amazon logins stolen - find out if you're affected. (Express Online)

Source: 12 Jun 2021 (Express Online)





LAST UPDATE: December 10, 2021

Date: June 2021

**Assessment:** Moderate **Status:** Ongoing

## EUR 4 million Paris court penalty and ongoing European Commission and Germany FCO investigations into alleged antitrust violation as marketplace provider and retailer

In July 2019, the European Commission (EC) announced plans to investigate allegations of abuse by Amazon.com's with regards to the company's role both as a marketplace provider for third party merchants and as an online retailer. According to reports, the investigation would focus on whether Amazon made use of third party merchants' data to gain an unfair advantage for its own retail sales. Amazon said that it would fully cooperate with the investigation by the European Commission.

In September 2019, the Paris commercial court ordered Amazon to pay a penalty amounting to EUR 4 million (approximately USD 4.4 million) over alleged antitrust violations. The court came up with the said penalty after gathering information about the anticompetitive practices in France.

According to a May 2021 CNBC News article, the Germany Federal Cartel Office (FCO) launched an investigation into whether Amazon has exploited its market dominance in Germany. The FCO already investigated Amazon's price control mechanisms and relationships with third-party traders selling on its platform.

UPDATES: 10 Jun 2021: British watchdog plans investigation into Amazon's use of data. (Reuters)

18 May 2021: German antitrust watchdog launches new proceedings against Amazon. (CNBC)

11 Jun 2020: Amazon to face antitrust charges from EU over treatment of third-party sellers. (The Wall Street Journal)

04 Sep 2019: Amazon fined EUR4 million In France on competition concerns. (Alliance News)

17 Jul 2019: Amazon faces probe in Europe over use of merchant data. (The Wall Street Journal)

17 Jul 2019: EU probes Amazon over conflicts between own and third-party sales. (Alliance News)

Source: 10 Jun 2021 (Reuters)

Date: June 2021
Assessment: Moderate
Status: Ongoing

#### United Kingdom: Sales records containing customers' personal data reportedly exposed online

In March 2020, security researchers reportedly found a database of about 8 million sales records of UK customers that was exposed online by a software vendor used by small retailers. Sales records, which were collected via online marketplaces and payment systems of multiple companies, including Amazon.com Inc., contained customer names, email addresses, shipping addresses, purchases, and the last four digits of credit card numbers. The database remained accessible online for five days before it was shut down, however, there was no indication whether the data was accessed by unauthorized parties. According to the security researchers, the exact number of retailers or customers affected was not known at the time.

An Amazon spokesperson reportedly stated that the incident was relayed to relevant authorities, adding no password or full payment information was included in the data set and that the company's security systems were not compromised in any way.

Other companies reportedly affected were Ebay, Paypal, Shopify, and Stripe.

UPDATES: 10 Jun 2021: British watchdog plans investigation into Amazon's use of data: report. (The Times of India)

03 Aug 2020: Bezos can't guarantee Amazon did not use seller data for private-label brands. (SNL Kagan Media & Communications Report)

10 Mar 2020: Leak of millions of Amazon and eBay transactions exposes customer addresses; The data was available online for five days, and it is not known whether anyone accessed it. (TELEGRAPH)

10 Mar 2020: 8 million UK shopping records exposed on the web, customers' personal info leaked. (Comparitech)

Source: 10 Jun 2021 (The Times of India)

Date: June 2021
Assessment: Moderate
Status: Ongoing

#### Xinjiang region: Allegations of subjecting Uyghurs to forced labor in factories

In March 2020, the Australian Strategic Policy Institute (ASPI) reported that Amazon.com Inc.'s suppliers Changji Esquel Textile Co. Ltd, an apparel and textile manufacturer, Foxconn Technology, an electronics manufacturer, O-Film Technology Co Ltd. a compact camera modules and touchscreen manufacturer, and Dongguan Yidong Electronic Co., Ltd, subsidiary's Hubei Yihong Precision Manufacturing Co., Ltd, an electronics precision parts manufacturer, allegedly employed Uyghur or Uighur (a Muslim minority group in Xinjiang, China) workers who were part of the Chinese government's labor transfer programs.

According to various reports, since 2017, more than one million Uighurs, Kazakhs and other ethnic minorities have been detained in 're-education camps'. The camps were reportedly being monitored by cameras, guarded by armed police and walled with barbed wires. In addition, the reports cited allegations that the Uighurs were forced to carry out manual labor in the camps for various production supply chains that provide raw materials allegedly sourced by a number of manufacturing and retail companies globally.

UPDATES: 10 Jun 2021: U.S. senator slams Apple, Amazon, Nike, for enabling forced labor in China. (Namibia Press Agency)

10 Feb 2021: Amazon questioned over contract with company that offered real-time Uighur warnings. (Los Angeles Times) In February 2021, certain U.S. senators questioned Amazon's reported business ties with Zhejiang Dahua Technology, alleging that Dahua was complicit in the unfair treatment against Uyghurs by providing technology that could be used to identify Uyghur ethnic people and alert police.

14 Jan 2021: Apple linked to forced labor in China, again. (DANWATCH) According to the non-profit group Tech Transparency Project, it was given access to documents that showed that Lens Technology, a supplier of Apple, Tesla, and Amazon took approximately 2000 forced-displaced Uighurs to work in its factories in Hunan Province, China for many hours without breaks.

29 Dec 2020: Apple's longtime supplier accused of using forced labor in China. (The Washington Post)

23 Jul 2020: Coalition Brings Pressure to End Forced Uighur Labor. (THE NEW YORK TIMES)

23 Jul 2020: PRESS RELEASE: 180+ Orgs Demand Apparel Brands End Complicity in Uyghur Forced Labour. (Uyghur Human Rights Project) A coalition of more than 190 organizations from 36 countries called on retailers and clothing companies to cut all ties with suppliers implicated in the forced labor of Uyghurs and stop sourcing from the Xinjiang region in the next 12 months.





LAST UPDATE: December 10, 2021

23 Mar 2020: Amazon's response. (Business & Human Rights Resource Centre)

01 Mar 2020: Uyghurs for Sale: 'Re-education', forced labour and surveillance beyond Xinjiang. (Australian Strategic Policy Institute)

Source: 10 Jun 2021 (Namibia Press Agency)

**Date:** May 2021

**Assessment:** Moderate **Status:** Ongoing

# India: ED investigation into allegations of favoring select sellers in its platform and using various strategies to bypass foreign investment regulatory restrictions

In February 2021, Reuters reported the Enforcement Directorate of India (ED) would investigate the news agency's findings in a report alleging Amazon.com Inc. (Amazon) favored select sellers in its India platform and used them to bypass the country's foreign investment regulatory restrictions. Reuters earlier published a report based on internal Amazon documents dated between 2012 and 2019 which allegedly showed various strategies used by the company to dodge Indian regulators every time new rules aimed at protecting small retailers were imposed. The report claimed two big merchants in the platform, which Amazon had indirect equity stakes in, accounted for around 35% of the platform's sales revenue in 2019, meaning two-thirds of Amazon's online sales came from some 35 out of more than its 400,000 sellers in India at the time. The report further alleged Amazon had significant control over the inventory of some of the biggest sellers in its platform despite publicly saying all sellers operate independently.

According to Reuters, Amazon dismissed the allegations in its written response to the news agency and said it does not give preferential treatment to any seller in its platform as all sellers are treated in a fair, transparent, and non-discriminatory manner.

UPDATES: 21 May 2021: U.S. defended Amazon after article showed company bypassed Indian law. (Reuters)

16 Apr 2021:Amazon tells court there is no reason to resume antitrust probe in India. (Gadgets Now)

19 Mar 2021: CCI says report corroborates evidence in Amazon probe. (Deccan Herald)

12 Mar 2021: Indian agency seeks information, documents from Amazon amid probe: source. (Reuters)

19 Feb 2021: Enforcement Directorate begins second probe into Amazon based on Reuters story: Report. (Moneycontrol)

18 Feb 2021: India's Enforcement Directorate to examine findings in Reuters report on Amazon-agency source. (THE NATIONAL POST)

18 Feb 2021: India's Enforcement Directorate to examine findings in Reuters report on Amazon: agency source. (Reuters)

17 Feb 2021: Indian retailer group calls for ban on Amazon in country. (HINDUSTAN TIMES)

17 Feb 2021: Reuters Reports Amazon Sought to Dodge India's Regulators, Amazon Disputes Report. (MORNINGSTAR.COM)

17 Feb 2021: Special Report: Amazon documents reveal company's secret strategy to dodge India's regulators. (Reuters)

17 Feb 2021: Amazon documents reveal company's secret strategy to dodge India's regulators. (Reuters)

Source: 21 May 2021 (Reuters)

**Date:** May 2021

**Assessment:** Moderate **Status:** Ongoing

## EU investigation into alleged sale of its own-label products similar to other sellers on the website; Germany Bundeskartellamt ended investigation into allegations of anticompetitive practices

According to the Los Angeles Times, in September 2018, the European Union (EU) antitrust regulators initiated an investigation against Amazon.com, Inc. (Amazon.com) over the sale of its private branded products which were allegedly "identical or very similar" to the products sold by other sellers on its website. The EU reportedly asked the sellers to respond to a questionnaire regarding the details shared by the sellers with Amazon.com, including the correspondence dates, use of any data-sharing tools provided by Amazon.com or when Amazon.com allegedly initiated the sale of similar products under its own brand and the impact on their product sales.

In November 2018, Bundeskartellamt, the federal cartel office in Germany, announced an investigation to look into complaints against Amazon.com alleging anti-competitive practices. According to reports, the complaints alleged that the company was misusing its dominant position in the market and impacted the sellers. Further, the report stated that the Germany investigation would also supplement the ongoing EU probe, though the Bundeskartellamt focus would be to review the practices on amazon.de, Germany specific online website with local dealers. In July 2019, Bundeskartellamt said it ended the seven-month investigation after Amazon made amendments to its Business Services Agreement with merchants on its platform. The amendments would give third party merchants rights to a 30-day notice before trading suspension and would provide less stringent terms on confidentiality.

In November 2020, the European Commission launched an investigation into Amazon.com for allegedly breaching EU competition rules by using non-public data it gathered on sales of its website to promote its own-label products and services.

In May 2021, Reuters reported that Germany's Federal Cartel Office launched an investigation into the company for allegedly exploiting its market dominance.

UPDATES: 18 May 2021: German antitrust watchdog launches new proceedings against Amazon. (Reuters)

12 Mar 2021: Brussels is struggling to gather evidence against Amazon in an antitrust case it opened. (Business Insider)

11 Mar 2021: EU baffled by Amazon's dark arts. (Digitpatrox)

20 Jan 2021: Amazon fights EU for letting Italy run a parallel antitrust probe. (HINDUSTAN TIMES)

10 Nov 2020: Amazon charged with abusing EU competition rules. (BBC)

11 Jun 2020: Amazon to face antitrust charges from EU over treatment of third-party sellers. (The Wall Street Journal)

18 Jul 2019: Amazon extends 18 May sellers' rights after proceedings by German cartel office. (XINHUA GENERAL NEWS SERVICE)

17 Jul 2019: Amazon appeases German watchdog, but EU opens new probe. (Reuters)

17 Jul 2019: Amazon Faces Probe in Europe Over Use of Merchant Data. (The Wall Street Journal)

30 Nov 2018: German regulators target Amazon in new antitrust investigation. (XINHUA GENERAL NEWS SERVICE)





LAST UPDATE: December 10, 2021

28 Sep 2018: BUSINESS BEAT; EU targets Amazon brands; Regulators ask sellers whether the company copies their products on its private labels. (LOS ANGELES TIMES)

Source: 18 May 2021 (Reuters)

Date: April 2021

**Assessment:** Moderate **Status:** Ongoing

## United Kingdom: Allegations of warehouse worker injuries and complaints after 606 ambulance call-out between 2016 and 2019

In October 2019, a report by The Sunday Times alleged poor working conditions in Amazon.com, Inc.'s United Kingdom warehouses after revelations that ambulances visited 11 of the company's 21 warehouses 606 times from January 2016 to August 2019. The most common reasons for the ambulance call-out were to address workers' complaints of fainting, breathing problems and chest pains. In addition, the report also revealed incidents where workers got injured while working in the warehouses. One worker allegedly fell from a 10-foot walkway in a Leicestershire warehouse, a driver was hit by a metal bar and got injured in another warehouse mishap while a pregnant worker at the Daventry warehouse collapsed with convulsions. In response to the report, Amazon stated that the company is a safe place to work due to having 40 percent fewer injuries on average compared to other transportation and warehousing businesses in the United Kingdom.

In April 2021, Unite the Union stated that Amazon warehouse workers in the UK and Ireland should be form unions without fear.

UPDATES: 27 Apr 2021: Amazon must let workers join unions without fear. (BBC News)

06 Oct 2019: Ambulances for Amazon warehouse workers injured every other day. (The Sunday Times)

06 Oct 2019: AMAZON CALLOUTS Ambulances called to Amazon warehouses once every two days last year as workers collapsed, were injured in falls and suffered broken bones. (The Sun)

Source: 27 Apr 2021 (BBC News)

Date: April 2021

**Assessment:** Moderate **Status:** Ongoing

Date: February 2021

**Assessment:** Moderate **Status:** Ongoing

Date: February 2021

**Assessment:** Moderate **Status:** Ongoing

## California, United States: Criticism from NGOs of warehouses due to concerns over pollution and potential negative impact to the local economy

In April 2021, Amazon has faced criticisms over allegations that its warehouses in various locations across southern California have potentially negative environmental and social impacts on the local economy. The People's Collective for Environmental Justice (PCEJ) and other local groups shared research with the Guardian citing concerns over the company's alleged elimination of jobs in local businesses, traffic problems, and increase in high rates of toxic air pollutants through mass importation and delivery of consumer products from its warehouses. The PCEJ claimed that Amazon has more than 50 warehouses in southern California, and some of them are located within a half-mile from schools and suburban communities.

UPDATES: 15 Apr 2021: Amazon's warehouse boom linked to health hazards in America's most polluted region. (The Guardian)

Source: 15 Apr 2021 (The Guardian)

# California, United States: Purported class action over subsidiary's alleged involvement in data leak exposing hotel booking website users personal information

In December 2020, a hotel booking website user filed a putative class action lawsuit against Expedia Group, Hotels.com LP, and Amazon Web Services (AWS), a subsidiary of Amazon.com, over their alleged failures in relation to a data leak discovered in November 2020. According to the lawsuit, it was reported that the Hotels.com website, which stores information in AWS's Cloud Hospitality server, suffered from a cloud misconfiguration which resulted in the potential exposure of approximately 10 million customers' personal information, including full names, email addresses, national ID numbers, phone and card numbers.

UPDATES: 19 Feb 2021: No new information available.

17 Dec 2020: Schaubach v. Hotels.com, L.P., et al., 8:20-cv-02370. (U.S. District Court, Central District of California)

Source: 17 Dec 2020 (U.S. District Court, Central District of California)

# United States: EPA order to halt sales of certain allegedly unregistered, misbranded, restricted and misleading advertised pesticide products

In June 2020, the United States Environmental Protection Agency (EPA) ordered two companies including Amazon.com, Inc. to halt the distribution, sales, and offering of certain pesticide products that the regulator alleged to be unregistered, misbranded, restricted, or misleadingly advertised. The EPA noted that some of the banned products made misleading claims on their efficacy against the COVID-19 virus. The other company allegedly involved was eBay Inc.

In February 2021, the EPA's Seattle office ordered Amazon to stop selling illegal pesticides on its online marketplace. Amazon has been ordered for the third time in three years to stop selling illegal pesticides on its online marketplace.

UPDATES: 13 Feb 2021: Amazon ordered to stop sales of illegal pesticides. (The Houston Chronicle)

22 Jun 2020: Press Release- Recent EPA Enforcement Action Provides Wake-Up Call to Retailers of Products Making Misleading COVID-19 Claims. (Arnold & Porter, website)

Source: 13 Feb 2021 (The Houston Chronicle)





LAST UPDATE: December 10, 2021

Date: February 2021

**Assessment:** Moderate **Status:** Ongoing

Date: February 2021

**Assessment:** Moderate **Status:** Concluded

Date: January 2021

**Assessment:** Moderate **Status:** Ongoing

# Chicago, United States: Criticisms by warehouse employees for allegedly being forced to sign up for a ten-hour overnight shift at new warehouses after DCH1 warehouse closure

In January 2021, hundreds of warehouse employees at Amazon delivery station (DCH1-Chicago-McKinley Park) have criticized Amazon.com for allegedly forcing them to sign up a ten and a half hour overnight shift at new warehouses or risk losing their jobs after the DCH1 Chicago warehouse closure of its operation in the United States. The workers claimed that they were offered a night shift schedule from 1:20 am to 11:50 am at a new Chicago warehouse.

UPDATES: 05 Feb 2021: Amazon workers' group in Chicago demands changes to new 10-hour 'megacycle' shift. (Business Insider)

Source: 05 Feb 2021 (Business Insider)

## United States, Amazon Flex: USD 61.7 million settlement with FTC for allegedly falling to pay its drivers the full amount of tips received from customers

In February 2021, Amazon.com agreed to pay more than USD 61.7 million to settle allegations made by the United States Federal Trade Commission (FTC) for allegedly failing to pay its Flex drivers the full amount of tips received from customers since 2019 in the United States. The FTC stated that the company intentionally failed to inform its drivers of the change and used the tips to make up the difference between the promised rate and the new lower hourly rate, and it allegedly withheld more than USD 61.7 million customer tips from drivers.

UPDATES: 02 Feb 2021: Amazon to pay \$61.7 million to settle FTC charges it withheld some customer tips from Amazon Flex drivers. (Federal Trade Commission)

Source: 02 Feb 2021 (Fair Trade Commission)

## France: Criticisms and protests against planned warehouses in various locations due to potentially negative environmental and social impacts

Since June 2020, Amazon has faced criticisms and protests against its alleged plan to establish warehouses in various locations in France, including in Dambach-la-Ville and Ensisheim in Alsace, due to their potentially negative environmental and social impacts. Demonstrators cited concerns over the company's alleged tax avoidance practices, elimination of jobs in local businesses, and increase in pollution through mass importation and delivery of consumer products.

UPDATES: 30 Jan 2021: Pas de méga entrepôt, ni ici ni ailleurs: Des centaines d'opposants à Amazon mobilisés en France. ["No mega warehouse, neither here nor elsewhere": Hundreds of opponents of Amazon mobilized in France] (Le Monde) Hundreds of activists reportedly gathered in several cities in France to protest against Amazon's plan to build a warehouse in the town of Fournès (Gard) over concerns on destruction of jobs and small businesses, poor working conditions, and negative impact on the environment.

05 Nov 2020: [VIDÉO] Manifestation à Colmar contre Amazon, qui nie vouloir s'implanter en Alsace. [[VIDEO] Demonstration in Colmar against Amazon, which denies wanting to set up in Alsace] (L'Alsace) L'Alsace reported that more than a hundred people protested in Haut-Rhin prefecture in Colmar against Amazon's alleged plan to build a warehouse in Ensisheim. The general manager of Amazon France reportedly denied a project to set up a warehouse in the region.

04 Nov 2020: Des questions autour de la création d'un entrepôt géant d'Amazon en Alsace. [Questions surrounding the creation of a giant Amazon warehouse in Alsace] (Le Parisien)

02 Oct 2020: Une action contre l'implantation d'Amazon. [An action against the establishment of Amazon] (L'Alsace)

02 Oct 2020: [Vidéo] Un arbre planté contre un entrepôt d'e-commerce. [[Video] A tree planted against an e-commerce warehouse] (L'Alsace)

01 Oct 2020: Implantation d'Amazon en Alsace : mobilisation des opposants à Ensisheim et Dambach-la-ville. [Amazon's establishment in Alsace: mobilization of opponents in Ensisheim and Dambach-la-ville] (France Bleu)

01 Aug 2020: Anti-Amazon sentiment builds as e-commerce giant eyes expansion in France. (Radio France Internationale)

11 Jul 2020: Manifestation en Alsace contre un projet d'entrepôt d'Amazon. [Demonstration in Alsace against an Amazon warehouse project] (Le Figaro) According to Le Figaro, several hundred people gathered in Bas-Rhin to protest Amazon's alleged plan to set up a 150,000 sqm warehouse in the business area of Dambach-la-Ville.

17 Jun 2020: French climate activists block sites of 'toxic' industries after Covid-19 epidemic. (Radio France Internationale)

Source: 30 Jan 2021 (Le Monde)

# France: Protest against proposed logistics platform in Nantes due to concerns over pollution and potential negative impact on the local economy

In November 2020, at least 1,500 people reportedly protested against Amazon's plan to establish a logistics platform in the city of Nantes in France due to its potential negative impact on the local economy. The demonstrators also expressed concerns over the pollution and road traffic the project might cause as it is expected to operate an estimate of 220 trucks and more than 3,000 light vehicles per day. The project reportedly has the support of the city mayor due to the prospect of new jobs in the municipality.

UPDATES: 29 Nov 2020: Manifestation contre un projet d'implantation d'Amazon au sud de Nantes. [Demonstration against a project to set up Amazon in the south of Nantes] (Le Monde)

28 Nov 2020: Au sud de Nantes, une bataille s'engage contre une plate-forme logistique Amazon. [South of Nantes, a battle begins against an Amazon logistics platform] (Le Monde)

28 Nov 2020: Importante mobilisation contre l'installation d'Amazon près de Nantes. [Major mobilization against the installation of Amazon near Nantes] (Le Figaro)

Source: 29 Nov 2020 (Le Monde)



Date: November 2020

Assessment: Moderate

Status: Ongoing



LAST UPDATE: December 10, 2021

Date: November 2020

**Assessment:** Moderate **Status:** Ongoing

United States: Proposed class action lawsuit for allegedly discriminating against African Americans and Hispanic warehouse workers during COVID-19 pandemic

In November 2020, a former employee at an Amazon fulfillment center in Staten Island, New York filed a proposed class action lawsuit against Amazon.com for allegedly discriminating against African Americans and Hispanic workers during the ongoing COVID-19 pandemic in the United States. The worker claimed that the company fired him with at least three other workers after they appeared in several news articles covering the protest against the company for allegedly failure to provide warehouse workers with adequate protective equipment during the COVID-19 pandemic.

UPDATES: 17 Nov 2020: Amazon Case Shows How A GC's Barbs Can Sting Back. (LAW360)

13 Nov 2020: Smalls v. Amazon, Inc., 1:20-cv-05492. (United States District Court for the Eastern District of New York) Attorney case opening: Plaintiff, a former employee Christian Smalls filed a legal complaint against Amazon for racial discriminations.

12 Nov 2020: Fired Amazon worker files discrimination lawsuit over pandemic conditions. (REUTERS INDIA)

Source: 17 Nov 2020 (LAW360); 13 Nov 2020 (United States District Court for the Eastern District of New York)

Date: October 2020

**Assessment:** Moderate **Status:** Ongoing

Date: October 2020

**Assessment:** Moderate **Status:** Ongoing

**Date:** August 2020 **Assessment:** Moderate **Status:** Ongoing

Date: July 2020
Assessment: Moderate
Status: Ongoing

Date: April 2020

**Assessment:** Moderate **Status:** Ongoing

## Spain, Amazon Flex: ITSS urged to provide employee contracts to 4,063 delivery drivers and demanded EUR 6.16 million to cover Social Security contributions

In October 2020, Spain's Labour and Social Security Inspectorate (ITSS) urged Amazon.com to provide employee contracts to 4,056 Amazon Flex self-employed delivery drivers in the Spain. The ITSS also demanded EUR 6.16 million (approximately USD 7.23 million) to cover the Social Securities contributions that were not paid while the delivery drivers were providing its delivery services for the company over the past two years.

UPDATES: 15 Oct 2020: Spain's Labor Inspectorate forces Amazon to give 4,000 false freelancers work contracts. (El Pais)

Source: 15 Oct 2020 (El Pais)

## Kentucky, United States: Lawsuit over alleged permanent eye injury from third party eye product delivered and bought in platform

Amazon Inc. (Amazon) and other companies faced a lawsuit over liability claims and permanent eye injury allegedly linked to a third-party eye product delivered and bought at the company's platform. The lawsuit claimed that the plaintiff suffered from chronic optimal inflammation, and excessive discharge, pain and redness of her eyes which interferes with her vision. Amazon reported the manufacturer's voluntary recall on the product in July 2019.

In October 2020, a Kentucky judge ruled that liability claims against Amazon Inc. over personal injuries would remain pending.

UPDATES: 13 Oct 2020: Christian v. Altaire Pharmaceuticals Inc., et al., Civil Action No. 5: 20-306-DCR. (Eastern District Court of Kentucky)

кепциску)

Source: 13 Oct 2020 (Eastern District Court of Kentucky)

#### California, United States: Lawsuit over alleged product liability related to exercise band defect resulting in eye injury

In August 2020, a customer filed a lawsuit against several companies including Amazon.com over alleged negligence and product liability related to an exercise band defect. The plaintiff alleged that an exercise band he bought from Amazon.com contained a defect which resulted in a permanent injury and blindness to his left eye in August 2019.

UPDATES: 28 Aug 2020: Couple Sue ECommerce Giant Over Alleged Band Defect. (my news LA.com)

Source: 28 Aug 2020 (my news LA.com)

#### Italy: Investigation over alleged anti-competitive restrictions on the online sales of certain branded products

In July 2020, the Italian Competition Authority (AGCM) launched an investigation into Amazon.com, Inc. and Apple Inc. over alleged anti-competitive practices related to the online sales of Apple and Beats electronic products. The AGCM was looking to determine whether the companies had restricted competition by agreeing to exclude unofficial retailers from selling the said products in the online marketplace.

UPDATES: 22 Jul 2020: 1842 - ICA: investigation launched against Apple and Amazon for banning the sale of Apple- and Beats-branded products to retailers who do not join the official programme. (Autorita Garante della Concorrenza e del Mercato)

Source: 22 Jul 2020 (Autorita Garante della Concorrenza e del Mercato)

## Philippines: Supply chain call center employees complaint over alleged poor working conditions amid COVID-19 outbreak

In April 2020, Amazon-contracted workers at a call center in Cebu City, which is managed by Teleperformance in the Philippines alleged that they suffer 'subhuman' conditions after travel restrictions in the country forced them to stay on-site in order to receive their wages. The employees stated that they sleep in close quarters on office floors and only leave the site to buy groceries or use showers at a hotel nearby amid the COVID-19 outbreak. According to the Financial Times, the workers wrote a letter to the management to address their concerns regarding sleeping arrangements, given that hundreds of workers were staying at the facility. Amazon.com, Inc. stated in April 2020 that the company launched an internal investigation to look into the allegations.

UPDATES: 02 Apr 2020: Amazon contractors enduring 'subhuman' conditions in Philippines. (Financial Times)

Source: 02 Apr 2020 (Financial Times)





LAST UPDATE: December 10, 2021

**Date:** January 2020 **Assessment:** Moderate **Status:** Ongoing

**Date:** November 2019 **Assessment:** Moderate **Status:** Ongoing

Date: October 2019
Assessment: Moderate
Status: Ongoing

Date: August 2019

**Assessment:** Moderate **Status:** Ongoing

Date: August 2019

**Assessment:** Moderate **Status:** Ongoing

#### Washington: Manifesto Signed by More than 350 Employees against Company's Communications Policy

In January 2020, more than 350 employees of AMAZON.COM, INC. singed a manifesto, which was published by a worker group Amazon Employees for Climate Justice, to support two colleagues who allegedly received warning letter for violating the company's communications policy. According to the report by Washington Post, the worker group denounced Amazon communications policy after two employees were warned they could be dismissed for publicly criticizing the company's climate practices, which was allegedly commented as incompatible with a free society.

UPDATES: 28 Jan 2020: Amazon employees launch mass defiance of company communications policy in support of colleagues. (The Washington Post)

Source: 28 Jan 2020\_The Washington Post

#### NGO lawsuit over sale of skin-lightening creams allegedly with high levels of mercury content

In April 2019, As You Sow, a non-governmental organization (NGO) filed a lawsuit against Amazon alleging the company failed to warn consumers about high-level mercury content found on skin-lightening creams sold on its website. Tests conducted on the skin-lightening creams allegedly found mercury content that are over the legal limit set by the U.S. Food and Drug Administration (FDA).

In November 2019, the European Environmental Bureau also cited Amazon due to allegations of selling illegal skin lightening products that contain mercury levels that are past the legal limit of 1 ppm (part per million). In a report released by the NGO, Zero Mercury Working Group, test results on 158 skin-lightening products revealed that 98 of the products went beyond the legal limit of 1ppm, some of which contained more than 40 ppm to 130,000 ppm.

UPDATES: 27 Nov 2019: Amazon, eBay Address Mercury-Laced Skin Creams. (The Wall Street Journal)

12 Sep 2019: Press Release- California Consumers Fight Back: Appeal Filed in California Case Exempting Amazon from Warning Consumers of Toxic Mercury in Skin-Whitening Creams. (As You Sow Foundation, website)

26 Jun 2019: Press Release- Amazon Evades Consumer Protection Law and Increases Consumer Risk. (As You Sow Foundation, website)

17 Apr 2019: Press Release- Amazon Sued for Failure to Warn Consumers about Toxic Levels of Mercury in Skin-lightening Creams. (As You Sow Foundation, website)

23 Nov 2018: Press Release- Holiday Shoppers Beware: Amazon.com Lists Certain Mercury-Laden Cosmetics for Sale, But Leaves Customers in the Dark About Their Hazards. (As You Sow Foundation, website)

Source: 27 Nov 2019 (The Wall Street Journal)

#### United States: Investigation Requested over Allegations of Failure to Secure Servers Preceding Capital One Hack

In October 2019, two senators requested the U.S. Federal Trade Commission (FTC) to conduct an investigation into Amazon to determine if the company was able to secure its servers before the Capital One hack. The senators said that Amazon shares some responsibility for the data theft of more than 100 million Capital One customers' information as Amazon allegedly continues to sell defective cloud computing services to several companies.

UPDATES: 24 Oct 2019: U.S. senators ask FTC to probe Amazon over Capital One hack. (Reuters)

Source: 24 Oct 2019\_Reuters

## China: Alleged Employment of Student Interns Illegally Required to Work Night Shifts and Overtime at Supplier Foxconn's Hengyang Factory

In August 2019, The Guardian reported of alleged violations of China labor laws by Foxconn, a producer of Amazon's Echo and Alexa devices, through the employment of student interns that were illegally required to work night shifts and overtime at its Hengyang factory. According to interviews with workers and documents leaked to labor rights group China Labor Watch and shared with The Guardian, the company allegedly recruited more than 1,000 student interns aged 16-18 through partnerships with schools to supplement staffing levels at the factory during peak production periods. The student interns were also allegedly required to work night shifts and overtime to meet production targets, in violation of Chinese labor laws which prohibit legally employed students aged 16 and older to work nights or overtime. A student also claimed that refusal to the working arrangement would affect graduation and scholarship applications at their school.

Amazon stated that the allegations were already being urgently investigated and addressed at the most senior level.

UPDATES: 13 Aug 2019: China: Amazon and Foxconn respond to allegations of child labour in supplier factory. (Business & Human Rights Resource Centre (Main))

08 Aug 2019: Amazon Under Fire Again as China Factory Hires Teen Interns. (Seattle Times)

08 Aug 2019: Schoolchildren in China work overnight to produce Amazon Alexa devices. (The Guardian)

Source: 13 Aug 2019\_Business & Human Rights Resource Centre (Main); 08 Aug 2019\_Seattle Times

## China: NGO criticism over allegations of poor working conditions and low wages at supplier Foxconn's Hengyang factory

New York-based NGO China Labor Watch criticized Amazon.com, Inc. (Amazon) over allegations that Foxconn, a manufacturer of its Echo smart speakers and Kindle devices, was engaged in harsh and illegal working conditions for its employees. According to an





LAST UPDATE: December 10, 2021

investigative report released by the NGO, around 1,800 workers at Foxconn's factory in Hengyang, Hunan were employed as "dispatch" or temporary workers, which violated the 10 percent limit stipulated under the Chinese law. The "dispatch" workers were allegedly paid the same rate for both regular and overtime hours but the wages they received were far below the national living wage for them to sustain a livelihood. Additionally, they were also asked to work for 14 consecutive days and put in more than 100 hours of overtime a month during peak seasons, both of which were illegal under the Chinese labor law.

Amazon disclosed that an audit done in March 2018 at the Foxconn factory revealed the irregularities and that the company had already requested for immediate action to resolve these issues.

In August 2019, China Labor Watch published a follow-up report detailing persistent issues in the factory's working conditions and hiring of temporary workers.

UPDATES: 08 Aug 2019: Amazon's supplier factory Foxconn recruits illegally interns forced to work overtime. (China Labor Watch)

19 Jun 2018: Foxconn vows to tackle illegal work practices. (Taipei Times - Business)

09 Jun 2018: Watchdog criticizes conditions at Chinese factory that builds Amazon Echo speakers. (Seattle Times)

Source: 08 Aug 2019 (China Labor Watch)

Date: April 2019 Assessment: Moderate Status: Ongoing

#### Italy: Regulator Investigation into Alleged Abuse of Dominant Position in Online Commerce

In April 2019, Italy's competition authority, Antitrust, opened an investigation into Amazon over allegations that the company gave preferential exposure to third-party vendors when these vendors were subscribed to Amazon's logistics service. According to the regulator, Amazon allegedly made use of its dominant position in online commerce to profit unfairly and curb competition.

UPDATES: 16 Apr 2019: Italy targets Amazon in market dominance probe. (AGENCE FRANCE PRESSE -- ENGLISH)

Source: 16 Apr 2019 AGENCE FRANCE PRESSE -- ENGLISH

Date: February 2019 Assessment: Moderate Status: Ongoing

#### Illinois, United States: Lawsuit over alleged unpaid overtime wages through third party provider

Amazon faced a lawsuit filed by a previous employee alleging that the company hired a third-party contractor tasked to pay its employees, resulting in alleged unpaid overtime wages.

Moreover, the employee was terminated from the job after discussing options to address the issue, including possibly pursuing legal actions.

UPDATES: 15 Feb 2019: No new information available. 20 Dec 2018: HEATHER GONGAWARE, on behalf of herself and others similarly situated, Plaintiff, v. AMAZON.COM, LLC, AMAZON LOGISTICS, INC., and SHEARD-LOMAN TRANSPORT, LLC, Defendants. (UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS)

Source: 20 Dec 2018 (UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS)

#### **Minor Controversies**

Date: October 2021

Assessment: Minor

Status: Ongoing

Ohio, United States: Lawsuit over alleged racial discrimination against fulfillment associate in relation to refusal to accept doctor's note

UPDATES: 20 Oct 2021: Asamoah v. Amazon.com Services, 2:20-cv-03305. (Ohio Southern District Court) Response in opposition to

17 Aug 2021: Asamoah v. Amazon.com Services, 2:20-cv-03305. (Ohio Southern District Court) 13 Jul 2021: Asamoah v. Amazon.com Services, 2:20-cv-03305. (Ohio Southern District Court) 07 Dec 2020: Asamoah v. Amazon.com Services, 2:20-cv-03305. (Ohio Southern District Court)

Source: 20 Oct 2021 (Ohio Southern District Court)

Date: October 2021

Assessment: Minor Status: Ongoing

United States: Twitch source code and user payout information attacked by unknown hackers; no financial damages

UPDATES: 16 Oct 2021: Amazon-owned Twitch says source code exposed in last week's data breach. (Reuters)

07 Oct 2021: Amazon's Twitch blames configuration error for data breach. (MAIL ONLINE UK)

06 Oct 2021: Amazon's Twitch hacked, exposing source code. (DECCAN HERALD)

Source: 16 Oct 2021 (Reuters)

Date: October 2021

Assessment: Minor Status: Ongoing

Project Nimbus: Employees' criticism against cloud service contracts with Israeli government due to potential use for surveillance of Palestinians

UPDATES: 12 Oct 2021: We are Google and Amazon workers. We condemn Project Nimbus. (THE GUARDIAN)

Source: 12 Oct 2021 (THE GUARDIAN)

Date: October 2021

Status: Ongoing

United States: Two Illinois residents filed a lawsuit over alleged used people's images obtained without permission to train facial recognition technologies

Assessment: Minor UPDATES: 08 Oct 2021: Ill. residents seek cert. in privacy suit against tech giants. (LAW360)

10 Sep 2021: Amazon Sued Under BIPA For 'Virtual Try-On' Feature. (LAW360)





LAST UPDATE: December 10, 2021

28 May 2021: Vance v. Amazon.com Inc., 2:20-cv-01084. (District Court, W.D. Washington) Answer to compliant.

16 Apr 2021: Amazon and Microsoft team up to defend against facial recognition lawsuits. (The Seattle News)

14 Jul 2020: Amazon, Google, Microsoft sued over photos in facial recognition database. (Cnet)

Source: 08 Oct 2021 (LAW360)

Date: October 2021

Assessment: Minor Status: Ongoing

United States: Putative class action lawsuit on Echo smart speakers and Ring security camera systems equipped with Amazon's Sidewalk due to increased risk of data security after alleged sharing of private Internet connections without prior user consent

UPDATES: 08 Oct 2021: Street v. Amazon.com Services Inc., 2:21-cv-00912. (District Court, W.D. Washington)

**Source:** 08 Oct 2021 (District Court, W.D. Washington)

Date: October 2021 Assessment: Minor

Status: Ongoing

United States, Amazon Retail LLC: Putative class action lawsuit over alleged wage-and-hour violations

UPDATES: 07 Oct 2021: Holly Schneider v. Amazon Retail LLC., 2:21-cv-05174. (District Court, C.D. California) Answer to complaint.

Source: 07 Oct 2021 (District Court, C.D. California)

Date: October 2021 Assessment: Minor Status: Ongoing United States: Putative class action lawsuits over alleged unpaid wage claims and unfair business practices

UPDATES: 06 Oct 2021: Roman v. Amazon.com Services LLC., 1:21-cv-00667-NONE-JLT. (District Court, E.D. California) Set/Reset deadlines and hearings AND order.

06 Jul 2021: Diaz v. Amazon.com Inc., 2:21-cv-00419. (District Court, W.D. Washington) JCC-set status conference.

26 May 2021: Roman v. Amazon.com Services LLC., 1:21-cv-00667-NONE-JLT. (District Court, E.D. California) Order granting 12 stipulation to stay proceedings, signed by Magistrate Judge Jennifer L. Thurston on 5/25/2021.

24 Mar 2021: Diaz et al v. Amazon.com, Inc. et al., 3:20-cv-07792. (United States District Court for the Northern District of California) Case electronically transferred to the Western District of Washington; new case no. 2:21-cv-00419.

15 Dec 2020: Diaz et al v. Amazon.com, Inc. et al., 3:20-cv-07792. (United States District Court for the Northern District of California) Diaz employment suit removed to N.D. California.

Source: 06 Oct 2021 (District Court, E.D. California)

Date: October 2021

United States, Amazon.com Services: Lawsuit filed by one employee over alleged failure to pay overtime and furnish accurate wage statements

Assessment: Minor Status: Ongoing

UPDATES: 01 Oct 2021: Kryzhanovskiy v. Amazon.com Services, Inc., 2:21-cv-01292. (District Court, E.D. California)

Source: 01 Oct 2021 (District Court, E.D. California)

Date: September 2021

United States, Whole Foods Market: Recall of whole and sliced apple and cherry pies from five stores in mid-Atlantic region due to undeclared milk and egg; no illnesses reported

Assessment: Minor Status: Concluded

UPDATES: 24 Sep 2021: Allergy alert issued for undeclared milk and egg in apple and cherry pies sold at Five Whole Foods Market Stores in Mid-Atlantic Region. (U.S. FOOD AND DRUG ADMINISTRATION)

**Source:** 24 Sep 2021 (U.S. FOOD AND DRUG ADMINISTRATION)

Date: September 2021

South Africa: Indigenous people protested against construction plan of new Africa headquarters on a heritage site in

Assessment: Minor Status: Ongoing

UPDATES: 23 Sep 2021: Amazon faces headquarters controversy—This Time in Africa. (The Wall Street Journal)

17 Jun 2021: Amazon's new Africa site draws ire in indigenous people protest. (The Star)

Source: 23 Sep 2021 (The Wall Street Journal)

Date: September 2021

Ohio, United States: Purported class action lawsuits over alleged unpaid overtime wages for time spent on mandatory security screenings

Assessment: Minor Status: Ongoing

UPDATES: 22 Sep 2021: Gorie v. Amazon.com Services, LLC., 1:20-cv-01387. (District Court, N.D. Ohio) Order on motion for extension of time to file response/reply to motion.

17 Sep 2020: Thomas, et al. v. Amazon.com Inc., et al., 1:19cv01696. Gorie v. Amazon.com Services LLC., 1:20cv01387. (U.S. District Court. Northern District of Ohio) Joint motion to amend case management order.

21 May 2020: Thomas, et al. v. Amazon.com Services Inc., et al., 1:19cv01696. (U.S. District Court, Northern District of Ohio) The court allowed the claims for underpaid overtime from post-shift screening to proceed but denied claims related to pre-lunch screening.

Source: 22 Sep 2021 (District Court, N.D. Ohio)





LAST UPDATE: December 10, 2021

Date: September 2021

Assessment: Minor Status: Ongoing

Assessment: Minor Status: Ongoing

Date: September 2021

Assessment: Minor Status: Ongoing

Assessment: Minor Status: Ongoing

Date: September 2021

Date: September 2021

Assessment: Minor Status: Ongoing

Assessment: Minor

Status: Ongoing

New York, United States: Proposed class action lawsuits over alleged manipulation of prices of electronic books (e-Books) sold through online retail platforms

UPDATES: 22 Sep 2021: Amazon and Big Five publishers move to dismiss ebook price-fixing lawsuit. (LEGAL MONITOR WORLDWIDE)

09 Jun 2021: Ackerman v. Amazon.Com, Inc., 1:21-cv-03411. (United States District Court for the Southern District of New York ) Notice of voluntary dismissal.

19 May 2021: Cook v. Amazon.Com, Inc., 1:21-cv-01369. (United States District Court for the Southern District of New York)

15 Apr 2021: Silverman v. Amazon.Com, Inc., Simon & Schuster, Inc., et al., 1:21-cv-01256. (United States District Court for the Southern District of New York ) Order on motion to appoint counsel.

15 Apr 2021: Bonilla v. Amazon.Com, Inc. & HarperCollins Publishers L.L.C., 1:21-cv-01130. (United States District Court for the Southern District of New York ) Order on motion to appoint counsel.

31 Mar 2021: Evanston independent bookstore sues Amazon, book publishers for unfair business practices. (Chicago Tribune)

08 Mar 2021: Fremgen v. Amazon.com, Inc., 1:21-cv-00351-GHW-DCF. (United States District Court for the Southern District of New York )

24 Feb 2021: Sacks v. Amazon.Com, Inc., 1:21-cv-00421. (United States District Court for the Southern District of New York) Plaintiffs in the related proposed class actions filed a motion to consolidate the cases.

18 Feb 2021: Amazon, big 5 publishers hit with E-Book antitrust suit. (LAW360)

17 Feb 2021: Jeffrey Cook et al v. Amazon.Com, Inc. et al., 1:21-cv-01369. (United States District Court for the Southern District of New York )

18 Jan 2021: Sacks v. Amazon.Com, Inc., 1:21-cv-00421. (United States District Court for the Southern District of New York)

Source: 22 Sep 2021 (LEGAL MONITOR WORLDWIDE)

Date: September 2021 New York, United States: Putative class action lawsuit over alleged rescinded job offers following positive test for marijuana

UPDATES: 21 Sep 2021: Amazon says it's ready to rehire workers fired for pot use. (LAW360)

29 Jun 2021: Thomas v. Amazon.com, Inc., 1:21-cv-01325. (U.S. District Court, Eastern District of New York) 02 Jun 2021: Amazon to stop testing candidates for marijuana use; supports cannabis legalization. (IB Times Singapore)

26 Apr 2021: Amazon wants ex-worker's contract claim axed in pot row. (Law360)

12 Mar 2021: Amazon sued over drug tests after man says his job was taken away over positive marijuana test. (New York Daily News)

**Source:** 21 Sep 2021 (LAW360)

California, United States: Product liability lawsuit over allegations that a defective wireless keyfinder remote control sold by a third-party on its platform caused one child fatality

UPDATES: 17 Sep 2021: Huff v. Thousandshores, Inc., 4:21-cv-02173. (District Court, N.D. California)

Source: 17 Sep 2021 (District Court, N.D. California)

Date: September 2021 United States, Amazon Flex: Proposed class action lawsuit for allegedly hiring intelligence experts to track and intercept drivers' social media activity

UPDATES: 16 Sep 2021: Amazon can't force Flex driver to arbitrate privacy claims. (LAW360)

**Source:** 16 Sep 2021 (LAW360)

Oregon, United States: Class action lawsuit over alleged unpaid time claims due to purported rounding up instead of rounding down of tax deductions

UPDATES: 14 Sep 2021: Swearingen v. Amazon.com Services, Inc., 3:19-cv-01156. (District Court, D. Oregon) Response to objections to findings & recommendation.

16 Sep 2019: AMAZON.COM: Removes Swearingen Suit to District of Oregon. (CLASS ACTION REPORTER)

Source: 14 Sep 2021 (District Court, D. Oregon)

United States: Criticisms by consumers and senator over alleged inadequate standards from deceptively labeled, counterfeit masks, anti-vaxxer books and unsafe hand sanitizer amid COVID-19

UPDATES: 13 Sep 2021: Senator and congressman condemn Amazon for promoting anti-vaxxer books. (The Guardian)

02 Apr 2021:Sen. Warren investigation finds Amazon.com provides consumers with misleading, potentially dangerous search results for FDA authorized COVID-19 masks. (Targeted News Service)

11 Mar 2020: Amazon battles counterfeit masks, \$400 hand sanitizer amid virus panic. (The Wall Street Journal)

Source: 13 Sep 2021 (The Guardian)





LAST UPDATE: December 10, 2021

Date: September 2021

Assessment: Minor Status: Ongoing

Date: September 2021

Date: September 2021

Date: September 2021

Date: September 2021

Assessment: Minor Status: Ongoing

Assessment: Minor

Status: Concluded

Assessment: Minor Status: Ongoing

Assessment: Minor **Status:** Ongoing

United States: Six senators urged EEOC to open an investigation into alleged discrimination against pregnant

UPDATES: 10 Sep 2021: Senators seek investigation of Amazon over treatment of pregnant workers. (The Wall Street Journal)

Source: 10 Sep 2021 (The Wall Street Journal)

United States: Proposed class action lawsuits over alleged misclassification of delivery drivers as independent contractors and related wage law violations

UPDATES: 09 Sep 2021: Judge must decide state-law arbitrability of Amazon last-mile driver claims. (REUTERS)

09 Jul 2021: Waithaka v. Amazon.com Inc., 2:19-cv-01320. (Washington Western District Court) Notice of motion re-noted.

21 Jun 2021: Justices reject Amazon driver wage case. (LAW360)

30 Nov 2020: Waithaka v. Amazon.com, Inc. (Case number C19-01320-RSM). (Washington Western District Court) The court granted the defendants' motion to extend stay.

03 Sep 2020: Amazon Wants Full 9th Circ. Redo Of Delivery Driver Ruling. (LAW360)

17 Jul 2020: 1st Circ. Says Amazon Delivery Drivers Don't Have To Arbitrate. (LAW360)

14 Nov 2019: Mass. Amazon Driver Can't Duck Arbitration, 1st Circ. Told. (LAW360)

22 Oct 2019: Amazon Tells 9th Circ. Its Drivers Aren't Transpo Workers. (LAW360)

24 Aug 2019: Arbitration Class action waiver Wage Act. (MASSACHUSETTS LAWYERS WEEKLY)

20 Aug 2019: BERNARD WAITHAKA, on behalf of himself and others similarly situated, Plaintiffs, v. AMAZON.COM, INC. and AMAZON LOGISTICS, INC., Defendants. (UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS)

31 Jul 2019: Knipe v. Amazon.com, Inc. et al. Case transferred in from District of California Southern; Case Number 3:17-cv-01889. (U.S. District Court for Northern District of California)

21 Jul 2019: Knipe v. Amazon.com, Inc. et al. (US District Court for the Northern District of California)

29 Aug 2018: Amazon Loses Bid to Keep Driver Pay Case in Federal Court. (Big Law Business)

Source: 09 Sep 2021 (REUTERS)

United States: Putative class actions over alleged failure to pay minimum wage, overtime pay, and not providing and compensating for rest breaks and meal breaks

UPDATES: 06 Sep 2021: GOLDEN STATE: Scott suit stayed pending resolution of Trevino suit. (CLASS ACTION REPORTER)

29 Jun 2021: Scott v. Golden State FC, LLC, and Amazon.com, Inc., 4:21-cv-02147. (United States District Court for the Northern District of California)

13 Mar 2021: Alvarado v. Amazon.com, Services LLC., 5:20-cv-07292. (United States District Court for the Northern District of California)

Source: 06 Sep 2021 (CLASS ACTION REPORTER)

Japan: Cloud service outages for more than six hours that led to operation disruptions of brokerage, banks and

UPDATES: 02 Sep 2021: Amazon cloud service outage in Japan disrupts brokerages, banks and airlines. (The Japan Times)

Source: 02 Sep 2021 (The Japan Times)

United States: Retail Wholesale and Department Store Union filed a complaint to National Labor Relations Board over alleged illegal interference with a vote on unionizing an Alabama facility

UPDATES: 01 Sep 2021: Amazon's new union battle: Teamsters go local to snarl expansion. (Reuters)

03 Aug 2021: U.S. labor board officer recommends new Amazon union election in Alabama. (Reuters)

24 Jun 2021: Teamsters union votes to help organize Amazon workers. (The Wall Street Journal)

09 Jun 2021: NLRB: Offers to collect mail ballots could invalidate union elections. (Reuters)

10 May 2021: United States: Union's evidence could be grounds for overturning Amazon vote, Labor Board says. (Asia News Monitor)

08 May 2021: Amazon, union tussle over identifying witnesses as U.S. labor board starts hearing. (Reuters)

29 Apr 2021: Amazon raising pay for hundreds of thousands of workers -update. (Morningstar)

29 Apr 2021: Union's evidence in Amazon vote could be grounds for overturning election, U.S. Labor Board says. (Reuters)

19 Apr 2021: Union appeals Amazon election in Alabama, says company violated laws. (Morningstar)

15 Apr 2021: Jeff Bezos says Amazon needs a better vision for its employees, defends work. (The Wall Street Journal)

11 Apr 2021: Amazon rejects claims it intimidated Alabama workers during union votes. (The Guardian)

09 Apr 2021: Amazon workers vote against union at Alabama warehouse. (CNN)

30 Mar 2021: Amazon loses effort to install camera to watch counting of ballots in pivotal union vote. (CNBC)





LAST UPDATE: December 10, 2021

27 Mar 2021: Treating us like robots: Amazon workers seek union. (The Korea Times)

25 Mar 2021: Top Amazon official swipes at Bernie Sanders over planned Alabama visit. (Mail Online UK)

17 Mar 2021: US: Worker says Amazon hung anti-union signs in bathroom stalls. (Outlook India)

02 Mar 2021: Amazon Flex Driver Fights Attempt To Arbitrate Privacy Claims. (LAW360)

23 Feb 2021: 'We deserve more': an Amazon warehouse's high-stakes union drive. (The Guardian)

17 Feb 2021: Amazon faces NLRB charge over Ala. Union Drive response. (LAW360)

15 Feb 2021: KLP and Storebrand in petition against Amazon: - May be in the best possible time to pull out. (E24 NORWAY)

10 Feb 2021: Investor group slams Amazon response to Ala. Union drive. (LAW360)

07 Dec 2020: Flex Drivers Say Amazon Tracks Private Facebook Groups. (LAW360)

04 Dec 2020: Jackson v. Amazon.com, Inc. (Case number 3:20-cv-02365). (California Southern District Court)

25 Sep 2020: Amazon employee warns company is monitoring staff listservs for labor-organizing efforts: report. (Fox Business)

16 Sep 2020: Brown, Wyden blast Amazon for spying on employees to thwart union organizing, demand company end anti-worker policies. (Office of Senator Sherrod Brown, U.S. Senator for Ohio)

Source: 01 Sep 2021 (Reuters)

Date: August 2021

Assessment: Minor Status: Ongoing

Date: August 2021

Assessment: Minor Status: Ongoing

## Connecticut, US: Proposed class action over alleged unpaid wages for time spent in security screenings during breaks and after shifts

UPDATES: 27 Aug 2021: Del Rio, et al. v. Amazon.com Services, Inc., et al., 3:21-cv-01152. (Connecticut District Court)

Source: 27 Aug 2021 (Connecticut District Court)

## United States: Regulator criticisms and consumer lawsuits for alleged inadequate measures against price gouging of products amid COVID-19 outbreak

UPDATES: 24 Aug 2021: AMAZON.COM: Faces suit over unlawful retail prices during pandemic. (CLASS ACTION REPORTER)

12 Jul 2021: Investigate Amazon over pandemic 'price gouging', says Unite. (The Guardian)

03 Jul 2021: Class-action lawsuit accuses Amazon of 'exploiting consumers in their most vulnerable hour' through price gouging during the pandemic. (Business Insider)

19 May 2021: United States: Amazon to arbitrate price gouging class action, leaving open questions of platform liability. (Mondaq)

09 Sep 2020: Amazon customers face price gouging, consumer watchdog says. (CBS News)

17 Aug 2020: Amazon probed by German antitrust body over prices: Report. (Hindustan Times)

30 Jun 2020: AG Shapiro stops price gouging on Amazon by Scranton seller. (Office of the Attorney General of Pensylvannia)

13 May 2020: Amazon.com Asks for Federal Law Against Price Gouging During National Emergencies. (New York Times)

29 Apr 2020: Emerson investigating alleged price gouging by Amazon.com during Covid-19. (Emerson Firm, PLLC)

26 Mar 2020: Do more to stop coronavirus price gouging, U.S. states tell Amazon, Walmart, Facebook. (Reuters)

25 Mar 2020: Amazon and eBay failing to stop Covid-19 profiteers, says Which?. (The Guardian)

23 Mar 2020: Price gouging has no place in our stores. (The Amazon Blog: Day One)

Source: 24 Aug 2021 (CLASS ACTION REPORTER)

#### Date: August 2021

Assessment: Minor Status: Ongoing

## United States: Purported class action lawsuits over alleged unauthorized transmission of users' voice messages recorded through Alexa Devices

UPDATES: 19 Aug 2021: AMAZON.COM: Alexa Users Hit Unregulated Biometric Data Retention. (CLASS ACTION REPORTER)

20 Oct 2021: IN RE: ZANTAC (RANITIDINE) products liability litigation., 9:20-md-02924. (District Court, S.D. Florida)

31 Aug 2021: Cooper v. Amazon.com Inc., 2:21-cv-00915. (District Court, W.D. Washington) The District Court Clerk assigned Case No. 1:21-cv-04633 to the proceeding.

04 Aug 2021: Mirabile v. Amazon.com Inc., 2:21-cv-00854. (District Court, W.D. Washington) Notice of Voluntary Dismissal (case).

03 Aug 2021: Garner, et al. v. Amazon.com Inc., 2:21-cv-00750. (Washington Western District Court) Stipulated motion for filing of consolidated complaint.

15 Jul 2021: Terpening v. Amazon.com, Inc.,4:21-cv-03739. (District Court, N.D. California) The Western District of Washington Court Clerk assigned Case No. 2:21-cv-00977-RSM to the proceeding.

07 Jul 2021: Garner, et al. v. Amazon.com Inc., 2:21-cv-00750. (Washington Western District Court) Class action complaint filed.

07 Jul 2021: Hayley Charmaine Tice v. Amazon.com, Inc. et al. 5:19-cv-01311. (California Central District Court) Order on motion for pro

14 Jun 2021: Hoyt, et al. v. Amazon.com, Inc., et al., 2:21-cv-00809. (Washington Western District Court)

02 Apr 2021: Hayley Charmaine Tice v. Amazon.com, Inc. et al. 5:19-cv-01311. (California Central District Court) 9th Cir. flips arbitration denial in Tice CIPA Suit.





LAST UPDATE: December 10, 2021

05 Feb 2021: Wilcosky v. Amazon.Com, Inc., 1:19-cv-05061. (Illinois Northern District Court) An Illinois federal judge granted Amazon's bid to send two customers' biometric privacy claims over the company's Alexa device to arbitration.

13 Aug 2020: In one click: Amazon Alexa could be exploited for theft of voice history, PII, skill tampering. (ZDNet)

25 Mar 2020: Hayley Charmaine Tice v. Amazon.com, Inc. et al. 5:19-cv-01311. (California Central District Court)

17 Jan 2020: Amazon's snooping on Alexa chats spurs EU privacy response. (The Toronto Star)

02 Oct 2019: Amazon.Com: R.A. Appeals denial of remand bid to 9th circuit, 2:19-cv-06454-CJC-AGR. (Superior Court of the State of California for the County of Los Angeles)

26 Jun 2019: Wilcosky v. Amazon.com, 2019CH07777. (Illinois Northern District Court)

06 Aug 2019: Amazon provides option to disable human review. (The Huston Chronicle)

20 Dec 2018: Amazon Alexa user receives 1,700 audio recordings of a stranger through 'human error'. (Seattle Times)

Source: 19 Aug 2021 (CLASS ACTION REPORTER); 20 Oct 2021 (District Court, S.D. Florida)

Date: August 2021

Assessment: Minor Status: Ongoing

Date: August 2021

Assessment: Minor Status: Ongoing

Date: July 2021

**Assessment:** Minor **Status:** Concluded

Date: July 2021
Assessment: Minor
Status: Concluded

Date: July 2021

Assessment: Minor Status: Ongoing

Date: July 2021

Assessment: Minor Status: Ongoing

New York, United States: Putative class action lawsuit over alleged failure to pay employees on short-term military leave

UPDATES: 18 Aug 2021: Atty In Amazon pay suit chided for hide and seek on Key Q. (LAW360)

09 Jul 2021: Won v. Amazon.com, Inc., 1:21-cv-02867. (New York Eastern District Court) Order on motion for leave to appear pro hac vice.

21 May 2021: Amazon faces class action for not paying workers on military leave. (Reuters)

**Source:** 18 Aug 2021 (LAW360)

California, United States: Lawsuits alleging liability in sale of battery in online marketplace that allegedly caused fire at a customer's home

UPDATES: 10 Aug 2021: Amazon to pay out over defective third party goods. (BBC News)

29 Jun 2021: Diew v. Amazon.com Services, LLC., 3:21-cv-01462. (District Court, N.D. California) Order granting in part and denying in part 8 Amazon's motion to dismiss.

22 Jan 2021: Home Insurer Sues Amazon Over Battery Sold On Its Site. (LAW360)

Source: 10 Aug 2021 (BBC News)

US: Regulator notification over sale of sexual enhancement and weight-loss products potentially containing harmful ingredients; products removed

UPDATES: 30 Jul 2021: FDA notifies Amazon over sale of certain harmful sexual enhancement products. (Reuters)

17 Dec 2020: FDA Warns Consumers to Avoid Certain Male Enhancement and Weight Loss Products Sold Through Amazon, eBay and Other Retailers Due to Hidden, Potentially Dangerous Drug Ingredients. (U.S. Food and Drug Administration)

Source: 30 Jul 2021 (Reuters)

Kentucky, United States: Class action settlement over alleged unpaid wages for the time spent during security checks

UPDATES: 23 Jul 2021: In Re: Amazon.com, Inc., Fulfillment Center Fair Labor Standards Act (FLSA) and Wage and Hour Litigation., 3:14-md-02504. (District Court, W.D. Kentucky) Order by Judge David J. Hale on 7/22/2021 - final approval of class action settlement and entry of judgment is GRANTED.

29 Oct 2018: MDL 2504: Amazon Wins Summary Judgment in PMWA Suit. (CLASS ACTION REPORTER)

Source: 23 Jul 2021 (District Court, W.D. Kentucky)

California, United States: Putative class action lawsuit over alleged failure to pay for time spent undergoing mandatory COVID-19 screenings

UPDATES: 04 Jun 2021: Amazon defends failure to pay workers for COVID screening time. (The Seattle Times)

16 Apr 2021: Boone v. Amazon Services, LLC., 1:21-cv-00241-DAD-BAM. (District Court, E.D. California) Order re joint stipulation to set deadline for plaintiffs to file first amended complaint and for defendant to respond to the amended complaint signed by Magistrate Judge Barbara A. McAuliffe on 04/15/2021.

Source: 04 Jun 2021 (The Seattle Times)

United States: Regulator complaint to compel recall of certain carbon monoxide detectors, children's sleepwear, and hair dryers with safety defects; no injuries reported

UPDATES: 14 Jul 2021: CPSC sues Amazon to force recall of hazardous products sold on Amazon.com. (U.S. Consumer Product Safety Commission)

Source: 14 Jul 2021 (U.S. Consumer Product Safety Commission)





LAST UPDATE: December 10, 2021

Date: July 2021 Assessment: Minor Status: Ongoing

Florida, United States: Putative class action lawsuits over alleged failure to properly compensate for overtime

UPDATES: 13 Jul 2021: Thomas v. Amazon.Com Services, Inc., 3:21-cv-00442. (District Court, M.D. Florida) Answer to complaint.

26 Apr 2021: Thomson v. Amazon.com Services LLC., 8:20-cv-03121. (District Court, M.D. Florida) Miscellaneous relief.

10 Feb 2021: Thomson v. Amazon.com Services LLC., 8:20-cv-03121. (District Court, M.D. Florida)

Source: 13 Jul 2021 (District Court, M.D. Florida)

Date: June 2021

Assessment: Minor Status: Concluded

United States: Dismissed putative class action lawsuits over alleged failure to pay minimum wage, overtime wages and customer tips

UPDATES: 29 Jun 2021: Escobar v. Amazon.com LLC., 3:21-cv-03391. (District Court, N.D. California) Notice of voluntary dismissal.

19 Mar 2021:Robert Harper v. Amazon.com Service, Inc. et al, 3:19-cv-21735-FLW-ZNQ. (United States District Court for the District of New Jersey) Order of dismissal.

28 Jul 2020: Robert Harper v. Amazon.com Service, Inc. et al, 3:19-cv-21735-FLW-ZNQ. (United States District Court for the District of New Jersey)

Source: 29 Jun 2021 (District Court, N.D. California)

Date: June 2021

Assessment: Minor Status: Ongoing

California, United States: Putative class action lawsuit over alleged misclassification of shift managers as exempt resulting to unpaid overtime wages

UPDATES: 28 Jun 2021: 02 Apr 2021: Ortiz v. Amazon.com LLC., 4:17-cv-03820. (United States United States District Court for the Northern District of California) Transcript of Proceedings held on June 23, 2021, before Judge Jeffrey S. White.

02 Apr 2021: Ortiz v. Amazon.com LLC., 4:17-cv-03820. (United States United States District Court for the Northern District of California)

06 Aug 2019: Ortiz v. Amazon.com LLC., 4:17-cv-03820. (United States United States District Court for the Northern District of California) Ortiz seeks to certify class of level 4 shift managers.

25 May 2018: Ortiz v. Amazon.com LLC., 4:17-cv-03820. (United States United States District Court for the Northern District of California) Amazon won't compel production of Ortiz class list.

11 Jun 2017: Former Amazon warehouse manager sues for overtime wages. (The New York Times)

Source: 28 Jun 2021 (United States United States District Court for the Northern District of California)

Date: June 2021 Assessment: Minor Status: Concluded

Multiple users faced outage at Amazon platforms including Alexa and Prime Video before services were restored UPDATES: 24 Jun 2021: Amazon restores services after multiple users face outage. (Reuters)

Source: 24 Jun 2021 (Reuters)

Date: June 2021 United States: Amazon apologized after falsely denying the issue of its delivery drivers urinating in water bottles and defecating in bags due to lack of time while on the job Assessment: Minor

UPDATES: 21 Jun 2021: Amazon apologizes, acknowledges issue of drivers urinating in bottles. (Melbourne Age)

07 Apr 2021: Amazon makes wee apology for tweet. (The Dominion Post, New Zealand)

03 Apr 2021: Amazon acknowledges issue of drivers urinating in bottles in apology to Rep. Pocan. (Reuters)

25 Mar 2021: Leaked memo shows Amazon knows delivery drivers resort to urinating in bottles. (The Guardian)

Source: 21 Jun 2021 (Melbourne Age)

Date: June 2021

Status: Ongoing

Assessment: Minor Status: Ongoing

California, United States: Judge dismissed a putative class action lawsuit for selling counterfeit glucosamine sulfate supplements

UPDATES: 11 Jun 2021: Jeremiah Delgado v. Amazon.com, Inc., 8:21-cv-00477. (District Court, C.D. California)

Source: 11 Jun 2021 (District Court, C.D. California)

Date: June 2021

Assessment: Minor Status: Ongoing

delivery orders UPDATES: 11 Jun 2021: Meighan v. Amazon.com, Inc., 3:19-cv-06144-SI. (District Court, N.D. California)

Source: 11 Jun 2021 (District Court, N.D. California)

Date: June 2021

Tennessee, US: Lawsuit over alleged negligence in hiring of worker with criminal record resulting in assault of an employee; lawsuit dismissed

California, United States: Product liability lawsuit for allegedly using dangerous dry ice as a coolant for grocery

UPDATES: 09 Jun 2021: Keister v. Amazon.com, Inc., et al., 3:20-cv-00862. (Tennessee Middle District Court)

13 Apr 2021: Keister v. Amazon.com, Inc., et al., 3:20-cv-00862. (Tennessee Middle District Court)

Source: 09 Jun 2021 (Tennessee Middle District Court)

Assessment: Minor Status: Concluded





LAST UPDATE: December 10, 2021

**Date:** May 2021

Assessment: Minor Status: Concluded

Date: May 2021

Assessment: Minor Status: Ongoing

Date: May 2021

Assessment: Minor Status: Ongoing

Date: April 2021 Assessment: Minor Status: Ongoing

Date: March 2021 Assessment: Minor Status: Ongoing

Date: March 2021

Assessment: Minor Status: Ongoing

New York, United States: Judge dismissed a product liability lawsuit over alleged sales of defective toilet papers on its

UPDATES: 12 May 2021: Gray v. Amazon.com, Inc., 1:21-cv-00116-MAD-DJS. (District Court, N.D. New York) Judgment.

Source: 12 May 2021 (District Court, N.D. New York)

United States: Two Republicans urged DOJ to investigate the Pentagon's Joint Enterprise Defense Infrastructure procurement process alleging Amazon improperly influenced the bid process

UPDATES: 10 May 2021: Pentagon weighs ending JEDI cloud project amid Amazon court fight. (The Wall Street Journal)

03 May 2021: GOP lawmakers urge probe of Amazon's pursuit of Pentagon contract. (The Wall Street Journal)

Source: 10 May 2021 (The Wall Street Journal)

New Jersey, United States: Purported class action over alleged unpaid wages for time spent on mandatory security screenings after shifts

UPDATES: 03 May 2021: Vaccaro v. Amazon.com.dedc LLC, 3:18cv11852. (U.S. District Court, District of New Jersey) Answer to amended complaint.

01 Apr 2021: Vaccaro v. Amazon.com.dedc LLC, 3:18cv11852. (U.S. District Court, District of New Jersey) Plaintiff's motion to amend is GRANTED

29 Jun 2020: Amazon Must Face Suit Over Pay For Security Screenings. (LAW360)

19 Jul 2018: Vaccaro v. Amazon.com.dedc LLC, 3:18cv11852. (U.S. District Court, District of New Jersey) The case was transferred from the Superior Court of New Jersey to the U.S. District Court for New Jersey.

Source: 03 May 2021 (U.S. District Court, District of New Jersey)

United States: Putative class action alleging two months of Amazon Prime benefits lost when Amazon temporarily prioritized the shipment of medical supplies and household staples during the COVID-19 pandemic

UPDATES: 30 Apr 2021: Marquez v. Amazon.com, Inc., 9:21-cv-80392. (United States District Court for the Southern District of Florida)

Source: 30 Apr 2021 (United States District Court for the Southern District of Florida)

Spain: General Union of Workers filed a complaint with General Directorate of Labor and Social Security Inspection over alleged illegal transfer of deliveries from its platform to outsourcing distributors

UPDATES: 26 Apr 2021: UGT denuncia a Glovo, Uber Eats y Amazon por subcontratar repartos para usar el convenio más barato. [UGT denounces Glovo, Uber Eats, Amazon for subcontracting deliveries to shell companies] (Cinco Dias)

Source: 26 Apr 2021 (Cinco Dias)

United Kingdom: Criticisms by consumers for deleting their product reviews written in the Welsh language for non-Welsh items from the online shopping platform

UPDATES: 13 Apr 2021: Amazon review rules allow them to be anti-Welsh. (BBC)

Source: 13 Apr 2021 (BBC)

Criticism from consumers over new Amazon app icon alleging it resembled Adolf Hitler's mustache

UPDATES: 04 Mar 2021: Amazon quietly tweaks logo some say resembled Hitler's moustache. (The Sydney Morning Herald)

Source: 04 Mar 2021 (The Sydney Morning Herald)

United States: Proposed class action lawsuits over alleged failure to pay customer tips

UPDATES: 26 Mar 201: Miller v. Amazon.com Inc., 2:21-cv-00204. (United States District Court for the Western District of Washington)

08 Feb 2021: Amazon hit with new tip-stealing suit after FTC deal. (LAW360)

Source: 26 Mar 2021 (United States District Court for the Western District of Washington)

Texas, United States: Product liability lawsuit over allegations that a defective remote control sold by a third-party on its platform caused injuries to a toddler

UPDATES: 25 Mar 2021: Texas high court hears debate over Amazon liability for defective products. (Courthouse News Service)

19 Dec 2020: Texas high court to decide Amazon's liability for third-party seller's product. (Reuters)

29 Jun 2018: McMillan v. Amazon.com, Inc., 4:18-cv-02242. (United States District Court for the Southern District of Texas)

Source: 25 Mar 2021 (Courthouse News Service)





LAST UPDATE: December 10, 2021

Date: March 2021

Assessment: Minor

Status: Concluded

Washington, United States: USD 8.2 million class action settlement with Seattle-based Flex delivery drivers for failure to provide mandated breaks, overtime and minimum wage pay

UPDATES: 19 Mar 2021: Amazon keeps getting sued for paying drivers less than minimum wage. (Vice Media)

05 Oct 2016: Amazon delivery drivers sue company over job status. (Seattle Times)

Source: 19 Mar 2021 (Vice Media)

Date: March 2021 Assessment: Minor Status: Ongoing Sri Lanka: Authorities asked for the removal of bikinis and doormats with Sri Lankan flag design from its platform

UPDATES: 15 Mar 2021: Bikinis, doormats featuring Sri Lanka flag cause uproar. (Taipei Times)

Source: 15 Mar 2021 (Taipei Times)

Date: March 2021

Amazon Web Services Inc., United States: Proposed class action over alleged ERISA violation related to workers' compensation benefits

Assessment: Minor Status: Ongoing

UPDATES: 10 Mar 2021: Sharma v. Amazon Web Services Inc (Case number 3:21-cv-00054). (Texas Northern District Court) Joint status report on conference and proposal for contents of scheduling and discovery order by defendant.

20 Jan 2021: Sharma v. Amazon Web Services Inc (Case number 3:21-cv-00054). (Texas Northern District Court) The plaintiff filed a motion to certify class.

08 Jan 2021: Sharma v. Amazon Web Services Inc (Case number 3:21-cv-00054). (Texas Northern District Court)

Source: 10 Mar 2021 (Texas Northern District Court)

Date: March 2021

United States: Amazon apologized and removed listings of products with Hindu sacred symbols on its overseas platforms after India backlash

Assessment: Minor Status: Concluded

UPDATES: 03 Mar 2021: Amazon issues rare apology in India after complaints that series hurt Hindu beliefs. (Gadgets Now) 10 Nov 2020: Amazon takes down underwear, doormat listings with Hindu symbols after India backlash. (HINDUSTAN TIMES)

Source: 03 Mar 2021 (Gadgets Now)

Date: March 2021
Assessment: Minor
Status: Concluded

India: Apology for improper depiction of Hindu religious sentiments in the Amazon Prime web series "Tandav"

UPDATES: 03 Mar 2021: Amazon issues rare apology in India over 'Tandav' portrayal of religion. (Nikkei Asia)

17 Jan 2021: Amazon faces backlash from Indian ruling party lawmakers over web series 'Tandav'. (MSN PHILIPPINES)

Source: 03 Mar 2021 (Nikkei Asia)

Status: Concluded

Pennsylvania, United States: Proposed class action over alleged violation of state law for rejecting job applicants with criminal record despite no conviction

**Date:** February 2021 **Assessment:** Minor

UPDATES: 23 Feb 2021: No new information available.

Status: Ongoing

11 Jan 2021: Amazon Sued In Pa. Over Criminal Background Checks. (LAW360)

07 Jan 2021: Witherspoon v. Amazon.com Inc. et al. (Court of Common Pleas of Allegheny County, Pennsylvania)

**Source:** 11 Jan 2021 (LAW360)

Date: February 2021

Assessment: Minor

Status: Ongoing

•

Oregon, United States: Former employee filed a lawsuit over alleged failure to pay all wages earned during

UPDATES: 16 Feb 2021: Schumann v. Amazon.com Inc., 3:20-cv-01751. (United States District Court for the District of Oregon) Class action proceedings stayed until April 21.

24 Nov 2020: Schumann v. Amazon.com Inc., 3:20-cv-01751. (United States District Court for the District of Oregon) Plaintiff, Canan Schumann filed a complaint over alleged failure to pay all wages.

Source: 16 Feb 2021 (United States District Court for the District of Oregon)

Date: February 2021 Assessment: Minor Status: Ongoing United Kingdom: Criticisms by market researchers for allegedly paying less in business rates than local shops UPDATES: 08 Feb 2021: Amazon criticized in paying lower rates than shops. (BBC News)

Source: 08 Feb 2021 (BBC News)

**Source:** 06 Feb 2021 (BBC News)

Date: February 2021

United States: Criticisms by consumers regarding AI cameras in delivery vans over alleged security and privacy

Assessment: Minor UPDATES: 06 Feb 2021: Amazon faces spying claims over AI cameras in vans. (BBC News)

Status: Ongoing

MSCI ⊕



LAST UPDATE: December 10, 2021

Date: February 2021

Assessment: Minor Status: Ongoing

United States, Whole Foods Market: Putative class action over alleged deceptive labeling of Organic 365 brand products

UPDATES: 03 Feb 2021: Whole Foods must face lawsuit over its honey graham crackers. (THE NATIONAL POST)

13 Oct 2020: Mitchell v. Whole Foods Market Group, Inc., 1:20-cv-08496. (United States District Court Southern District of New York) Plaintiff Mandell Mitchell, the case opening initial assignment notice.

Source: 03 Feb 2021 (THE NATIONAL POST)

**Date:** February 2021 **Assessment:** Minor **Status:** Ongoing

India: Supreme Court petitions over data security concerns related to unified payments interface UPDATES: 01 Feb 2021: SC notice on privacy concerns to Google, WhatsApp, Amazon UPIs. (HINDUSTAN TIMES)

**Source:** 01 Feb 2021 (HINDUSTAN TIMES)

Date: January 2021

Status: Ongoing

protective face masks

Assessment: Minor UPDATES: 26 Jan 202

UPDATES: 26 Jan 2021: Amazon seeks to move Pa. virus mask suit to arbitration. (LAW360)

21 Jan 2021: Amazon, Etsy's mask sales In Pa. trigger tax class suit. (LAW360)

Source: 26 Jan 2021 (LAW360)

Date: January 2021

India: Regulator warning over alleged inadequate enforcement of country of origin specification for product sellers at online platform

Assessment: Minor Status: Ongoing

UPDATES: 24 Jan 2021: CAIT to Piyush Goyal: Need immediate action on Amazon, Flipkart, others for violating 'Country of Origin'.

Pennsylvania, United States: Proposed class action over alleged improper collection of sales tax on non-taxable

(FINANCIAL EXPRESS)

17 Oct 2020: Amid tensions with China, India warns Amazon, Flipkart over country of origin rule. (REUTERS INDIA)

Source: 24 Jan 2021 (FINANCIAL EXPRESS)

Date: January 2021

California, United States: Proposed class action lawsuits against subsidiaries over alleged non-provision of proper wages, meal and rest periods, and accurate wage statements

Assessment: Minor Status: Ongoing

UPDATES: 22 Jan 2021: Romero v. Greenwich Logistics, LLC et al (Case number 3:20-cv-09106). (California Northern District Court)

16 Dec 2020: Romero v. Greenwich Logistics, LLC et al (Case number 3:20-cv-09106). (California Northern District Court) 17 Sep 2020: Sanchez v. Green Messengers, Inc. et al (Case number 5:20-cv-06538). (California Northern District Court)

Source: 22 Jan 2021 (California Northern District Court)

Date: January 2021

Criticism by consumer rights groups over alleged violation of consumer protection laws in the cancellation process for Amazon Prime subscriptions

Assessment: Minor Status: Ongoing

UPDATES: 15 Jan 2021: Amazon makes it too hard to cancel Prime, groups tell regulators. (HINDUSTAN TIMES)

Source: 15 Jan 2021 (HINDUSTAN TIMES)

Date: January 2021

California, United States: Settlement reached in class action over alleged age discrimination in targeted job advertisements in social media platform

Assessment: Minor Status: Concluded

UPDATES: 07 Jan 2021: Amazon, T-Mobile Cut Deal To Resolve Job Ad Bias Suit. (LAW360)

26 Aug 2020: Amazon, T-Mobile Job Seekers Swat Bid To Toss Age Bias Suit. (LAW360) 21 Dec 2017: Facebook ads that let employers target younger workers focus of U.S. lawsuit. (Reuters)

**Source:** 07 Jan 2021 (LAW360)

Date: December 2020 Assessment: Minor Status: Ongoing

Washington, United States: Delivery drivers allegations of denial of overtime pay, wages and other benefits

UPDATES: 29 Dec 2020: Rittmann v. Amazon.com Inc., 2:16-cv-01554. (United States District Court for the Western District of Washington) The Ninth Circuit Court of Appeals has now entered its mandate and affirmed the Court's ruling.

19 Aug 2020: Bernadean Rittmann v. Amazon.com, Inc., 19-35381. (United States Court of Appeals for the Ninth Circuit) Appeal from the United States District Court for the Western District of Washington John C. Coughenour, District Judge, presiding.

03 Feb 2020: Bernadean Rittmann v. Amazon.com, Inc., 19-35381. (United States Court of Appeals for the Ninth Circuit) Argued and submitted to Milan D. Smith, Jr., N. Randy Smith and Daniel A.Bress.

07 Dec 2020: AMAZON.COM INC: Denial of Arbitration Bid in Rittman Suit Affirmed. (CLASS ACTION REPORTER)

11 Jul 2019: AMAZON.COM INC: Seeks 9th Cir. Review of Ruling in Rittmann Suit. (CLASS ACTION REPORTER)

08 Jul 2019: AMAZON.COM INC: Can't Compel Arbitration in Rittmann FLSA Suit. (CLASS ACTION REPORTER)

04 Jun 2019: AMAZON.COM: Johnson Suit Removed to C.D. California. (CLASS ACTION REPORTER)

27 May 2019: AMAZON.COM: Johnson-Hassan Seeks OT Wages for Delivery Drivers. (CLASS ACTION REPORTER)





LAST UPDATE: December 10, 2021

19 Feb 2019: AMAZON INC: Beats Class Action, Joint Employer Issue Remains. (CLASS ACTION REPORTER)

20 Sep 2018: USA: Amazon drivers allege lack of overtime pay, missing wages & intimidation; inc. company statement. (Business & Human Rights Resource Centre (Main))

Source: 29 Dec 2020 (United States District Court for the Western District of Washington)

Date: December 2020

Assessment: Minor Status: Ongoing

Date: December 2020

Assessment: Minor Status: Concluded

Date: December 2020

Assessment: Minor Status: Ongoing

Date: December 2020

Assessment: Minor Status: Concluded

Date: December 2020 Assessment: Minor Status: Concluded

Date: September 2020

Assessment: Minor Status: Concluded

California, United States: Putative class action lawsuit over alleged automatic subscription renewal for its Audible online audiobook service/subscription and related products

UPDATES: 24 Dec 2020: Luis Licea v. Audible, Inc., 5:20-cv-02360. (United States District Court for the Central District of California) Compel Arbitration: Plaintiff Luis Licea sued Audible alleging automatic subscription renewal.

Source: 24 Dec 2020 (United States District Court for the Central District of California)

United States, Whole Foods Market: Recall of Macaroni & Cheese, Vodka sauce, and Green Chile Chicken Tamales for undeclared allergens not revealed on the packaging

UPDATES: 22 Dec 2020: A Whole Foods problem is 'a pattern,' the FDA says in an unprecedented warning letter. (MIAMI HERALD)

Source: 22 Dec 2020 (MIAMI HERALD)

United States: Allegations of data breach by unknown hackers and sending customers fake delivery notifications; no financial damages reported

UPDATES: 20 Dec 2020: Hackers are sending customers fake shipping messages appearing to come from Amazon and UPS. (South China Morning Post)

Source: 20 Dec 2020 (South China Morning Post)

United States, Whole Foods Market: Recall of Popcorn Chicken Shaker with Sweet Chili Variable for undeclared allergen (shrimp) due to product mislabeling

UPDATES: 17 Dec 2020: FDA Enforcement Report: Whole Foods Market Popcorn Chicken Shaker with Sweet Chili Variable weight sold by lb. Packed For Whole Foods Market. (IMPACT NEWS SERVICE)

Source: 17 Dec 2020 (IMPACT NEWS SERVICE)

France: EUR 35 million penalty over alleged unauthorized use of advertising cookies on website

In December 2020, the National Commission on Informatics and Liberty of France (CNIL) imposed an EUR 35 million (approximately USD 42 million) penalty on Amazon Europe Core, a subsidiary of Amazon.com, over its alleged unauthorized use of cookies on its website. According to the CNIL, the amazon.fr website automatically placed cookies in users' computers without prior consent and did not adequately explain the cookies' purpose for personalized advertising nor how to refuse them.

UPDATES: 10 Dec 2020: Cookies: financial penalty of 35 million euros imposed on the company AMAZON EUROPE CORE. (Commission Nationale de l'Informatique et des Libertés)

Source: 10 Dec 2020 (Commission Nationale de l'Informatique et des Libertés)

Japan: Regulator investigation into alleged abuse of market position over small businesses; JPY 2 billion business improvement plan approved

In February 2019, Japan Fair Trade Commission (JFTC) launched an investigation into major online shopping platforms including Amazon Japan G.K., a subsidiary of Amazon.com, Inc., for possible antitrust violation through alleged abuse of market advantages over small businesses. According to JIJI Press, the Japan subsidiary faced criticism over its marketing plan of demanding sellers on the platform to provide reward points worth at least 1 percent of goods purchased. Amazon Japan as well as other IT platforms also allegedly changed contract terms unilaterally and requested small business sellers to offer the lowest possible prices, making them in a disadvantageous position.

In April 2019, the JFTC terminated its investigation into Amazon Japan's reward points program following the company's decision to withdraw its plan to require sellers using the platform to provide rewards points to customers However, the investigation into other forms of abuse by dominant position over sellers continued.

In September 2020, the JFTC accepted the company's business improvement plan which included the refund of JPY 2 billion (approximately USD 19 million) to 1,400 suppliers who partly shouldered costs of discounts. The plan's approval would reportedly exempt the company from administrative penalties.

UPDATES: 10 Sep 2020: Amazon Japan to Refund 2 B. Yen to Some 1,400 Suppliers. (JIJI PRESS)

04 Sep 2020: Amazon's Japan unit submits set of reforms to antitrust watchdog. (The Japan Times)

18 Apr 2019: FTC Survey Finds Mounting Frustration with IT Giants. (JIJI PRESS TICKER SERVICE)

11 Apr 2019: Antitrust Probe into Amazon Japan over Reward Points Ends. (JIJI PRESS TICKER SERVICE)

27 Feb 2019: Japan Watchdog Launches Probe on Shopping Websites. (JIJI PRESS TICKER SERVICE)

Source: 10 Sep 2020 (JIJI PRESS)





LAST UPDATE: December 10, 2021

Date: June 2020

Assessment: Minor Status: Concluded

## S. Korea, Amazon Web Services Korea: KRW 10 million KCC penalty over alleged failure to report data breach in appropriate time

In June 2020, the Korea Communications Commission (KCC) imposed a penalty of KRW 10 million (approximately USD 4,135) to Amazon Web Services Korea, a subsidiary of Amazon.com, over alleged failure to inform a data breach incident to the KCC at the appropriate time between July 2018 and November 2019 in South Korea. There were no financial damages reported.

UPDATES: 24 Jun 2020: Korean media regulator fined 9 companies over alleged failure to protect users' personal information. (Chosun Biz)

Source: 24 Jun 2020 (Chosun Biz)

#### **GOVERNANCE CONTROVERSIES**

#### **Moderate Controversies**

Date: August 2021

**Assessment:** Moderate **Status:** Ongoing

# United Kingdom: CMA investigation into alleged failure to perform due diligence to detect and remove fake reviews on its marketplace platform

In June 2021, the Guardian reported that the U.K. Competition and Markets Authority (CMA) launched an investigation into Amazon.com for allegedly failing to perform due diligence to detect and remove fake reviews on its marketplace platform. The CMA stated the investigation focused on whether the company has broken consumer law by insufficient action to protect its customers from fake reviews.

UPDATES: 08 Aug 2021: When Amazon customers leave negative reviews, some sellers hunt them down. (The Wall Street Journal)

25 Jun 2021: Amazon and Google investigated by UK regulator over fake reviews. (The Guardian)
13 Jun 2021: Fake reviews and inflated ratings are still a problem for Amazon. (The Wall Street Journal)

Source: 08 Aug 2021 (The Guardian)

Date: May 2021

**Assessment:** Moderate **Status:** Concluded

## European General Court annulled EC's tax penalty due to lack of evidence to prove Amazon received a special tax benefit from Luxembourg; U.S. court ruled against the tax litigation

Amazon.com Inc. faced investigations by authorities in the U.S and Europe over tax agreements related to the creation of the company's subsidiary in Luxembourg in 2005.

In July 2014, the European Commission (EC) launched an investigation into Luxembourg and its tax agreements with Amazon to examine whether such deals constituted unfair state aid for the company. Amazon's subsidiary in Luxembourg already faced U.S. tax litigation related to underpayment of taxes. In 2012, the U.S. Internal Revenue Service (IRS) filed a lawsuit against the company claiming Amazon owed almost USD 234 million in tax payments from 2005 and 2006 revenues related to income generated from the subsidiary.

In March 2017, a U.S. court ruled in favor of Amazon, citing the IRS' determination of tax owed by the company was arbitrary, capricious, and unreasonable. The ruling was said to have saved Amazon USD 1.5 billion. In October 2017, the EC ordered Amazon to pay EUR 250 million (approximately USD 295 million) in back taxes in relation to the alleged illegal undue tax benefits granted by Luxembourg.

In March 2020, Reuters reported that Amazon would seek to overturn the EC's order in 2017 to pay back taxes to Luxembourg, claiming the ruling was in breach of legal principles and discriminatory as 2017 OECD guidelines were applied for a tax agreement reached with Luxembourg in 2003. The company reportedly added that the EU has no case where a 10-year limitation period has expired.

In May 2021, the European General Court annulled the EC's tax penalty due to lack of evidence to prove Amazon had received a special tax benefit from Luxembourg.

UPDATES: 12 May 2021: Amazon wins appeal over €250m EU tax bill. (The Guardian)

04 May 2021: Amazon had sales income of €44bn in Europe in 2020 but paid no corporation tax. (The Guardian)

03 May 2021: EU court to rule May 12 on Amazon, Engie appeals against tax orders. (Gadgets Now)

16 Aug 2019: Amazon.com defeats IRS appeal in U.S. tax dispute. (Reuters)

04 Oct 2017: State aid: Commission finds Luxembourg gave illegal tax benefits to Amazon worth around €250 million. (European Commission - Competition)

24 Mar 2017: Amazon wins \$1.5 billion tax battle with IRS. (Seattle Times)

23 Mar 2017: Amazon Defeats IRS in Tax-Court Case. (The Wall Street Journal)

28 May 2015: EU to continue Luxembourg tax probe despite Amazon's tax changes. (SNL KAGAN MEDIA & COMMUNICATIONS REPORT)

02 Jul 2014: EU tax inquiry widens to include Amazon's operations in Luxembourg. (The Wall Street Journal)

Source: 12 May 2021 (The Guardian)





LAST UPDATE: December 10, 2021

Date: February 2021

**Assessment:** Moderate **Status:** Concluded

## New Jersey, United States: Settlement of whistleblower lawsuit by a former employee over alleged wrongful termination after raising health concerns during the COVID-19 pandemic

In October 2020, a former employee filed a whistleblower lawsuit against Amazon.com Inc. (Amazon) over alleged wrongful termination after raising health concerns about its warehouse at the state of New Jersey. The employee claimed that the company terminated him after he reported a shift manager at a Garden State facility for allegedly ignoring safety protocols aimed at curbing the spread of COVID-19.

In January 2021, Amazon reportedly agreed to settle the lawsuit. The terms of the settlement, however, were not disclosed.

UPDATES: 01 Feb 2021: Amazon Settles Whistleblower Suit Over Virus Protocols. (LAW360)

12 Oct 2020: BAILEY v. AMAZON.COM, INC. et al (Case number 1:20-cv-14306). (New Jersey District Court)

Source: 01 Feb 2021 (LAW360)

Date: January 2021

**Assessment:** Moderate **Status:** Ongoing

# India: ED investigation into alleged violations of the Foreign Exchange Management Act and Foreign Direct Investment rules

In January 2021, the Enforcement Directorate (ED), an agency responsible for enforcing economic laws and fighting economic crime in India, launched an investigation into Amazon.com for alleged violations of the foreign exchange management act (FEMA) and foreign direct investment (FDI) rules in India. The investigation followed a direction from the Commerce Ministry and an observation made by the Delhi High Court in December 2020 that Amazon.com allegedly attempted to control Future Retail, one of India's leading retailers, through a conflation of agreement with an unlisted Indian company.

UPDATES: 29 Jan 2021: ED Launches FEMA Probe against Amazon over FRL Deal. (ECONOMIC TIMES)

07 Dec 2020: Punish Amazon with Rs 1.44 lakh crore penalty: CAIT to ED (Lead). (MENAFN - BUSINESS & FINANCE NEWS (ENGLISH))

Source: 29 Jan 2021 (ECONOMIC TIMES)

Date: August 2020

**Assessment:** Moderate **Status:** Ongoing

# United States: Republican House Judiciary members investigated allegations of unfairly exclusion of conservative groups from AmazonSmile charity program

In August 2020, 15 Republican members of the United States House of Representatives Committee on Judiciary sent a letter to Amazon.com and its CEO Jeff Bezos arguing the company's charity support program AmazonSmile unfairly excluded some conservative groups from participating. Amazon.com offered its customers the opportunity to donate a portion of what they spend on the website to charity, but many conservative charity groups banned from being part of the program. The letter requested an explanation from Amazon.com about the ways to determine which non-profit organizations participate in the program.

Amazon CEO Jeff Bezos acknowledged during his testimony in July that the company relied in part on information from the Southern Poverty Law Center to exclude certain non-profits from participating in AmazonSmile program.

UPDATES: 24 Aug 2020: Press Release- Collins: Amazon is Excluding Conservative Nonprofits While Promoting Planned Parenthood. (US Representative Doug Collins, website)

Source: 24 Aug 2020 (US Representative Doug Collins, website)

#### **Minor Controversies**

Date: October 2021

Assessment: Minor Status: Ongoing

Date: October 2021

Assessment: Minor Status: Ongoing

United States: Criticism from five members of the House Judiciary Committee that alleged top executives lied to Congress during sworn testimony about the company's business practices

UPDATES: 19 Oct 2021: Amazon's Jeff Bezos may have lied to Congress. (BBC News)

Source: 19 Oct 2021 (BBC News)

# India: Confederation of All India Traders urged Central Bureau of Investigation to investigate Amazon lawyers for allegedly bribing government officials in order to retain or obtain business

UPDATES: 01 Oct 2021: Bribery case: Amazon writes to govt on fees. (TIMES OF INDIA)

28 Sep 2021: CAIT demands CBI inquiry into bribery allegation against Amazon. (GOVERNANCE, RISK & COMPLIANCE MONITOR WORLDWIDE)

21 Sep 2021: US govt can take action against Amazon over bribery case. (TIMES OF INDIA (ELECTRONIC EDITION))

21 Sep 2021: Amazon spends Rs 8,546cr legal expenses to maintain presence in India. (TIMES OF INDIA)

21 Sep 2021: Amazon says it has zero tolerance for corruption amidst reports of bribery-related charges. (GOVERNANCE, RISK & COMPLIANCE MONITOR WORLDWIDE)

20 Sep 2021: We take allegations of improper actions seriously, investigate them fully: Amazon. (TIMES OF INDIA)

Source: 01 Oct 2021 (TIMES OF INDIA)

# United States: New York State Comptroller urged shareholders to vote against Amazon's nominating and governance committee members due to board's lack of racial diversity at 2021 AGM

UPDATES: 29 May 2021: Amazon pressed for racial equity review after strong vote tally. (Reuters)

10 May 2021: Amazon shareholders urged to support audit of company's policies on racial inclusion. (Office of the New York, State Comptroller)



Date: May 2021

Status: Ongoing

Assessment: Minor



LAST UPDATE: December 10, 2021

08 Apr 2021: U.S. SEC blocks Amazon effort to stop shareholder votes on racial equity audit. (Reuters)

**Source:** 29 May 2021 (Reuters)

Date: February 2021

Assessment: Minor Status: Ongoing

Date: August 2020 Assessment: Minor Status: Concluded

Date: July 2020 Assessment: Minor Status: Concluded

Date: June 2020

Assessment: Minor Status: Concluded

Criticism by U.S. senators over lack of public disclosure regarding the alleged role of the company's cloud infrastructure in the cyberattack at a software company

UPDATES: 25 Feb 2021: Amazon's lack of public disclosure on SolarWinds hack angers lawmakers. (The Wall Street Journal)

Source: 25 Feb 2021 (The Wall Street Journal)

United Kingdom: GBP 55,000 penalty over alleged delayed responses to information requests on regulator's inquiry In August 2020, the U.K. Competition and Markets Authority (CMA) imposed a total of GBP 55,000 (approximately USD 72,000) penalty on Amazon.com Inc. over its alleged untimely responses. The CMA said that the company had failed to provide complete responses within deadlines set by the information requests related to its inquiry into an anticipated minority shareholding investment into

Roofoods Limited (Deliveroo).

UPDATES: 26 Aug 2020: Anticipated acquisition by Amazon of a minority shareholding and certain rights in Deliveroo, Penalty Notice

under section 110 of the Enterprise Act 2002. (U.K. Competition & Markets Authority)

Source: 26 Aug 2020 (U.K. Competition & Markets Authority)

United States: USD 134,523 settlement with USDT over alleged violations of multiple U.S. sanctions against Iran

In July 2020, the United States Department of the Treasury (USDT) issued a statement that Amazon.com agreed to pay USD 134,523 to settle its potential liability over alleged violations of multiple U.S.sanctions between November 2011 and October 2018.

In February 2017, Amazon informed the U.S.Treasury Department's Office of Foreign Assets Control and the Department of Commerce's Bureau of Industry and Security about transactions from 2012 to 2016 that were potentially in violation of US sanctions against Iran covered by the Iran Threat Reduction and Syria Human Rights Act (ITRA). According to the company, it sold consumer products, ranging from apparel to pet products and costing USD 50 to nearly USD 2,400, to "individuals and unspecified groups controlled or owned by the Iranian government". The authorities were reported to be investigating the matter.

Amazon, in its quarterly report, stated that it sold approximately USD 300 worth of consumer goods to an individual blacklisted by the U.S. government for alleged associations with terrorism. The company also disclosed other sales to people with Iranian government associations, made between 2012 and 2017.

UPDATES: 08 Jul 2020: Press Release- Settlement Agreement between the U.S. Department of the Treasury's Office of Foreign Assets Control and Amazon.com, Inc. (U.S. Department of the Treasury, website)

30 Jul 2017: Amazon under federal investigation for possibly violating Iran sanctions. (UPI)

11 Feb 2017: Amazon discloses Iranian business ties, warns of penalties. (GulfNews)

Source: 08 Jul 2020 (U.S. Department of the Treasury, website)

United States: 72% shareholders voted against sale of facial recognition technology to government agencies due to privacy and human rights implications

Amazon.com announced in May 2020 that nearly 72% of shareholders voted against its proposals to sell a facial recognition system Rekognition to government agencies due to privacy and human rights implications at its annual general meeting in the United States.

UPDATES: 12 Jun 2020: The two-year fight to stop Amazon from selling face recognition to the police. (MIT Technology Review)

27 May 2020: Notice of 2020 annual meeting of shareholders & proxy statement. (Amazon.com)

04 Feb 2020: Amazon workers protest proposal to raise bar for shareholder resolutions. (NBC News)

Source: 12 Jun 2020 (MIT Technology Review)





LAST UPDATE: December 10, 2021

#### **KEY METRIC & SCORE CHANGES**

#### **ALL KEY METRIC & SCORE CHANGES (SINCE AUGUST 2020)**

Key Metric	Key Metric Change	Date	Score Change*	Change Notes
Revenue Recognition	Score Change	Sep 17, 2021	0.22	Updates to data for accounting peer group member(s)
Entrenched Board	Flag Added	Jul 29, 2021	-0.60	Update of age/tenure criteria
CEO Pay Perks & Other Comp	Flag Removed	Jul 09, 2021	0.20	
Long-Term Pay Performance Versus Peers	Flag Added	Jul 05, 2021	-0.20	
Leadership Concerns	Flag Added	Jul 05, 2021	-0.30	
Entrenched Board	Flag Removed	Jul 05, 2021	1.20	
Combined CEO/Chair	Flag Removed	Jul 05, 2021	0.20	
CEO Equity Policy	Flag Added	Jul 05, 2021	-0.20	
Significant Vote Against Pay Practices	Flag Added	Jun 09, 2021	-0.10	
Internal Pay Equity	Flag Removed	May 25, 2021	0.20	
Expense Recognition	Score Change	May 25, 2021	0.03	Updates to data for accounting peer group member(s)
Entrenched Board	Flag Added	May 25, 2021	0.00	
Asset-Liability Valuation	Score Change	May 25, 2021	-0.03	Updates to data for accounting peer group member(s)
Revenue Recognition	Flag Removed	Feb 19, 2021	-0.22	Updates to data for accounting peer group member(s)
Expense Recognition	Flag Removed	Feb 19, 2021	-0.03	Updates to data for accounting peer group member(s)
Revenue Recognition	Flag Added	Feb 15, 2021	0.22	Updates to data for accounting peer group member(s)
Expense Recognition	Flag Added	Feb 15, 2021	0.03	Updates to data for accounting peer group member(s)
Variable Interest Entity	Flag Removed	Jan 25, 2021	0.50	
CEO Pay Perks & Other Comp	Flag Added	Nov 17, 2020	-0.20	
CEO Pay Perks & Other Comp	Flag Removed	Oct 23, 2020	0.20	
Expense Recognition	Score Change	Oct 09, 2020	-0.03	Updates to data for accounting peer group member(s)
CEO Pay Total Fixed	Flag Added	Sep 03, 2020	-0.20	

<sup>\*</sup>Score change available in respect of changes dated on or after 13 December 2017.





#### **CEO PAY CHARTS**

#### **CEO TOTAL AWARDED PAY VERSUS PAY PEER GROUP**



Pay Peers (\*) are used in the calculation of the Key Metric CEO Pay Total Summary and selected as set out in the MSCI Governance Metrics Methodology Document.

#### **CEO TOTAL REALIZED PAY VERSUS PAY PEER GROUP**



Pay Peers (\*) are used in the calculation of the Key Metric CEO Pay Total Summary and selected as set out in the MSCI Governance Metrics Methodology Document.





LAST UPDATE: December 10, 2021

#### **DIRECTOR VOTES**

Proxy Year	Name	Age	Tenure	Votes For	Votes Against, Withheld and / or Abstained
2021	Daniel Huttenlocher	62	5	98.6%	1.4%
2021	Indra Nooyi	65	2	99%	1%
2021	Jamie Gorelick	70	9	97.6%	2.5%
2021	Jeffrey (Jeff) Bezos	55	27	94.9%	5.1%
2021	Jonathan (Jon) Rubinstein	64	11	98%	2%
2021	Judith McGrath	66	7	97.4%	2.6%
2021	Keith Alexander	66	1	99.4%	0.6%
2021	Patricia (Patty) Stonesifer	62	24	96.7%	3.3%
2021	Thomas Ryder	74	19	96%	4%
2021	Wendell Weeks	61	5	98.5%	1.5%

### **SHAREHOLDER/MANAGEMENT PROPOSALS**

#### **MANAGEMENT PROPOSALS**

Proxy Year	Proposal	Proposal Summary	Outcome	Votes For	Votes Against	Abstain/ Withheld%
2021	Auditor Ratification	2. The appointment of Ernst & Young LLP as our independent auditors for the fiscal year ending December 31, 2021 was ratified by the vote set forth below:	Approved	97.2%	2.7%	0.2%
2021	Advisory Vote on Executive Compensation	3. The compensation of our named executive officers as disclosed in the proxy statement was approved in an advisory vote, as set forth below:	Approved	80.8%	18.9%	0.2%
2020	Amend Certificate of Incorporation	The amendment to our Certificate to lower the stock ownership threshold from 30% to 25% for shareholders to request a special meeting was approved by the vote set forth below:	Approved	94.8%	5%	0.2%
2020	Advisory Vote on Executive Compensation	The compensation of our named executive officers as disclosed in the proxy statement was approved in an advisory vote, as set forth below:	Approved	97.3%	2.5%	0.3%
2020	Auditor Ratification	The appointment of Ernst & Young LLP as our independent auditors for the fiscal year ending December 31, 2020 was ratified by the vote set forth below:	Approved	97.2%	2.6%	0.2%
2019	Auditor Ratification	2 The appointment of Ernst & Young LLP as our independent auditors for the fiscal year ending December 31, 2019 was ratified by the vote set forth below:	Approved	98%	1.8%	0.2%
2019	Advisory Vote on Executive Compensation	3 The compensation of our named executive officers as disclosed in the proxy statement was approved in an advisory vote, as set forth below:	Approved	97.4%	2.4%	0.2%

<sup>\*</sup>For Management Proposals at AGM's held more than three years ago, please refer to the Screener tool on ESG Manager.





LAST UPDATE: December 10, 2021

#### **SHAREHOLDER PROPOSALS**

Proxy Year	Proposal	Proposal Summary	Proposal Proponent	Outcome	Votes For	Votes Against	Abstain/ Withheld%
2021	Other	4.A shareholder proposal requesting a report on customer due diligence was not approved, as set forth below:	Undisclosed	Defeated	34.8%	63.8%	1.4%
2021	Board Independence	5. A shareholder proposal requesting a mandatory independent board chair policy was not approved, as set forth below:	Undisclosed	Defeated	14.5%	82.6%	2.9%
2021	Other	6. A shareholder proposal requesting additional reporting on gender/racial pay was not approved, as set forth below:	Undisclosed	Defeated	25.8%	73.7%	0.5%
2021	Other	7. A shareholder proposal requesting a report on promotion data was not approved, as set forth below:	Undisclosed	Defeated	17.9%	81.3%	0.7%
2021	Other	8. A shareholder proposal requesting a report on packaging materials was not approved, as set forth below:	Undisclosed	Defeated	35.3%	64%	0.8%
2021	Other	9.A shareholder proposal requesting a diversity and equity audit report was not approved, as set forth below:	Undisclosed	Defeated	43.8%	55.4%	0.8%
2021	Other	10.A shareholder proposal requesting an alternative director candidate policy was not approved, as set forth below:	Undisclosed	Defeated	17.4%	82.2%	0.4%
2021	Other	11. A shareholder proposal requesting a report on competition strategy and risk was not approved, as set forth below:	Undisclosed	Defeated	33.3%	65.4%	1.4%
2021	Call Special Meetings	12.A shareholder proposal requesting an additional reduction in threshold for calling special shareholder meetings was not approved, as set forth below:	Undisclosed	Defeated	34%	65.7%	0.3%
2021	Environmental - Lobbying, Public Relations and Legal Expenditures	13. A shareholder proposal requesting additional reporting on lobbying was not approved, as set forth below:	Undisclosed	Defeated	34.7%	64.8%	0.5%
2021	Other	14.A shareholder proposal requesting a report on customer use of certain technologies was not approved, as set forth below:	Undisclosed	Defeated	33.8%	64.8%	1.4%
2020	Environmental - Lobbying, Public Relations and Legal Expenditures	A shareholder proposal requesting additional reporting on lobbying was not approved, as set forth below:	undisclosed	Defeated	29.9%	69.5%	0.6%
2020	Other	A shareholder proposal requesting a specific supply chain report format was not approved, as set forth below:	undisclosed	Defeated	30%	66.6%	3.4%
2020	Call Special Meetings	A shareholder proposal requesting an additional reduction in threshold for calling special shareholder meetings was not approved, as set forth below:	Undisclosed	Defeated	36.6%	63.1%	0.3%
2020	Other	A shareholder proposal requesting a report on promotion data was not approved, as set forth below:	Undisclosed	Defeated	12.1%	86.8%	1.1%
2020	Employment Discrimination	A shareholder proposal requesting a report on viewpoint discrimination was not approved, as set forth below:	Undisclosed	Defeated	1.5%	97.7%	0.8%
2020	Other	A shareholder proposal requesting a report on certain community impacts was not approved, as set forth below:	Undisclosed	Defeated	6.1%	93%	0.9%
2020	Other	A shareholder proposal requesting an alternative report on gender/racial pay was not approved, as set forth below:	Undisclosed	Defeated	15.2%	84%	0.9%
2020	Board Independence	A shareholder proposal requesting a mandatory independent board chair policy was not approved, as set forth below:	Undisclosed	Defeated	16.2%	80.7%	3.1%
2020	Other	A shareholder proposal requesting a report on efforts to restrict certain products was not approved, as set forth below:	Undisclosed	Defeated	34.6%	64.5%	0.8%
2020	Other	A shareholder proposal requesting a report on potential customer misuse of certain technologies was not approved, as set forth below:	Undisclosed	Defeated	31.7%	67.5%	0.8%
2020	Other	A shareholder proposal requesting a report on customer use of certain technologies was not approved, as set forth below:	Undisclosed	Defeated	31.8%	67.4%	0.8%
2020	Other	A shareholder proposal requesting a report on effects of food waste was not approved, as set forth below:	Undisclosed	Defeated	31.7%	67.1%	1.2%





LAST UPDATE: December 10, 2021

LAST OPDATE								
Proxy Year	Proposal	Proposal Summary	Proposal Proponent	Outcome	Votes For		Abstain/ Withheld%	
2019	Environmental - Land Use, Resources and Recycling	4 A shareholder proposal requesting an annual report on management of food waste was not approved, as set forth below:	Undisclosed	Defeated	25.5%	73.1%	1.4%	
2019	Call Special Meetings	5 A shareholder proposal requesting a reduction in the ownership threshold for calling special shareholder meetings was not approved, as set forth below	Undisclosed	Defeated	35.3%	64.5%	0.2%	
2019	Other	6 A shareholder proposal requesting a ban on government use of certain technologies was not approved, as set forth below:	Undisclosed	Defeated	2.4%	96%	1.6%	
2019	Other	7 A shareholder proposal requesting a report on the impact of government use of certain technologies was not approved, as set forth below:	Undisclosed	Defeated	27.5%	70.1%	2.4%	
2019	Other	8 A shareholder proposal requesting a report on certain products was not approved, as set forth below:	Undisclosed	Defeated	26.9%	72.2%	0.9%	
2019	Board Independence	9 A shareholder proposal requesting an independent board chair policy was not approved, as set forth below:	Undisclosed	Defeated	24.1%	72.8%	3.1%	
2019	Other	10 A shareholder proposal requesting a report on certain employment policies was not approved, as set forth below:	Undisclosed	Defeated	32.7%	65.4%	1.9%	
2019	Environmental - Climate Change, Renewable Energy and GHG Emissions	11 A shareholder proposal requesting a report on climate change topics was not approved, as set forth below:	Undisclosed	Defeated	29.8%	66.5%	3.7%	
2019	Disclosure Policy	12 A shareholder proposal requesting a board ideology disclosure policy was not approved, as set forth below	Undisclosed	Defeated	2.7%	96.7%	0.7%	
2019	Other	15 A shareholder proposal regarding vote-counting practices for shareholder proposals was not approved, as set forth below:	Undisclosed	Defeated	4.7%	95%	0.3%	
2019	Other	13 A shareholder proposal requesting changes to the Company's gender pay reporting was not approved, as set forth below:	Undisclosed	Defeated	25.8%	70.6%	3.5%	
2019	Executive Compensation - Miscellaneous	14 A shareholder proposal requesting a report on integrating certain metrics into executive compensation was not approved, as set forth below:	Undisclosed	Defeated	19%	80.3%	0.7%	

 $<sup>{}^*\</sup>textit{For Shareholder Proposals at AGM's held more than three years ago, please refer to the Screener tool on ESG Manager.}$ 





LAST UPDATE: December 10, 2021

#### **DELAWARE**



#### **CURRENCY: UNITED STATES DOLLAR (USD)**

In the United States, most governance principles are governed by state laws that are not uniform or nationally enforced. However, the majority of states have adopted the Model Business Corporation Act (MBCA) as the basis of their own laws by modifying some of the provisions of the MBCA. The MBCA is a body of laws designed to regulate corporate affairs uniformly across different states. It is the basis for business corporation statutes in 32 states and the District of Columbia and is the source of many provisions in the general corporation statutes of other states. Further, the Securities and Exchange Commission (SEC) regulates certain governance related matters on a federal level.

The majority of large U.S. businesses are listed on either the New York Stock Exchange (NYSE) or the Nasdaq Stock Market (Nasdaq), and therefore are subject to their listing rules. The U.S. has not adopted a national corporate governance code.

Delaware's corporate governance is defined by the General Corporation Law of the State of Delaware (DGCL), with annual updates and revisions by the Delaware legislature based on the recommendations of the Council of the Corporation Law Section of the Delaware State Bar Association. Judicial decisions by the state's Court of Chancery also set governance practice, with appeals heard at the Delaware Supreme Court.

Companies adopt a unitary board structure in the U.S. The NYSE and Nasdaq listing rules require the majority of directors to be independent. The SEC rules require public companies to disclose and explain their chair-CEO structure and whether one or two people hold the roles. If the roles are combined, the company must further disclose whether it has a lead independent director and specify their role within the company leadership.

Unless stated otherwise in the articles of association, directors may appoint inspectors in advance of any shareholder meeting to determine the number of shares outstanding, voting rights, shares represented at the meeting, existence of a quorum, authenticity and validity of proxies, and take all other actions with regards to the annual shareholders' meeting

Related party transactions (RPTs) are valid if the transaction was conducted on reasonable and fair terms when it was approved, and the RPT is approved in good faith by the majority of independent directors. If the number of independent directors is less than a quorum, then it must be approved by shareholders.

The board of directors may fix director and officer pay, although most companies delegate the responsibility for defining executive pay to independent directors, usually upon the recommendation of the pay or nominating/governance committee. Officers are executive directors that are responsible for the daily management of the company.

The Dodd-Frank Act requires listed companies to hold an advisory vote every three years on "say on pay" policies, as well as disclose additional information regarding "golden parachute" arrangements linked to merger transactions.

Listed companies must annually disclose the pay of directors and officers, including stock and option awards. Disclosure must be made in a tabular format, along with a descriptive summary of the information in the table. Companies listed on Nasdaq must also disclose pay arrangements between directors or nominees and third parties.

The U.S. market is known for having widely dispersed ownership, but founder-led companies are common. There are multiple share classes with unequal voting rights and voting right limits.

Shareholders with at least 10% voting rights can request to convene a general meeting.

A notice of the meeting, specifying the date, time, place and purpose must be given no less than seven days and no more than 60 days in advance. Special meeting of shareholders may be convened by shareholders owning at least 10% of shares. Typically, each share is entitled to one vote and fractional shares are entitled to proportionate votes. Shareholders do not have preemptive rights unless specifically provided in the bylaws or articles. Dissenting shareholders are entitled to appraisal rights.

Unless otherwise stipulated in the articles, a corporation is not obligated to offer shareholders any shares, option rights or securities when issuing them.

There are no mandatory takeover bid provisions in the U.S.

In 2018, the Delaware enacted a Certification of Adoption of Transparency and Sustainability Standards Act which is a voluntary act broadly enabling entities registered in Delaware to craft a sustainability regime. The Act is primarily a disclosure regime which requires entities to disclose and provide reports regarding their standards and metrics. There are many provisions in the Federal Sarbanes-Oxley Act that govern the audit process. A public company's annual financial statements must be audited by a registered independent auditing firm. Listed companies prepare two annual reports, one for SEC (Form 10-K) and one for their shareholders. The reports to stockholders, as required by SEC, must contain certified financial statements of two-year audited balance sheets, and three-year audited statement of income and cash flows. Directors and officers of the corporation must also be identified. Interim financial statements are not audited, only reviewed by the company's auditors. If an auditor has not reviewed the interim report, it must be accompanied with a notice specifying that the report has not been reviewed by an auditor. Audit firm rotation is not required but lead audit partners are subject to rotation every five years.





LAST UPDATE: December 10, 2021

#### **DIRECTOR PROFILES**

#### **ANDREW JASSY**

Age: 53 Financial: No Gender: M Risk: No

Nationality: Not Disclosed Industry: Retailing - Internet & Catalog Retail

#### **BIOGRAPHICAL INFORMATION**

AMAZON.COM, INC. - Inactive Source Date: 04/15/2021

Mr. Andrew R. Jassy served as CEO Amazon Web Services since April 2016, and Senior Vice President, Amazon Web Services, from April 2006 until April 2016.

#### **CORPORATE BOARDS**

Company	Role	Tenure	Appointed	Resigned	Independent of Management	Independent of Other Interests	Attendance
AMAZON.COM, INC.	Executive, Board Member, CEO		Jul 05, 2021		No	Yes	

#### **EXECUTIVE PAY (all values USD)**

Company	Role	Tenure	Pay Year	Total Annual Pay	Total Awarded Pay	Total Realized Pay	Shares Held
AMAZON.COM, INC.	CEO		2020	209,381	35,848,449	41,688,515	86,475





LAST UPDATE: December 10, 2021

### **DANIEL HUTTENLOCHER**

Age: 62 Financial: No Gender: M Risk: No

Nationality: Not Disclosed Industry: Commercial & Professional Services -

**Professional Services** 

#### **BIOGRAPHICAL INFORMATION**

AMAZON.COM, INC. - Board Member Source Date: 04/15/2021

Mr. Daniel P. Huttenlocher Ph.D. has been the Dean of MIT Schwarzman College of Computing since August 2019. He served as Dean and Vice Provost, Cornell Tech at Cornell University from 2012 to July 2019 and worked for Cornell University from 1988 to 2012 in various positions. Mr. Huttenlocher has served as a director of Corning Incorporated since February 2015. Qualifications and Skills Mr. Huttenlocher's individual qualifications and skills as a director include his experience in senior positions at MIT and Cornell University, both leading universities, Cornell Tech, a research, technology commercialization, and graduate-level educational facility, and the Xerox Palo Alto Research Center, a technology research facility, through which he gained experience with emerging technologies, as well as his customer experience skills.

CORNING INCORPORATED - Board Member Source Date: 03/18/2021

Dr. Huttenlocher Dean, MIT Stephen A. Schwarzman College of Computing is the Dean of the MIT Schwarzman College of Computing. Prior to joining MIT, Dr. Huttenlocher served as dean and provost of Cornell Tech from 2012 – 2019 and worked for Cornell University from 1988 to 2012 in various positions. Before Cornell, Dr. Huttenlocher worked at Xerox Palo Alto Research Center and was Chief Technology Officer at Intelligent Markets, Inc. Dr. Huttenlocher holds a Ph.D. in computer science and a Master of Science degree in Electrical Engineering, both from the Massachusetts Institute of Technology. He is a renowned computer science researcher and educator, and a prolific inventor with two dozen U.S. patents. He brings to the board extensive experience in technology innovation and commercialization, and expertise in developing next-generation products and services.

#### **CORPORATE BOARDS**

Company	Role	Tenure	Appointed	Resigned	Independent of Management	Independent of Other Interests	Attendance
AMAZON.COM, INC.	Board Member	5	Sep 07, 2016		Yes	Yes	
CORNING INCORPORATED	Board Member	6	Feb 03, 2015		Yes	Yes	

#### **BOARD COMMITTEES**

Company	Committee Type	Position
AMAZON.COM, INC.	Pay	Member

#### **VOTING RESULTS**

Company	Year	For %	Against, Withheld and / or Abstained %
AMAZON.COM, INC.	2021	98.6%	1.4%
CORNING INCORPORATED	2021	99.4%	0.6%

Company	Role	Tenure	Pay Year	Cash Fees	Total Awarded Pay	Shares Held
CORNING INCORPORATED	Non-Executive	6	2020	99,667	321,245	13,910





LAST UPDATE: December 10, 2021

## **EDITH COOPER**

Age: 59 Financial: Yes Gender: F Risk: No

Nationality: United States of America Industry: Diversified Financials - Capital Markets

#### **BIOGRAPHICAL INFORMATION**

Pepsico, Inc. - Board Member Source Date: 03/24/2021

Ms. Cooper spent over two decades of her career with The Goldman Sachs Group, Inc., most recently serving as Executive Vice President and Global Head, Human Capital Management from 2011 to 2017 and Managing Director and Global Head, Human Capital Management from 2008 to 2011. Ms. Cooper began her career in derivative sales at Morgan Stanley from 1991 to 1996 and Bankers Trust Company from 1986 to 1991. Ms. Cooper co-founded Medley, a membership-based community for personal and professional growth, in 2020. Ms. Cooper also serves on the board of directors of several non-profit organizations, including the Museum of Modern Art, the Smithsonian National Museum of African American History and Culture and Mount Sinai Hospital.

EQT AB - Board Member Source Date: 03/31/2021

Edith W. Cooper; Education; Master of Management from Kellogg School of Management, Northwestern University. Bachelor of Arts from Harvard University. Other assignments - Board member of Slack Technologies Inc. and ETSY Inc. Previous assignments - Executive Vice President and Global Head of Human Capital Management for Goldman Sachs

ETSY, INC. - Board Member Source Date: 04/20/2021

Edith W. Cooper served as Executive Vice President, Global Head, Human Capital Management of Goldman Sachs Group, Inc. from March 2008 to December 2017, and, prior to that, she held various leadership positions in Goldman Sachs' Securities Division from 1996 to 2008. Ms. Cooper began her career in derivative sales at Bankers Trust and Morgan Stanley. She currently serves on the board of directors of Slack Technologies, Inc., EQT Corporation and MSD Acquisition Corp., as well as on the board of directors of the Museum of Modern Art and Mt. Sinai Hospital.

#### **CORPORATE BOARDS**

Company	Role	Tenure	Appointed	Resigned	Independent of Management	Independent of Other Interests	Attendance
AMAZON.COM, INC.	Board Member		Sep 20, 2021		Yes	Yes	
Pepsico, Inc.	Board Member		Sep 01, 2021		Yes	Yes	
EQT AB	Board Member	3	Oct 01, 2018		Yes	Yes	

#### **BOARD COMMITTEES**

Company	Committee Type	Position
AMAZON.COM, INC.	Pay	Member
EQT AB	Pay	Chair
Pepsico, Inc.	Audit	Member

#### **VOTING RESULTS**

Company	Year For %		Against, Withheld and / or Abstained %
ETSY, INC.	2021	74.3%	25.7%

Company	Role	Tenure	Pay Year	Cash Fees	Total Awarded Pay	Shares Held
EQT AB	Non-Executive	3	2020	244,710	244,710	0
ETSY, INC.	Non-Executive		2020	0	260,453	7,645





LAST UPDATE: December 10, 2021

## **INDRA NOOYI**

Age: 65 Financial: Yes Gender: F Risk: No

Nationality: United States of America Industry: Food, Beverage & Tobacco - Beverages

#### **BIOGRAPHICAL INFORMATION**

AMAZON.COM, INC. - Board Member Source Date: 04/15/2021

Mrs. Indra Krishnamurthy Nooyi was the Chief Executive Officer of PepsiCo, Inc., a multinational food, snack, and beverage company, from October 2006 to October 2018, where she also served as the Chairman of its board of directors from May 2007 to February 2019. She was elected to PepsiCo's board of directors and became its President and Chief Financial Officer in 2001, and held leadership roles in finance, corporate strategy and development, and strategic planning after joining PepsiCo in 1994. Mrs. Nooyi served as a director of Schlumberger Limited from April 2015 to April 2020.

Pepsico, Inc. - Executive Source Date: 03/24/2021

Indra K. Nooyi Director Since: 2001 Age: 62

Indra K. Nooyi has been PepsiCo's Chief Executive Officer ("CEO") since 2006 and assumed the role of Chairman of our Board of Directors in 2007. She was elected to our Board and became President and Chief Financial Officer in 2001, after serving as Senior Vice President and Chief Financial Officer since 2000. Ms. Nooyi also served as PepsiCo's Senior Vice President, Corporate Strategy and Development from 1996 until 2000, and as PepsiCo's Senior Vice President, Strategic Planning from 1994 until 1996. Prior to joining PepsiCo, Ms. Nooyi spent four years as Senior Vice President of Strategy, Planning and Strategic Marketing for Asea Brown Boveri, Inc. She was also Vice President and Director of Corporate Strategy and Planning at Motorola, Inc. Ms. Nooyi also currently serves on the boards of the International Cricket Council and several non-profit organizations, including the U.S.-India Business Council, the Consumer Goods Forum, Catalyst, Lincoln Center for the Performing Arts, Tsinghua University School of Economics and Management, the World Economic Forum and the Asia Society. She also serves on the Americas Advisory Panel of Temasek International Pte. Ltd., a Singapore-based investment company. Other Public Company Directorships: Current: Schlumberger Limited Previous (During Past 5 Years): None Skills and Qualifications Ms. Nooyi brings to our Board of Directors strong leadership skills, extensive strategic planning, business and financial experience and broad strategic vision for our Company. Her more than 20 years with PepsiCo have provided her with extensive knowledge of the global food and beverage industry. Ms. Nooyi also contributes invaluable perspectives on the global marketplace gained from her senior management positions at PepsiCo and her memberships on global business councils and forums. Her role as Chairman and CEO of PepsiCo creates a critical link between management and the Board of Directors, enabling the Board to perform its oversight function with the benefits of management's perspectives

Koninklijke Philips N.V. - Supervisory Board Member Source Date: 02/23/2021

Indra K. Nooyi has been PepsiCo's Chief Executive Officer ("CEO") since 2006 and assumed the role of Chairman of our Board of Directors in 2007. She was elected to our Board and became President and Chief Financial Officer in 2001, after serving as Senior Vice President and Chief Financial Officer since 2000. Ms. Nooyi also served as PepsiCo's Senior Vice President, Corporate Strategy and Development from 1996 until 2000, and as PepsiCo's Senior Vice President, Strategic Planning from 1994 until 1996. Prior to joining PepsiCo, Ms. Nooyi spent four years as Senior Vice President of Strategy, Planning and Strategic Marketing for Asea Brown Boveri, Inc. She was also Vice President and Director of Corporate Strategy and Planning at Motorola, Inc. Ms. Nooyi also currently serves on the boards of the International Cricket Council and several non-profit organizations, including the U.S.-India Business Council, the Consumer Goods Forum, Catalyst, Lincoln Center for the Performing Arts, Tsinghua University School of Economics and Management, the World Economic Forum and the Asia Society. She also serves on the Americas Advisory Panel of Temasek International Pte. Ltd., a Singapore-based investment company. Other Public Company Directorships: Current: Schlumberger Limited Previous (During Past 5 Years): None Skills and Qualifications Ms. Nooyi brings to our Board of Directors strong leadership skills, extensive strategic planning, business and financial experience and broad strategic vision for our Company. Her more than 20 years with PepsiCo have provided her with extensive knowledge of the global food and beverage industry. Ms. Nooyi also contributes invaluable perspectives on the global marketplace gained from her senior management positions at PepsiCo and her memberships on global business councils and forums. Her role as Chairman and CEO of PepsiCo creates a critical link between management and the Board of Directors, enabling the Board to perform its oversight function with the benefits of management's perspectives

Schlumberger N.V. - Board Member Source Date: 02/25/2021

Indra K. Nooyi Former Chairman and Chief Executive Officer PepsiCo, Inc. Other Current Public Boards: None Board Committees • Audit • Compensation, Chair Former Public Directorships Held During the Past 5 Years • PepsiCo., Inc. Other Experience and Education • Former chief executive officer of a public company • Board of Trustees, the World Economic Forum • Member, Temasek International Advisory Panel • MBA, Indian Institute of Management • Master's Degree in Public and Private Management, Yale University INDRA K. NOOYI is the former Chairman and CEO of PepsiCo, Inc., a global food and beverage company. She was appointed PepsiCo's Chief Executive Officer in October 2006 and assumed the role of Chairman of PepsiCo's board of directors in May 2007. In October 2018, Ms. Nooyi stepped down as PepsiCo's CEO, and retired as its Chairman and as a member of PepsiCo's board of directors effective February 1, 2019. Ms. Nooyi was elected to PepsiCo's board of directors and became President and Chief Financial Officer in 2001, after serving as Senior Vice President and Chief Financial Officer since 2000. Ms. Nooyi also was PepsiCo's Senior Vice President, Corporate Strategy and Development from 1996 until 2000, and its Senior Vice President, Strategic Planning from 1994 until 1996. She also serves on the boards of several non-profit entities. Relevant Skills and Expertise The Board benefits greatly from Ms. Nooyi's leadership as the former Chairman and CEO of PepsiCo, Inc., a global company with one of the world's most recognized brands. Ms. Nooyi's expertise in developing and directing corporate strategy and finance and in mergers and acquisitions, as well as her valuable insight into organizational management and talent development, enable her to make valuable contributions to the Board

## **CORPORATE BOARDS**

Company	Role	Tenure	Appointed	Resigned	Independent of Management	Independent of Other Interests	Attendance
Koninklijke Philips N.V.	Supervisory Board Member		May 06, 2021		Yes	Yes	
AMAZON.COM, INC.	Board Member	2	Feb 25, 2019		Yes	Yes	
Pepsico, Inc.	Executive		Jan 01, 2001	Feb 01, 2019	No	Yes	





LAST UPDATE: December 10, 2021

### **BOARD COMMITTEES**

Company	Committee Type	Position
AMAZON.COM, INC.	Audit	Chair
Koninklijke Philips N.V.	Corporate Governance	Member
Koninklijke Philips N.V.	Nomination	Member

### **VOTING RESULTS**

Company	Year	For %	Against, Withheld and / or Abstained %
AMAZON.COM, INC.	2021	99%	1%
Koninklijke Philips N.V.	2021	99.1%	0.9%

Company	Role	Tenure	Pay Year	Cash Fees	Total Awarded Pay	Shares Held
Schlumberger N.V.	Non-Executive		2020	12,609	12,609	0





LAST UPDATE: December 10, 2021

### **JAMIE GORELICK**

Age: 70 Financial: No Gender: F Risk: No

Nationality: United States of America Industry: Commercial & Professional Services -

**Professional Services** 

#### **BIOGRAPHICAL INFORMATION**

AMAZON.COM, INC. - Board Member Source Date: 04/15/2021

Ms. Jamie S. Gorelick has been a partner with the law firm Wilmer Cutler Pickering Hale and Dorr LLP since July 2003. She has held numerous positions in the U.S. government, serving as Deputy Attorney General of the United States, General Counsel of the Department of Defense, Assistant to the Secretary of Energy, and a member of the bipartisan National Commission on Terrorist Threats Upon the United States. Ms. Gorelick has served as a director of VeriSign, Inc. since January 2015, a director of United Technologies Corporation from February 2000 to December 2014, and a director of Schlumberger Limited from April 2002 to June 2010. Qualifications and skills Ms. Gorelick's individual qualifications and skills as a director include her experience as a lawyer, her leadership experience in senior governmental positions, including experience with regulatory and compliance matters, as well as her customer experience skills and skills relating to public policy and financial statement and accounting matters.

VERISIGN, INC. - Board Member Source Date: 04/13/2021

Ms. Gorelick has served as a director since January 2015. Ms. Gorelick has been a partner at Wilmer Cutler Pickering Hale and Dorr LLP since July 2003. She has held numerous positions in the U.S. government, serving as Deputy Attorney General of the United States, General Counsel of the Department of Defense, Assistant to the Secretary of Energy, and a member of the bipartisan National Commission on Terrorist Threats Upon the United States. Ms. Gorelick has served as a director of Amazon.com, Inc. since February 2012 and currently serves as Chair of its Nominating and Corporate Governance Committee. She previously served as a director of United Technologies Corporation from February 2000 to December 2014 and a director of Schlumberger Limited from April 2002 to June 2010. She holds B.A. and J.D. degrees from Harvard University

#### **CORPORATE BOARDS**

Company	Role	Tenure	Appointed	Resigned	Independent of Management	Independent of Other Interests	Attendance
VERISIGN, INC.	Board Member	6	Jan 30, 2015		Yes	Yes	
AMAZON.COM, INC.	Board Member	9	Feb 09, 2012		Yes	Yes	

#### **BOARD COMMITTEES**

Company	Committee Type	Position
AMAZON.COM, INC.	Corporate Governance	Chair
AMAZON.COM, INC.	Nomination	Chair
VERISIGN, INC.	Pay	Member
VERISIGN, INC.	Corporate Governance	Member
VERISIGN, INC.	Nomination	Member

#### **VOTING RESULTS**

Company	Year	For %	Against, Withheld and / or Abstained %
AMAZON.COM, INC.	2021	97.6%	2.5%
VERISIGN, INC.	2021	98.7%	1.4%

Company	Role	Tenure	Pay Year	Cash Fees	Total Awarded Pay	Shares Held
AMAZON.COM, INC.	Non-Executive	9	2020		938,533	6,612
VERISIGN, INC.	Non-Executive	6	2020	70,000	319,815	16,258





## **JEFFREY (JEFF) BEZOS**

Age: 55 Financial: No Gender: M Risk: No

Nationality: United States of America Industry: Retailing - Internet & Catalog Retail

#### **BIOGRAPHICAL INFORMATION**

AMAZON.COM, INC. - Executive, Board Member, Chairman, CEO Source Date: 04/15/2021

Mr. Jeffrey P. (Jeff) Bezos has been Chairman of the Board since founding the Company in 1994 and Chief Executive Officer since May 1996. Mr. Bezos served as President from founding until June 1999 and again from October 2000 to the present. Qualifications and Skills Mr. Bezos' individual qualifications and skills as a director include his customer-focused point of view, his willingness to encourage invention, his long-term perspective, and his on-going contributions as founder and CEO.

#### **CORPORATE BOARDS**

Company	Role	Tenure	Appointed	Resigned	Independent of Management	Independent of Other Interests	Attendance
AMAZON.COM, INC.	Executive, Board Member, Chairman	27	Jan 01, 1994		No	No	

#### **VOTING RESULTS**

Company	Year	For %	Against, Withheld and / or Abstained %
AMAZON.COM, INC.	2021	94.9%	5.1%

### **EXECUTIVE PAY (all values USD)**

Company	Role	Tenure	Pay Year	Total Annual Pay	Total Awarded Pay	Total Realized Pay	Shares Held
AMAZON.COM, INC.	Chair	27	2020	1,681,840	1,681,840	1,681,840	70,616,270





LAST UPDATE: December 10, 2021

## JONATHAN (JON) RUBINSTEIN

Age: 64 Financial: Yes Gender: M Risk: No

Nationality: United States of America Industry: Diversified Financials - Capital

Markets, Technology Hardware & Equipment - Technology Hardware, Storage & Peripherals

#### **BIOGRAPHICAL INFORMATION**

AMAZON.COM, INC. - Board Member, Lead Director Source Date: 04/15/2021

Jonathan J. (Jon) Rubinstein was co-CEO of Bridgewater Associates, LP, a global investment management firm, from May 2016 to April 2017. Previously, Mr. Rubinstein was Senior Vice President, Product Innovation, for the Personal Systems Group at the Hewlett-Packard Company ("HP"), a multinational information technology company, from July 2011 to January 2012, and served as Senior Vice President and General Manager, Palm Global Business Unit, at HP from July 2010 to July 2011. Mr. Rubinstein was Chief Executive Officer and President of Palm, Inc., a smartphone manufacturer, from June 2009 until its acquisition by HP in July 2010, and Chairman of the Board of Palm, Inc. from October 2007 through the acquisition. Prior to joining Palm, Mr. Rubinstein was a Senior Vice President at Apple Inc., also serving as the General Manager of the iPod Division. Mr. Rubinstein served as a director of Qualcomm Incorporated from May 2013 to May 2016. Qualifications and Skills Mr. Rubinstein's individual qualifications and skills as a director include his leadership and technology experience as a senior executive at large financial and technology companies, through which he gained experience with hardware devices and emerging technologies, as well as his customer experience skills and skills relating to financial statement and accounting matters.

ROBINHOOD MARKETS, INC. - Board Member, Lead Director Source Date: 10/28/2021

Jonathan Rubinstein has served as a member of our board of directors since May 28, 2021. He has held several prominent positions across technology and financial services over the course of his career. Mr. Rubinstein was Co-CEO at Bridgewater Associates, LP, from 2016 to 2017; Senior Vice President, Product Innovation, for the Personal Systems Group at Hewlett-Packard Company; the Chairman and CEO of Palm, Inc.; and a Senior Vice President and also General Manager of the iPod Division at Apple Inc. Mr. Rubinstein is a member of the National Academy of Engineering and a senior member of the Institute of Electrical and Electronics Engineers. He currently serves as the lead director of the board of directors of Amazon and previously served as a director on the board of directors of Qualcomm. Mr. Rubinstein is also a Senior Advisor at PDT Partners. Mr. Rubinstein holds an M.Eng. and a B.S. in electrical engineering from Cornell University. Mr. Rubinstein also holds an M.S. in computer science from Colorado State University. We believe that Mr. Rubinstein is qualified to serve as a member of our board of directors based on the perspective and extensive experience he brings as a leader of and an investor in technology companies and his experience serving on public company boards.

### CORPORATE BOARDS

Company	Role	Tenure	Appointed	Resigned	Independent of Management	Independent of Other Interests	Attendance
ROBINHOOD MARKETS, INC.	Board Member, Lead Director		May 28, 2021		Yes	Yes	
AMAZON.COM, INC.	Board Member, Lead Director	11	Dec 16, 2010		Yes	Yes	

#### **BOARD COMMITTEES**

Company	Committee Type	Position
AMAZON.COM, INC.	Corporate Governance	Member
AMAZON.COM, INC.	Nomination	Member
ROBINHOOD MARKETS, INC.	Pay	Member
ROBINHOOD MARKETS, INC.	Corporate Governance	Chair
ROBINHOOD MARKETS, INC.	Nomination	Chair

Company	Year	For %	Against, Withheld and / or Abstained %
AMAZON.COM, INC.	2021	98%	2%





**JUDITH MCGRATH** 

Age: 66 Financial: No Gender: F Risk: No

Nationality: Not Disclosed Industry: Media - Media

#### **BIOGRAPHICAL INFORMATION**

AMAZON.COM, INC. - Board Member Source Date: 04/15/2021

Ms. Judith A. McGrath serves as a senior advisor to Astronauts Wanted \* No experience necessary, a multimedia joint venture that Ms. McGrath formed with Sony Music Entertainment, and served as President of Astronauts Wanted from June 2013 to March of 2018. The company is currently a subsidiary of Sony Pictures Television. Ms. McGrath served as Chair and Chief Executive Officer of MTV Networks Entertainment Group worldwide, a division of Viacom, Inc., including Comedy Central and Nickelodeon, from July 2004 until May 2011. She was part of the original founder and launch team for MTV. Qualifications and Skills Ms. McGrath's individual qualifications and skills as a director include her leadership and multimedia operations experience as a longtime senior executive of MTV Networks Entertainment Group, through which she gained experience with content creation, advertising, and content distribution, as well as her customer experience skills. Ms. McGrath further honed her digital and entrepreneurial experience with global customers in her role at Astronauts Wanted \* No experience necessary.

## **CORPORATE BOARDS**

Company	Role	Tenure	Appointed	Resigned	Independent of Management	Independent of Other Interests	Attendance
AMAZON.COM, INC.	Board Member	7	Jul 31, 2014		Yes	Yes	

#### **BOARD COMMITTEES**

Company	Committee Type	Position
AMAZON.COM, INC.	Pay	Chair

## **VOTING RESULTS**

Company	Year	For %	Against, Withheld and / or Abstained %
AMAZON.COM, INC.	2021	97.4%	2.6%

Company	Role	Tenure	Pay Year	Cash Fees	Total Awarded Pay	Shares Held
AMAZON.COM, INC.	Non-Executive	7	2020		934,297	1,984





LAST UPDATE: December 10, 2021

## **KEITH ALEXANDER**

Age: 66 Financial: No Gender: M Risk: No

Nationality: Not Disclosed Industry: Software & Services - IT Services

#### **BIOGRAPHICAL INFORMATION**

AMAZON.COM, INC. - Board Member Source Date: 04/15/2021

Keith B. Alexander is Co-Chief Executive Officer, President, and Chairman of IronNet Cybersecurity, Inc., a cybersecurity technology company he founded in 2014. Gen. Alexander served as the Commander of U.S. Cyber Command from May 2010 to March 2014 and was Director of the National Security Agency and Chief of the Central Security Service from August 2005 to March 2014. Gen. Alexander served as a director of CSRA, Inc., an information technology provider to the U.S. government, from November 2015 to April 2018.

### **CORPORATE BOARDS**

Company	Role	Tenure	Appointed	Resigned	Independent of Management	Independent of Other Interests	Attendance
AMAZON.COM, INC.	Board Member	1	Sep 09, 2020		Yes	Yes	

#### **BOARD COMMITTEES**

Company	Committee Type	Position
AMAZON.COM, INC.	Audit	Member

#### **VOTING RESULTS**

Company	Year	For %	Against, Withheld and / or Abstained %
AMAZON.COM, INC.	2021	99.4%	0.6%

Company	Role	Tenure	Pay Year	Cash Fees	Total Awarded Pay	Shares Held
AMAZON.COM, INC.	Non-Executive	1	2020		934,297	0





LAST UPDATE: December 10, 2021

## **PATRICIA (PATTY) STONESIFER**

Age: 62 Financial: No Gender: F Risk: No

Nationality: United States of America Industry: Software & Services - Software

#### **BIOGRAPHICAL INFORMATION**

AMAZON.COM, INC. - Board Member Source Date: 04/15/2021

Ms. Patricia Q. (Patty) Stonesifer served as the President and CEO of Martha's Table, a non-profit, from April 2013 to March 2019. She served as Chair of the Board of Regents of the Smithsonian Institution from January 2009 to January 2012 and as Vice Chair from January 2012 to January 2013. From September 2008 to January 2012, she served as senior advisor to the Bill and Melinda Gates Foundation, a private philanthropic organization, where she was Chief Executive Officer from January 2006 to September 2008 and President and Co-chair from June 1997 to January 2006. Since September 2009, she has also served as a private philanthropy advisor. From 1988 to 1997, she worked in many roles at Microsoft Corporation, including as a Senior Vice President of the Interactive Media Division, and also served as the Chairwoman of the Gates Learning Foundation from 1997 to 1999. Qualifications and Skills Ms. Stonesifer's individual qualifications and skills as a director include her leadership experience as a senior executive at the Bill and Melinda Gates Foundation and at Microsoft, through which she gained experience with emerging technologies and consumer-focused product development and marketing issues, her knowledge of Amazon from having served as a director since 1997, as well as her customer experience skills and skills relating to public policy and financial statement and accounting matters

#### **CORPORATE BOARDS**

Company	Role	Tenure	Appointed	Resigned	Independent of Management	Independent of Other Interests	Attendance
AMAZON.COM, INC.	Board Member	24	Feb 01, 1997		Yes	Yes	

#### **BOARD COMMITTEES**

Company	Committee Type	Position
AMAZON.COM, INC.	Corporate Governance	Member
AMAZON.COM, INC.	Nomination	Member

Company	Year	For %	Against, Withheld and / or Abstained %
AMAZON.COM, INC.	2021	96.7%	3.3%





LAST UPDATE: December 10, 2021

### **THOMAS RYDER**

Age: 74 Financial: Yes Gender: M Risk: No

Nationality: Not Disclosed Industry: Media - Media, Diversified Financials - Consumer

Finance

#### **BIOGRAPHICAL INFORMATION**

AMAZON.COM, INC. - Board Member Source Date: 04/05/2016

Thomas O. Ryder, age 71, has been a director since November 2002. Mr. Ryder was Chairman of the Reader's Digest Association, Inc. from April 1998 to December 2006, and was Chief Executive Officer from April 1998 to December 2005. From 1984 to 1998, Mr. Ryder worked in several roles at American Express, including as President of American Express Travel Related Services International. Mr. Ryder has been a director of Starwood Hotels & Resorts Worldwide, Inc. since April 2001, a director of RPX Corporation since December 2009, and a director of Quad/Graphics, Inc. since July 2010. He was Chairman of the Board of Directors at Virgin Mobile USA, Inc. from October 2007 to November 2009. Mr. Ryder's individual qualifications and skills as a director include his leadership experience as a senior executive of Reader's Digest, a large media and publishing company, and American Express, a large financial services company, through which he gained experience with intellectual property, media, enterprise sales, payments, and international operations, as well as his customer experience skills and skills relating to financial statement and accounting matters.

QUAD/GRAPHICS, INC. - Source Date: 04/08/2016

Thomas O. Ryder, 71, has been a director of Quad/Graphics since the July 2010 acquisition of World Color Press. He served as the lead independent director of World Color Press from September 2009 to July 2010. He has been a member of the board of directors of Amazon.com, Inc. since November 2002 and the board of directors of Starwood Hotels and Resorts Worldwide Inc. since April 2001. Mr. Ryder was Chairman of the Board and Chairman of the Audit Committee of Virgin Mobile USA, Inc. from October 2007 to November 2009. Prior to becoming World Color Press' lead independent director, Mr. Ryder served as Chairman of the Reader's Digest Association, Inc., a media and marketing company, from April 1998 to December 2006 and Chief Executive Officer of the Reader's Digest Association, Inc., from April 1998 to December 2005. Prior to joining the Reader's Digest Association, Inc., Mr. Ryder served in a number of executive roles at American Express, including as President of the American Express Publishing Company. In 1990, Mr. Ryder became President of Establishment Services Worldwide for American Express and subsequently ran American Express Travel Related Services Co. (International) Inc. Mr. Ryder is a former Chairman of the Magazine Publishers of America and a former board member of the Association of American Publishers and Direct Marketing Association. Mr. Ryder received a Bachelor of Arts from Louisiana State University in 1966. Quad/Graphics believes that Mr. Ryder's public company audit committee experience, and his career as an executive and director in the publishing industry, qualify him for service as a director of the Company.

RPX Corporation, Source Date: 4/28/2015

Thomas O. Ryder, age 70, has been a director of our company since December 2009. Mr. Ryder has been a director of Starwood Hotels & Resorts Worldwide, Inc. since April 2001, Amazon.com, Inc. since November 2002 and Quad/Graphics, Inc. since July 2010, and was Chairman of the board of directors at Virgin Mobile USA, Inc. from October 2007 to November 2009. Mr. Ryder was Chairman of the Readers Digest Association, Inc. from April 1998 to December 2007 and was its Chief Executive Officer from April 1998 to December 2005. Mr. Ryder received a B.A. from Louisiana State University. Our board of directors determined that Mr. Ryder should serve as a director based on his experience as a senior executive of a large company, including experience with intellectual property, as well as his customer experience skills and skills relating to financial statement and accounting matters.

Amazon.com, Inc., Source Date: 4/24/2015

Thomas O. Ryder, age 70, has been a director since November 2002. Mr. Ryder was Chairman of the Reader's Digest Association, Inc. from April 1998 to December 2006, and was Chief Executive Officer from April 1998 to December 2005. From 1984 to 1998, Mr. Ryder worked in several roles at American Express, including as President of American Express Travel Related Services International. Mr. Ryder has been a director of Starwood Hotels & Resorts Worldwide, Inc. since April 2001, a director of RPX Corporation since December 2009, and a director of Quad/Graphics, Inc. since July 2010. He was Chairman of the Board of Directors at Virgin Mobile USA, Inc. from October 2007 to November 2009. Mr. Ryder's individual qualifications and skills as a director include his leadership experience as a senior executive of Reader's Digest, a large media and publishing company, and American Express, a large financial services company, through which he gained experience with intellectual property, media, enterprise sales, payments, and international operations, as well as his customer experience skills and skills relating to financial statement and accounting matters.

Quad/Graphics, Inc., Source Date: 4/17/2015

Thomas O. Ryder, 70, has been a director of Quad/Graphics since the July 2010 acquisition of World Color Press. He served as the lead independent director of World Color Press from September 2009 to July 2010. He has been a member of the board of directors of Amazon.com, Inc. since November 2002 and the board of directors of Starwood Hotels and Resorts Worldwide Inc. since April 2001. Mr. Ryder was Chairman of the Board and Chairman of the Audit Committee of Virgin Mobile USA, Inc. from October 2007 to November 2009. Prior to becoming World Color Press lead independent director, Mr. Ryder served as Chairman of the Readers Digest Association, Inc., a media and marketing company, from April 1998 to December 2006 and Chief Executive Officer of the Readers Digest Association, Inc. from April 1998 to December 2005. Prior to joining the Readers Digest Association, Inc., Mr. Ryder served in a number of executive roles at American Express, including as President of the American Express Publishing Company. In 1990, Mr. Ryder became President of Establishment Services Worldwide for American Express and subsequently ran American Express Travel Related Services Co. (International) Inc. Mr. Ryder is a former Chairman of the Magazine Publishers of America and a former board member of the Association of American Publishers and Direct Marketing Association. Mr. Ryder received a Bachelor of Arts from Louisiana State University in 1966. Quad/Graphics believes that Mr. Ryders public company audit committee experience, and his career as an executive and director in the publishing industry, qualify him for service as a director of the Company.

Starwood Hotels & Resorts Worldwide, Inc., Source Date: 4/17/2015

Mr. Ryder retired as Chairman of the Board of The Reader's Digest Association, Inc., a global media and direct marketing company, in January 2007, a position he had held since January 2006. Mr. Ryder was Chairman of the Board and Chief Executive Officer of that company from April 1998 through December 2005. In addition, Mr. Ryder was Chairman





LAST UPDATE: December 10, 2021

of the Board and Chairman of the Audit Committee of Virgin Mobile USA, Inc., a wireless service provider, from October 2007 to November 2009. Mr. Ryder was President, American Express Travel Related Services International, a division of American Express Company, which provides travel, financial and network services, from October 1995 to April 1998. In the past five years, Mr. Ryder also served as a director of World Color Press, Inc., a company acquired by Quad/Graphics, Inc. in July 2010. Mr. Ryder is also currently a director of Amazon.com, Inc., Quad/Graphics, Inc. and RPX Corporation. Mr. Ryder has been a director of the Company since 2001 and currently serves on the Capital Committee and the Compensation and Option Committee.

RPX Corporation, Source Date: 4/29/2014

Thomas O. Ryder, age 70, has been a director of our company since December 2009. Mr. Ryder has been a director of Starwood Hotels & Resorts Worldwide, Inc. since April 2001, Amazon.com, Inc. since November 2002 and Quad/Graphics, Inc. since July 2010, and was Chairman of the board of directors at Virgin Mobile USA, Inc. from October 2007 to November 2009. Mr. Ryder was Chairman of the Readers Digest Association, Inc. from April 1998 to December 2007 and was its Chief Executive Officer from April 1998 to December 2005. Mr. Ryder received a B.A. from Louisiana State University. Our board of directors determined that Mr. Ryder should serve as a director based on his experience as a senior executive of a large company, including experience with intellectual property, as well as his customer experience skills and skills relating to financial statement and accounting matters.

#### **CORPORATE BOARDS**

Company	Role	Tenure	Appointed	Resigned	Independent of Management	Independent of Other Interests	Attendance
AMAZON.COM, INC.	Board Member	19	Nov 01, 2002	Dec 31, 2021	Yes	Yes	

#### **BOARD COMMITTEES**

Company	Committee Type	Position
AMAZON.COM, INC.	Pay	Member

Company	Year	For %	Against, Withheld and / or Abstained %
AMAZON.COM, INC.	2021	96%	4%





LAST UPDATE: December 10, 2021

## **WENDELL WEEKS**

Age: 61 Financial: No Gender: M Risk: No

Nationality: Not Disclosed Industry: Technology Hardware & Equipment - Electronic

Equipment, Instruments & Components

#### **BIOGRAPHICAL INFORMATION**

AMAZON.COM, INC. - Board Member Source Date: 04/15/2021

Mr.Wendell P. Weeks has been the Chief Executive Officer of Corning Incorporated, a glass and materials science innovator, since April 2005; Chairman of the board of directors since April 2007; and President since December 2010. He has held leadership roles in financial management, business development, commercial leadership, and general management across many of Corning's businesses and technologies since joining the company in 1983. Mr. Weeks has served as a director of Merck & Co., Inc. since February 2004 and will not be standing for re-election to Merck & Co.'s Board of Directors at its 2020 annual meeting of shareholders. Qualifications and Skills Mr. Weeks' individual qualifications and skills as a director include his leadership and operations experience as a senior executive at a large corporation with international operations, experience with product development, as well as his customer experience skills and skills relating to financial statement and accounting matters.

MERCK & CO., INC. - Board Member Source Date: 04/05/2021

EXPERIENCE AND CAREER HIGHLIGHTS Mr. Weeks has extensive management, commercial, operational, and financial expertise, as well as a track record of success evidenced by his history at Corning Incorporated. Mr. Weeks possesses broad experience based on Corning's diverse businesses and a demonstrated ability to manage effectively through market volatility. Mr. Weeks also has unique insight into managing innovation and supply chain complexities based on Corning's global operations. In addition, Mr. Weeks' experience as a member of the Board of Amazon.com, Inc. provides him with an important perspective on potential future disruption in the healthcare marketplace and expertise in digital technology strategy. Corning Incorporated, glass and materials science innovator for the optical communications, mobile consumer electronics, display, automotive, and life sciences industries; Chairman, Chief Executive Officer and President (2010-present); Chairman and Chief Executive Officer (2007-2010); President and Chief Executive Officer (2005-2007); President and Chief Departing Officer (2002-2005) OTHER PUBLIC DIRECTORSHIPS CURRENT; Amazon.com, Inc. (since 2016); Corning Incorporated (since 2000) FORMER None.

CORNING INCORPORATED - Executive, Board Member, Chairman, CEO Source Date: 03/18/2021

Weeks, Chairman and Chief Executive Officer, Corning Incorporated Mr. Weeks has been the chief executive officer of Corning Incorporated since April 2005 and chairman of the board of directors since April 2007. He has held a variety of financial, commercial, business development, and general management positions across Corning's businesses and technologies since he joined the company in 1983. His leadership in many of Corning's businesses, with numerous technologies, and 16 years as chief executive officer have given him a unique understanding of Corning's diverse business operations and life-changing innovations. Mr. Weeks currently sits on the board of Amazon.com, Inc. and served on the board of Merck & Co., Inc. from February 2004 to May 2020. He is also on the board of trustees for the Corning Museum of Glass.

#### **CORPORATE BOARDS**

Company	Role	Tenure	Appointed	Resigned	Independent of Management	Independent of Other Interests	Attendance
AMAZON.COM, INC.	Board Member	5	May 17, 2016		Yes	Yes	
CORNING INCORPORATED	Executive, Board Member, Chairman, CEO	21	Dec 06, 2000		No	Yes	

#### **BOARD COMMITTEES**

Company	Committee Type	Position
AMAZON.COM, INC.	Audit	Member

Company	Year	For %	Against, Withheld and / or Abstained %
AMAZON.COM, INC.	2021	98.5%	1.5%
CORNING INCORPORATED	2021	94.6%	5.4%





LAST UPDATE: December 10, 2021

## **EXECUTIVE PAY (all values USD)**

Company	Role	Tenure	Pay Year	Total Annual Pay	Total Awarded Pay	Total Realized Pay	Shares Held
CORNING INCORPORATED	CEO,Chair	21	2020	10,382,770	18,951,753	11,918,836	745,574

Company	Role	Tenure	Pay Year	Cash Fees	Total Awarded Pay	Shares Held
MERCK & CO., INC.	Non-Executive		2020	50,000	80,000	0





LAST UPDATE: December 10, 2021

## **GLOSSARY**

## **MSCI ESG RATINGS AND SCORES**

#### **FINAL ESG RATING**

• Letter ratings are relative within each MSCI ESG Ratings industry. Each Final Industry-Adjusted Company Score is converted to an equivalent rating on the AAA-CCC scale.

#### **ESG PILLARS**

- · the Environment Score represents the weighted average of all Key Issues that fall under the Environment Pillar
- the Social Score represents the weighted average of all Key Issues that fall under the Social Pillar
- the Governance Score represents the sum of score deductions derived from Key Metrics included in Corporate Governance (including Board, Pay, Ownership & Control, and Accounting) and Corporate Behavior (including Business Ethics and Tax Transparency)
- the Environment Weight represents the sum of the weights of all Key Issues that fall under the Environment Pillar
- · the Social Weight represents the sum of the weights of all Key Issues that fall under the Social Pillar
- the Governance Weight represents the sum of the weights of Corporate Governance and Corporate Behavior, with a minimum weight set at 33% for all rated issuers

#### **KEY ISSUES**

For each industry and Company-Specific Key Issue that contributes to the final rating:

- Weight contribution to the final rating
- Exposure Score (available for companies published since June 2011; excluding Raw Material Sourcing Environmental)
- Management Score (available for companies published since June 2011; excluding Raw Material Sourcing Environmental)
- Overall Key Issue Score

#### WEIGHTED-AVERAGE KEY ISSUE SCORE VS. INDUSTRY RELATIVE SCORE

• the Weighted-Average Key Issue Score is dynamic, reflecting changes in any underlying scores as of the Last Update date, while the Industry Relative Score is more static and corresponds to the Rating Date. Issues that we determine do not present material risks or opportunities to companies in a given industry receive 0% weight and do not impact the overall ESG rating.

### SCORES AND CALCULATION OF AVERAGE, PERCENTILE AND RATING DISTRIBUTION

All averages, percentiles, and rating distributions found in the report are based on companies in the relevant MSCI ESG Ratings Industry that are constituents of the MSCI ACWI and are calculated based on industry scores as of the date of publication of this report.

#### **ESTIMATED CARBON EMISSIONS**

Carbon estimates are based on carbon intensity (carbon emissions/sales). The Estimate Key represents the source of the estimated carbon emissions data. E.CSI represents Company-Specific Intensity estimates based on previously disclosed data. E.GICSSI represents estimates based on the GICS Sub-Industry average. For E.GICSSI we set five levels of confidence (High, Moderately High, Moderately Low, and Low). The Carbon Estimation Methodology document, available on ESG Manager, describes the estimation model in greater detail.





LAST UPDATE: December 10, 2021

## **GOVERNMENT SUPPORT RATING**

We calculate the 'government support rating' for Supranationals and Development Banks based on the weighted average of member countries' Governance scores using the MSCI ESG Government Ratings methodology. These scores are based on measures of political governance (strength of institutions, corruption control, civil liberties, and human rights) and financial accountability.





LAST UPDATE: December 10, 2021

### **NOTICE AND DISCLAIMER**

- MSCI ESG Research LLC is a Registered Investment Adviser under the Investment Advisers Act of 1940 and a subsidiary of MSCI Inc. Except with respect to any applicable products or services from MSCI ESG Research, neither MSCI nor any of its products or services recommends, endorses, approves or otherwise expresses any opinion regarding any issuer, securities, financial products or instruments or trading strategies and neither MSCI nor any of its products or services is intended to constitute investment advice or a recommendation to make (or refrain from making) any kind of investment decision and may not be relied on as such. Issuers mentioned or included in any MSCI ESG Research materials may include MSCI Inc., clients of MSCI or suppliers to MSCI, and may also purchase research or other products or services from MSCI ESG Research. MSCI ESG Research materials, including materials utilized in any MSCI ESG Indexes or other products, have not been submitted to, nor received approval from, the United States Securities and Exchange Commission or any other regulatory body.
- This document and all of the information contained in it, including without limitation all text, data, graphs, charts (collectively, the "Information") is the property of MSCI Inc. or its subsidiaries (collectively, "MSCI"), or MSCI's licensors, direct or indirect suppliers or any third party involved in making or compiling any Information (collectively, with MSCI, the "Information Providers") and is provided for informational purposes only. The Information may not be modified, reverse-engineered, reproduced or redisseminated in whole or in part without prior written permission from MSCI.
- The Information may not be used to create derivative works or to verify or correct other data or information. For example (but without limitation), the Information may not be used to create indexes, databases, risk models, analytics, software, or in connection with the issuing, offering, sponsoring, managing or marketing of any securities, portfolios, financial products or other investment vehicles utilizing or based on. linked to, tracking or otherwise derived from the Information or any other MSCI data, information, products or services.
- The user of the Information assumes the entire risk of any use it may make or permit to be made of the Information. NONE OF THE INFORMATION PROVIDERS MAKES ANY EXPRESS OR IMPLIED
  WARRANTIES OR REPRESENTATIONS WITH RESPECT TO THE INFORMATION (OR THE RESULTS TO BE OBTAINED BY THE USE THEREOF), AND TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW,
  EACH INFORMATION PROVIDER EXPRESSLY DISCLAIMS ALL IMPLIED WARRANTIES (INCLUDING, WITHOUT LIMITATION, ANY IMPLIED WARRANTIES OF ORIGINALITY, ACCURACY, TIMELINESS,
  NONINFRINGEMENT, COMPLETENESS, MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE) WITH RESPECT TO ANY OF THE INFORMATION.
- Without limiting any of the foregoing and to the maximum extent permitted by applicable law, in no event shall any Information Provider have any liability regarding any of theInformation for any direct, indirect, special, punitive, consequential (including lost profits) or any other damages even if notified of the possibility of such damages. The foregoing shall not exclude or limit any liability that may not by applicable law be excluded or limited, including without limitation (as applicable), any liability for death or personal injury to the extent that such injury results from the negligence or willful default of itself, its servants, agents or subcontractors.
- Information containing any historical information, data or analysis should not be taken as an indication or guarantee of any future performance, analysis, forecast or prediction. Past performance does not guarantee future results.
- The Information should not be relied on and is not a substitute for the skill, judgment and experience of the user, its management, employees, advisors and/or clients when making investment and other business decisions. All Information is impersonal and not tailored to the needs of any person, entity or group of persons.
- None of the Information constitutes an offer to sell (or a solicitation of an offer to buy), any security, financial product or other investment vehicle or any trading strategy.
- It is not possible to invest directly in an index. Exposure to an asset class or trading strategy or other category represented by an index is only available through third party investable instruments (if any) based on that index. MSCI does not issue, sponsor, endorse, market, offer, review or otherwise express any opinion regarding any fund, ETF, derivative or other security, investment, financial product or trading strategy that is based on, linked to or seeks to provide an investment return related to the performance of anyMSCI index (collectively, "Index Linked Investments"). MSCI makes no assurance that any Index Linked Investments will accurately track index performance or provide positive investment returns. MSCI Inc. is not an investment adviser or fiduciary and MSCI makes no representation regarding the advisability of investing in any Index Linked Investments.
- Index returns do not represent the results of actual trading of investible assets/securities. MSCI maintains and calculates indices, but does not manage actual assets. Index returns do not reflect payment of any sales charges or fees an investor may pay to purchase the securities underlying the index or Index Linked Investments. The imposition of these fees and charges would cause the performance of an Index Linked Investment to be different than the MSCI index performance.
- The Information may contain back tested data. Backtested performance is not actual performance, but is hypothetical. There are frequently material differences between backtested performance results and actual results subsequently achieved by any investment strategy.
- Constituents of MSCI equity indexes are listed companies, which are included in or excluded from the indexes according to the application of the relevant index methodologies. Accordingly, constituents in MSCI equity indexes may include MSCI Inc., clients of MSCI or suppliers to MSCI. Inclusion of a security within an MSCI index is not a recommendation by MSCI to buy, sell, or hold such security, nor is it considered to be investment advice.
- Data and information produced by various affiliates of MSCI Inc., including MSCI ESG Research LLC and Barra LLC, may be used in calculating certain MSCI equity indexes. More information can be found in the relevant standard equity index methodologies on www.msci.com.
- MSCI receives compensation in connection with licensing its indices to third parties. MSCI Inc.'s revenue includes fees based on assets in investment products linked to MSCI equity indexes. Information can be found in MSCI's company filings on the Investor Relations section of www.msci.com.
- Any use of or access to products, services or information of MSCI requires a license from MSCI. MSCI, Barra, RiskMetrics, IPD, InvestorForce, and other MSCI brands and product names are the trademarks, service marks, or registered trademarks of MSCI or its subsidiaries in the United States and other jurisdictions. The Global Industry Classification Standard (GICS) was developed by and is the exclusive property of MSCI and Standard & Poor's. "Global Industry Classification Standards (GICS)" is a service mark of MSCI and Standard & Poor's.
- For information about how MSCI ESG Research LLC collects and uses personal data concerning officers and directors, please refer to our Privacy Notice at https://www.msci.com/privacy-pledge.

## ABOUT MSCI ESG RESEARCH PRODUCTS AND SERVICES

MSCI ESG Research products and services are provided by MSCI ESG Research LLC, and are designed to provide in-depth research, ratings and analysis of environmental, social and governance-related business practices to companies worldwide. ESG ratings, data and analysis from MSCI ESG Research LLC are also used in the construction of the MSCI ESG Indexes. MSCI ESG Research LLC is a Registered Investment Adviser under the Investment Advisers Act of 1940 and a subsidiary of MSCI Inc.

### **ABOUT MSCI**

MSCI is a leading provider of critical decision support tools and services for the global investment community. With over 50 years of expertise in research, data and technology, we power better investment decisions by enabling clients to understand and analyze key drivers of risk and return and confidently build more effective portfolios. We create industry-leading research-enhanced solutions that clients use to gain insight into and improve transparency across the investment process.

