

United States Senate

May 14, 2020

John Mackey
Chief Executive Officer
Whole Foods Market, Inc.
550 Bowie Street
Austin, TX 78703-4644

Dear Mr. Mackey:

We write to express our serious concerns regarding recent reports that Whole Foods is trying to interfere with workers' rights by tracking and monitoring employees that you think might exercise their right to collective action and union organizing.

Based on these reports, your company rates each of your 510 stores on a scale of how likely their employees are to organize to join a union, designates union organizing as "problematic", and plans to funnel resources to stop union organizing. The rating includes components such as employee loyalty, racial diversity, tip line calls to human resources, and Occupational Safety and Health Administration (OSHA) violations.

The fact that Whole Foods has decided to heavily invest in systems to avoid unionization rather than improve the wages, hours, and working conditions of their employees demonstrates a reckless disregard for the welfare of your workforce. Instead of monitoring employees, your company should be taking active steps to improve workplace safety and health, especially during the current COVID-19 crisis. In addition, incorporating data from "anonymous" tip lines violates the intent of such a resource, which is to provide a safe space for whistleblowers to register concerns.

Due to the proliferation of unethical and anti-worker actions occurring at your company, we request the following information:

1. What steps does Whole Foods currently take to reduce the chance of workers organizing?
2. Does Whole Foods do any type of internal tracking to identify or monitor workers that may be organizing, planning strikes, or talking to the media? If so, describe in detail.
3. Does Whole Foods track workers that participate in walk-outs, strikes, or other organizing activities? If so, who is responsible for this, and how is this information recorded?
4. What type of resources does your company make available to stores at the highest risk of organizing?
5. What steps does Whole Foods take specifically when it becomes aware of an active organizing campaign at a store and thereafter?
6. What steps is your company currently taking to reduce the number of OSHA violations issued at stores, and would your company be willing to accept third-party audits of workplace safety and health conditions and publish the results of such audits publicly?

7. Will you commit to ensuring that those employees who call your tip line are given total anonymity, including the location of their store, and that any tips will not be used in any way for anti-organizing or anti-union efforts?

Among the purposes of our country's labor laws is to encourage collective bargaining and to curtail private sector management practices that may harm the general welfare of workers. We take those purposes very seriously. In these difficult times, it is paramount that we empower workers to use their voices, both individually and collectively. As such, we encourage you to end your company's union suppression and avoidance tactics, and respectfully request a response to these questions by June 1, 2020.

Sincerely,



BRIAN SCHATZ
United States Senator

_____/s_____
SHERROD BROWN
United States Senator

_____/s_____
ELIZABETH WARREN
United States Senator

_____/s_____
KIRSTEN GILLIBRAND
United States Senator

_____/s_____
BERNARD SANDERS
United States Senator