# Amazon's Union-Busting Spending Exposes DSP Driver Reality

LaborLab

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#### Overview

LaborLab's most recent examination of <u>financial disclosures</u> reveals that Amazon continues to invest substantial resources to counter unionization efforts among its employees. Despite growing demands for better working conditions and representation, Amazon appears to remain stubbornly committed to its failing strategy of opposing unions, deploying a massive network of labor relations consulting firms to "persuade" employees to refrain from organizing. Notably, this resistance now extends to Amazon's Delivery Service Partner (DSP) drivers—a compelling revelation given <u>Amazon's insistence that these drivers are not its</u> employees.

In compliance with legal requirements, labor relations consultants must file disclosures with the U.S. Department of Labor whenever they are engaged by employers to interfere with worker organizing efforts. In 2023, consultants submitted 17 such disclosures, but as of October 2024, consultants had already submitted 18 disclosures for this year alone. Upon closer examination of these disclosures, LaborLab identified a critical revelation: some of these forms, filed under penalty of perjury, indicate that union-busting consultants hired by Amazon targeted not only "frontline" employees and "associates" but also "drivers"—specifically DSP drivers. Amazon has long argued that DSP drivers are contractors, not employees, claiming that it does not exert sufficient control to be considered their joint employer. However, these disclosures strongly suggest otherwise, as Amazon is directly engaging DSP drivers through paid consultants to dissuade them from organizing.

These disclosures shatter Amazon's claim that DSP drivers are employed by independent companies, rather than Amazon's own employees.

# **Amazon's Expenditures on Union-Busting**

According to Amazon's 2023 financial disclosures, the company paid approximately \$3 million to key labor relations consulting firms, also known as "persuaders" or "union-busters." These consulting firms are retained specifically to disrupt worker-organizing efforts. Amazon's 2024 spending on these services is anticipated to exceed its spending in 2023. LaborLab's analysis of their 2023 disclosures reveals that Amazon paid \$1.3 million to The Rayla Group, \$1 million to Lev Labor, \$500,000 to RoadWarrior Productions, and \$200,000 to Government Resources Consultants of America (GRCA).

- The Rayla Groups letter of engagement with Amazon can be read here.
- Lev Labor's letter of engagement with Amazon can be read <u>here</u>.
- RoadWarrior Productions' letter of engagement with Amazon can be read <u>here</u>.
- GRCA's letter of engagement with Amazon can be read <u>here</u>.

# Amazon is Targeting Delivery Service Partners While Also Claiming The Drivers Aren't Employees

<u>Labor law requires</u> union-busting consultants to disclose their activities to the U.S. Department of Labor. Recent LM-20 filings reveal that Amazon has hired such consultants to target not only its warehouse workers but also Delivery Service Partner (DSP) drivers. This contradicts <u>Amazon's long-standing claim that DSP drivers are independent contractors</u>. The LM-20 filings, submitted under penalty of perjury, suggest that Amazon exerts significant control over these drivers, challenging its assertion of non-employment. This discrepancy raises questions about Amazon's stance regarding the employment status of DSP drivers. The question has to be asked, "if DSP drivers aren't employees, why is Amazon hiring consultants to discourage those very same employees from organizing?"

In fact, over the last year, we've seen a significant shift in the type of organizing employees being targeted by Amazon. According to Forms LM-20 filed by "persuaders", Amazon has hired labor relations consultants to target DSP drivers in at least four locations: DAX5 (California), DBK4 (New York), BOS5 (Massachusetts), and DAS7 (Massachusetts).

Table 1 examines the Forms LM-20 filed in 2024 disclosing Amazon's union-busting of employees, including DSP drivers, which Amazon claims are not employees. The hyperlinks direct to the Forms LM-20 themselves. It's worth noting that a majority of these forms were filed late, another symptom of <u>chronic nonenforcement of the Labor Management Reporting and Disclosure Act</u> (LMRDA).

Table 1

Name	Persuader Firm	Prime or Sub-Contract or	Prime Contractor	Site	Agreement Date	Filing Date	Timely filed	Subject Group
Ravmond Rosenbach	GRCA – amended	Prime	GRCA		6/24/2024	9/6/2024	No	Various employees across midwest region
Raymond Rosenbach	GRCA	Prime	GRCA		6/24/2024	8/2/2024	No	Various employees across midwest region
Russ Brown	RoadWarrior Productions	Prime	RoadWarrior Productions	DAS7	8/6/2024	9/15/2024	No	DSP Associates
Russ Brown	RoadWarrior Productions – <i>amended</i>	Prime	RoadWarrior Productions	DAX5	8/28/2024	9/27/2024	Yes	DSP Associates
Russ Brown	RoadWarrior Productions	Prime	RoadWarrior Productions	DAX5	8/28/2024	9/26/2024	Yes	DSP Associates
Russ Brown	RoadWarrior Productions	Prime	RoadWarrior Productions	BOS5	9/9/2024	10/14/2024	No	DSP Team
Russ Brown	RoadWarrior Productions	Prime	RoadWarrior Productions	DBK4	9/9/2024	10/18/2024	No	DSP Drivers
<u>Lisa Strobridge</u>	Tandem	Sub	Lev Labor		6/27/2024	10/19/2024	No	DSP Drivers
Roger Allain	Rallain Consulting	Sub	RoadWarrior Productions	DAS7	8/6/2024	9/17/2024	No	DSP Associates
<u>Todd Turner</u>		Sub	GRCA		8/26/2024	10/1/2024	No	Various employees
<u>Devon</u> <u>Hannagan</u>		Sub	RoadWarrior Productions	DAX5	8/28/2024	9/27/2024	Yes	DSP Associates
Larry Wold		Sub	RoadWarrior Productions	DAX5	9/3/2024	10/26/2024	No	DSP
Evelvn Fragoso	Quality Labor	Sub	GRCA		9/3/2024	10/1/2024	Yes	Various employees
<u>Larry Wold</u>		Sub	RoadWarrior Productions	DAX5	9/3/2024	10/1/2024	Yes	DSP Associates
Edward Hinkle		Sub	RoadWarrior Productions	DAS7	9/3/2024	9/16/2024	Yes	DSP Associates
Marcus Iordan	MAJ Consulting	Sub	RoadWarrior Productions	DBK4	9/6/2024	10/23/2024	No	All Facility Team members
<u>Lisa Strobridge</u>	Tandem	Sub	Lev Labor		9/18/2024	10/19/2024	No	DSP Drivers
Douglas Tindall	Tindall Consulting	Sub	RoadWarrior Productions	DAX5	9/27/2024	9/27/2024	Yes	DSP Associates
Not Filed								
Roody Lespinasse		Sub	RoadWarrior Productions	DAX5				
Katy Lev	Lev Labor	Prime	Lev Labor					
Greg Peraino	D&G Consultants	Sub	GRCA					
Anite Guillaume		Sub	RoadWarrior Productions	DBK4				
Monica Meija		Sub	RoadWarrior Productions	DBK4				
Greg Peraino	D&G Consultants	Sub	GRCA					
Evelyn Fragoso	Quality Labor Solutions	Sub	GRCA					
Todd Turner	Innovative Employee Solutions	Sub	GRCA					

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**Table 2** lists the relevant Forms LM-20 filed in 2023 relating to Amazon's union-busting activities.

Table 2

Persuader Firm	Persuader Firm	Prime or Sub Contractor	Prime Contractor	Site	Agreement Date	Filing Date	Timely Filed	Subject Group of Employees
Ravmond Rosenbach	Government Resources Consultants of America	Prime	GRCA		5/18/23	12/18/23	No	Various employees across the Western Region
Russ Brown	RoadWarrior Productions	Prime	RoadWarrior Productions	ONT8	8/24/23	9/22/23	Yes	Scope of unit unknown at this time.
Raymond Rosenbach	Government Resources Consultants of America – amended	Prime	GRCA		9/26/23	1/2/24	No	Various employees across the Eastern Region
Penne Familusi Iackson	The Rayla Group	Prime	The Rayla Group		10/2/23	10/2/24	No	Associates
Nicholas Becker	Perceptive Consulting	Sub	GRCA		1/1/23	7/2/24	No	Delivery drivers across the Eastern Region
Michael Lagaipa	Eternity Souls LLC DBA Labor Advisors	Sub	GRCA		5/18/23	1/25/24	No	Various employees across the Western Region
Simon Jara	Pinnacle Labor Solutions	Sub	RoadWarrior Productions	ONT8	8/23/23	10/13/23	No	Frontline
Gregory Peraino	D&G Creative Consulting	Sub	GRCA		9/26/23	11/25/23	No	Various employees across the Eastern Region
Michael McNally		Sub	GRCA		9/26/23	4/3/24	No	Various employees across the Eastern Region
<u>Iosh McHamm</u>		Sub	The Rayla Group		10/2/23	8/27/24	No	Associates
<u>Ignacio Fresan</u>		Sub	The Rayla Group		10/2/23	4/17/24	No	Associates
Marcia V. Carter	ButlerCarter Connection	Sub	The Rayla Group		10/2/23	4/9/24	No	Employees
Elizabeth Gill		Sub	The Rayla Group		10/2/23	2/26/24	No	Associates
Emigdio M. Arias	KNA Industrial Relations	Sub	The Rayla Group		10/2/23	1/21/24	No	Associates
Adriana Ortiz	DBA Alliance LRC	Sub	GRCA		12/3/23	5/17/24	No	Various employees across the Eastern Region
Kamilyn VanNoy		Sub	RoadWarrior Productions	DLV4	12/12/23	5/16/24	No	Hourly employees assigned to DLV4 facility
<u>Xinia Melara</u>	Optimal Employee Relations				1/30/23	3/19/24	No	RME employees
Not Filed								
Daniel Bryan	Eternity Souls DBA Labor Advisors	Sub	GRCA					
Juan Carlos Cervantes	Eternity Souls DBA Labor Advisors	Sub	GRCA					
Katie Parry	Eternity Souls DBA Labor Advisors	Sub	GRCA					
Luciano Nunez	Eternity Souls DBA Labor Advisors	Sub	GRCA					
Reymundo Santana	Eternity Souls DBA Labor Advisors	Sub	GRCA					
Timbergel Santana	Eternity Souls DBA Labor Advisors	Sub	GRCA					
Greg Peraino	D&G Consulting	Sub	GRCA					

Michael Indivero		Sub	GRCA			
Jennifer Ebanks		Sub	GRCA			
Juan Carlos Cervantes	Eternity Souls DBA Labor Advisors	Sub	GRCA			
Reymundo Santana	Eternity Souls DBA Labor Advisors	Sub	GRCA			
Michael Caserta	Eternity Souls DBA Labor Advisors	Sub	GRCA			
Gabrielle Mattes		Sub	The Rayla Group			

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In 2023, no Forms LM-20 listed DSP drivers as targets. Instead, "persuaders" were being hired to target "Associates."

# **Lack of Timely Filings**

Under the LMRDA, "persuaders" have 30 days to disclose to the U.S. Department of Labor that they have been hired to interfere in a union election. Tables 1 & 2 reveal a consistent pattern of Amazon's union-busters evading transparency rules. In 2023, Amazon's "persuader" consultants only filed one Form LM-20 in compliance with the law, while 16 Forms LM-20 were filed late, and 13 consultants never even bothered to file.

The numbers for 2024 tell a similar story. In 2024, Amazon's consultants only filed 7 disclosures in compliance with the law, 11 were delinquent, and at least 8 consultants have completely ignored disclosure rules.

This consistent disregard for disclosure requirements under the LMRDA demonstrates a blatant attempt to undermine worker organizing efforts. By failing to comply with the law, Amazon's consultants can operate in the shadows, misleading workers and interfering with their right to form unions.

# Scope of Amazon's Anti-Union Campaign

Amazon's recent anti-union efforts span over two dozen consulting firms, including but not limited to The Rayla Group, Quality Labor Solutions, Tindall Consulting, LLC, RoadWarrior Productions, LLC, Rallain Consulting, LLC, Government Resources Consultants of America, Inc., Pinnacle Labor Relations, Perceptive Consulting, Webster Group Consulting, LLC, Alliance LRC, ButlerCarter Connection, Optimal Employee Relations, Michael Lagaipa, KNA Industrial Relations, LLC, D&G Creative Consulting, LLC, Pinnacle Labor Solutions, Inc., Lev Labor, LLC, Tandem, LLC, Action Resources, Labor Information Services, Inc., David J. Burke & Associates, The Burke Group, and Redstone Enterprises. Many of these consultants charge Amazon hundreds of dollars per hour for their services, with daily fees of \$3,800 or more.

This extensive network of consultants demonstrates Amazon's escalating commitment to opposing union efforts, as it contracts a staggering array of third-party firms to counter organizing activity. Amazon clearly remains willing to invest heavily to maintain control over its workforce (even when it claims some members of that workforce are not employees). Rather than addressing employee concerns, Amazon's strategy suggests a doubling down on anti-union tactics. The scale and cost of these consulting engagements point to an unprecedented effort to suppress organizing across Amazon operations nationwide.

# **Implications and Current Context**

These revelations come at a time when Amazon faces escalating complaints from labor organizations, most notably the Teamsters. The NLRB recently issued a <u>complaint</u> asserting that Amazon is the joint employer of Amazon drivers who organized with the Teamsters in Palmdale, CA and drivers at several other facilities have since demanded Amazon recognize their Teamsters union organizing as well. LaborLab's findings bolster the case against Amazon and its disingenuous legal arguments in regard to joint employer rules. The implication of this finding is that Amazon does in fact have an obligation to negotiate with organized DSP drivers.

# Conclusion

In light of these findings, it's evident that Amazon's stance on unionization is more than just resistance—it's a full–scale, expensive, and multi-layered campaign to deter organizing at all costs, despite growing worker dissatisfaction and calls for better representation. By engaging dozens of high-cost consulting firms and targeting DSP drivers, whom Amazon claims are independent contractors, Amazon has doubled down on its anti-union efforts even as scrutiny from labor organizations and regulatory bodies intensifies. LaborLab's analysis highlights a clear contradiction in Amazon's messaging and practices regarding its workforce, underscoring the need for greater transparency and accountability.

#### **Access to Data**

All disclosures used to compile this report can be found in this downloadable spreadsheet.

# **Meet Amazon's Coercive Union-Buster**

Amazon has recruited an army of union-busting consultants, often referred to as "persuaders." What follows is a snapshot of just some of the consultants currently coercing Amazon workers.

#### Russ Brown<sup>1</sup>

Russell (Russ) Brown is the CEO of <u>RoadWarrior Productions (RWP)</u> which consists of RWP Labor and RWP Lead and has a long history of working on Amazon's union-busting campaigns. In addition to raking in millions of dollars (in 2023, <u>RWP made \$1,432,119</u> and in 2022, <u>RWP made \$2,755,681</u>).

RoadWarrior Productions sub-contractor, Bill Monroe, was identified as engaging in an unfair labor practice (ULP) involving Kumho Tires in 2019. As an Administrative Law Judge determined, Monroe was "at a plant to encourage employees to vote No," so "his inquiries were also coercive.".It was found that Monroe violated section 8(a)(1) of the National Labor Relations Act of interfering with employee rights. Per the ALJ decision, he was a RoadWarrior Productions employee when the violation occurred.

# **Roody Lespinasse**

Roody Lespinasse is the President of L & L Management. Lespinasse was formerly the Treasurer at United Steelworkers Local 421. In a 2012 federal court case, Lespinasse "pled guilty to one count of willfully failing to maintain union records," Lespinasse was "sentenced to 18 months of probation and was ordered to pay restitution of \$20,818 and a \$25 assessment."

L & L Management was named in a <u>July 2020 lawsuit</u> filed by Eastern Bank. According to the case, L & L Management defaulted on a loan from Eastern Bank worth approximately \$55,000. Lespinasse was named in a <u>December 2020 lawsuit</u> filed by Synovus Bank.

#### Lisa Strobridge

Lisa Strobridge is a former Amazon employee. She was an employee relations manager for nearly 7 years in the Northeast region. She is currently based in Knoxville, TN.

<sup>&</sup>lt;sup>1</sup> An earlier version of this report mistakenly identified RWP CEO Russ Brown as the same Russ Brown of Russ Brown Associates (RBA). While both individuals share the same name and were involved in the union-busting industry, Russ Brown of RBA was involved in specific labor union disputes, including a 2012 ULP case, 2006 case, or 1993 case. No such record exists for Russ Brown of RWP.

<sup>&</sup>lt;sup>2</sup> An earlier version of this report stated Mr. Lespinasse had pleaded guilty to embezzlement. While Mr. Lespinasse was indicted for embezzlement, he would later only plead guilty to a lesser charge in a plea deal that saw the embezzlement charges dropped.

According to a post-hearing brief of an unfair labor practice (ULP) case, <u>Strobridge engaged in anti-union activities</u> while employed at Amazon as a Employee Relations Manager. Employees who raised concerns around COVID to their managers were monitored and discussed amongst managers. <u>Strobridge was "monitoring employees' comments to various media outlets" as it pertained to COVID protocols.</u> Additionally, <u>Strobridge wrote Amazon's Risk Mitigation Strategy which included "creating internal groups to monitor employees and their social media activity in real-time</u>

# **Evelyn Fragoso**

In a 2016 California Supreme Court Case, Fragoso was found to have made "disparaging remarks about the union," said that the "things the union was promising were lies" and that the union "just wanted the three percent." Fragoso held captive audience work-time meetings with fifty crews.

<u>A 2013 ULP case</u> found that Fragoso threatened "that bargaining would start from scratch, that wages would be lower, and that it was futile to select the Union" during a captive audience meeting.

# **James Misercola**

In a <u>2022 unfair labor practice (ULP) case</u>, Misercola was found to have committed an ULP by removing a picket sign. During the trial, the judge "did not find James Misercola to be a credible witness" because he was indirect and refused to answer basic questions. Within the same case, it was stated that Misercola was hired to "discourage union activity by its employees".