

# Amazon firms face legal action



## **Amazon makes billions of pounds every year, yet their drivers are not paid the minimum wage**

We're taking legal action against three Amazon delivery companies on the charge of bogus self-employment.

The case will be announced at GMB's 101st annual congress in Brighton, and is the latest in a series of gig economy legal cases brought by the union since they won the landmark judgement against Uber in 2016.

The legal action being taken by GMB is on behalf of members working for Prospect Commercials Limited, Box Group Limited and Lloyd Link Logistics Limited.

The claimants all worked for the companies as couriers, delivering parcels for Amazon.



**“** Amazon is a global company that makes billions. It’s absolutely galling that they refuse to afford the people who make that money for them even the most basic rights, pay and respect.

The day to day reality for many of our members who deliver packages for Amazon, is unrealistic targets, slogging their guts out only to have deductions made from their pay when those targets aren’t met and being told they’re self-employed without the freedom that affords.

**Tim Roache, GMB General Secretary**

GMB say the drivers were employees, and the companies used the bogus self-employment model to wrongly deny them employment rights such as the national minimum wage and holiday pay.

The drivers were required to attend scheduled shifts that were controlled by Amazon, meaning they did not have the flexibility that is integral to being self-employed. In this situation, the couriers were treated like employees in terms of their working hours, GMB Union contends they should be treated as employees in terms of their rights too.

Two of the members are also claiming that they were dismissed because of whistleblowing, saying that their roles were terminated because they raised concerns about working practices, for example that:

- the number of parcels allocated to drivers resulted in excessive hours and/or driving unsafely to meet targets;
- drivers were expected to wait a significant time to load their vans, extending their working hours;
- drivers were driving whilst tired, which posed a threat to their safety and other road users; and
- drivers were being underpaid and not being paid amounts that they were contractually entitled to



**“** Companies like Amazon and their delivery companies can't have it both ways - they can't decide they want all of the benefits of having an employee, but refuse to give those employees the pay and rights they're entitled to.

Guaranteed hours, holiday pay, sick pay, pension contributions are not privileges companies can dish out when they fancy. They are the legal right of all UK workers, and that's what we're asking the courts to rule on.

### **Tim Roache, GMB General Secretary**

These whistleblowing claims are also being brought directly against Amazon on the basis that it was Amazon who determined the way that the drivers should work.

### **Case Study**

One of the drivers who is involved in the legal case recounted his experience of leaving the house at 6am, not returning until 11pm at night and as a 'thank you' for his hard work, had £1 per undelivered parcel deducted from his wages.

On more than one occasion the driver was told by the company that he would not be paid if he did not complete a route and had sometimes driven when "half asleep at the wheel" in order to ensure he got paid.

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### **Press office**

07958 156846

[press.office@gmb.org.uk](mailto:press.office@gmb.org.uk)

### **Member requiring help?**

Click to contact your local GMB Region

[info@gmb.org.uk](mailto:info@gmb.org.uk)

