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**[EXEMPT FROM FILING FEES -
Pursuant to Government Code
Section 6103]**

10 *Attorneys for the People of the State of California*

11 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF SACRAMENTO

15 PEOPLE OF THE STATE OF CALIFORNIA,
16
17 Plaintiff,
18 v.
19 AMAZON.COM SERVICES LLC, a Delaware
Corporation,
20 Defendant.

Case No.
**COMPLAINT FOR PERMANENT
INJUNCTION, CIVIL PENALTIES, AND
OTHER EQUITABLE RELIEF**
(BUS. & PROF. CODE § 17200 et seq.)

1 Plaintiff, the People of the State of California (“People”), by and through Rob Bonta,
2 Attorney General of the State of California (“Attorney General”), alleges as follows:

3 **INTRODUCTION**

4 1. This action is brought by Plaintiff, the People of the State of California, by and
5 through Rob Bonta, the Attorney General of the State of California, against Amazon.com
6 Services LLC (“Amazon” or “Defendant”) in order to stop Defendant from continuing to engage
7 in unfair competition by issuing insufficient notifications as to its California Facilities, as defined
8 herein, regarding COVID-19 cases.

9 2. Amazon is a corporation whose business activities include operating an online store
10 where customers can purchase products such as books, clothing, groceries, electronics, and other
11 items. Amazon also provides logistics services, such as packaging and delivering products to
12 consumers who purchase items through Amazon’s online store. During the COVID-19
13 pandemic, as to its California Facilities, Amazon has issued written notifications to employees
14 and to the employers of subcontracted employees, and reports to local health agencies (“LHAs”),
15 with information regarding COVID-19 cases.

16 3. The People allege that, as to the California Facilities, Amazon’s notifications to
17 employees and to the employers of subcontracted employees, and reports to local health agencies,
18 did not fully satisfy the requirements of California Labor Code section 6409.6, and constituted
19 unfair competition in violation of California Business and Professions Code section 17200 et seq.

20 **PARTIES AND VENUE**

21 4. Plaintiff Rob Bonta is the Attorney General of the State of California and is the chief
22 law officer of the State. (Cal. Const., art. V, § 13.) The Attorney General is empowered by the
23 California Constitution to take whatever legal action is necessary to ensure that the laws of the
24 State are uniformly and adequately enforced, and is statutorily authorized to bring actions in the
25 name of the People of the State of California to enforce California’s laws governing unfair
26 competition. (Bus. & Prof. Code § 17204.)
27
28

1 5. Defendant, Amazon.com Services LLC, is a corporation authorized to do business in
2 the State of California, and at all times relevant herein was doing business in the County of
3 Sacramento, as well as elsewhere in the State of California.

4 **ALLEGATIONS**

5 6. Defendant operates dozens of the following categories of facilities in the State of
6 California, where employees fulfill customer orders by preparing, packing, and transporting
7 products to customers: Amazon Fresh, Amazon Logistics (AMZL), Amazon Pantry, Hub, Multi-
8 Channel Facility (MCF), Non-Sort Fulfillment Center, Prime Now (PN), Robotics/Fulfillment
9 Center, Sort Center, Sortable Fulfillment Center, Specialty Fulfillment Center, Heavy/Bulky
10 Fulfillment Center (XLFC), and Ultra Fast and Fresh (UFF) (“California Facilities”).

11 7. Defendant issues written notifications of potential exposure to COVID-19 to
12 employees and employers of subcontracted employees in California Facilities (“Notifications”)
13 that do not specify the total number of COVID-19 cases covered by the Notification, as required
14 by California Labor Code section 6409.6, subdivision (a)(1).

15 8. In multiple instances, Notifications did not issue within one business day, as required
16 by California Labor Code section 6409.6, subdivision (a)(1).

17 9. The Notifications did not fully set forth information regarding: COVID-19-related
18 benefits available under applicable federal, state, or local laws; options for exposed employees,
19 including COVID-19-related leave, company sick leave, state-mandated leave, or supplemental
20 sick leave; and antiretaliation and antidiscrimination protections, as required by California Labor
21 Code section 6409.6, subdivision (a)(3).

22 10. The Notifications did not fully set forth the disinfection and safety plan that
23 Defendant planned to implement and complete, as required by California Labor Code section
24 6409.6, subdivision (a)(4).

25 11. In multiple instances as to its California Facilities, Defendant issued COVID-19 case
26 reports to LHAs that did not fully notify LHAs of each of the names, numbers, occupations, and
27 worksites of employees for subsequent laboratory-confirmed cases of COVID-19, as required by
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1 California Labor Code section 6409.6, subdivision (b), and did not send these notifications within
2 48 hours, as required under California Labor Code section 6409.6, subdivision (b).

3 12. Defendant's actions as to its California Facilities described in paragraphs 6 to 11
4 herein, prevented employees, the employers of subcontracted employees, and the public from
5 fully accessing information regarding COVID-19 cases.

6 **CAUSE OF ACTION**

7 **I. VIOLATIONS OF BUSINESS AND PROFESSIONS CODE SECTION 17200**
8 **(Unfair Competition Law)**

9 13. The People reallege and incorporate by reference each of the paragraphs above as
10 though fully set forth in this cause of action.

11 14. By providing, as to its California Facilities, COVID-19 notifications and COVID-19-
12 related information to employees and the employers of subcontracted employees and reports to
13 local health agencies that did not fully satisfy the requirements of California Labor Code section
14 6409.6, Amazon violated California Business and Professions Code section 17200 by engaging in
15 continuing acts of unfair competition. These acts began at a time unknown to the People but no
16 later than January 1, 2021.

17 **PRAYER FOR RELIEF**

18 WHEREFORE, the People pray for the following relief:

19 1. Pursuant to Business and Professions Code section 17203, that Defendant and any
20 successors, agents, representatives, employees, and all persons acting in concert or in
21 participation with Defendant, be permanently enjoined from engaging in unfair competition as
22 defined in Business and Professions Code section 17200 including, but not limited to, the acts and
23 practices alleged in this complaint;

24 2. Pursuant to Business and Professions Code section 17206, that the Court assess a civil
25 penalty of two thousand five hundred dollars (\$2,500) against Defendant for each violation of
26 Business and Professions Code section 17200, as proved at trial;

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- 3. That the People recover their costs of suit; and
- 4. Such other and further relief that the Court deems appropriate and just.

Dated: November 12, 2021

Respectfully submitted,

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