

A response written by Apple CORE Union to the recently published

Worker's Rights Assessment



“The Labor Movement was the principal force that transformed misery and despair into hope and progress.”

– Martin Luther King Jr

Executive Summary

The commissioning of a “Workers Rights Assessment” by Apple aimed at evaluating its labor practices, in response to shareholder concerns and growing employee activism, underscores the increasing scrutiny faced by corporations regarding worker rights. The report, conducted by lawyers at Jenner & Block, lead by Ambassador Keith M. Harper, however, has been sharply criticized by the Apple CORE Union, Penn Square Labor Alliance, United Tech and Allied Workers, Apple Retail Workers Union, the Apple Together community, and current and former Apple employees from around the world.

Despite claims of consulting external stakeholders, including labor advocates, the Jenner Team's report lacked a crucial component: direct input from Apple workers. This omission discredits the foundation of the assessment and must be a result of either bias or incompetence given the widely documented hostile nature of Apple's response to the recent unionization efforts within Apple stores.

Apple CORE Union, the first unionized Apple workers in the United States, conducted a survey of 161 current and former employees from 66 stores regarding hostility towards unions, fear of retaliation, and coercive tactics employed by Apple to discourage organizing efforts. The results of the survey directly conflicted with the claims made by the Jenner team and found a pattern of behavior explicitly illegal under U.S. labor law. Instances of alleged illegal firings and collective punishment further underscore the challenging climate faced by workers attempting to exercise their rights.

In light of these findings, the Apple CORE Union and employees are bringing set of demands to the Board of Directors, including rescinding the Jenner Team's report, forming an investigative committee inclusive of organized and nonunionized employees, and ending relationships with "Union Avoidance" consultants. Additionally, they call for financial transparency regarding expenditures on anti-union activities and a commitment to respectful bargaining practices.

Failure to address these demands would not only disregard shareholder concerns but also risk significant reputational and legal repercussions for Apple. The Board has the opportunity to demonstrate a commitment to corporate responsibility and worker rights by embracing these recommendations.

Table of Contents:

Executive Summary.....	2
Table of Contents:.....	3
Introduction.....	5
A worker-focused investigation.....	8
Section 1: Worker Sentiment.....	8
Section 2: Actions by Management.....	9
Demographics:.....	11
Employment Status:.....	11
Tenure:.....	11
Wages:.....	12
Locations:.....	12
Workplaces:.....	13
Worker Testimony Refutes the Findings.....	14
Broad Themes:.....	14
Hostility Towards Unions:.....	14
Fear of Retaliation.....	15
Coercive Behavior:.....	16
Violations of the Law:.....	16
Finding #1:.....	18
Survey Finding:.....	18
Worker Testimony:.....	18
Finding #2:.....	19
Survey Finding:.....	19
Worker Testimony:.....	19
Finding #3:.....	20
Survey Finding:.....	20
Worker Testimony:.....	20
Finding #4:.....	22
Survey Finding:.....	22
Worker Testimony:.....	22
Finding #5:.....	25
Survey Finding:.....	25
Worker Testimony:.....	25
Finding #6:.....	29
Survey Finding:.....	29
Worker Testimony:.....	29

Finding #7:.....	30
Survey Finding:.....	30
Worker Testimony:.....	30
Finding #8:.....	31
Survey Finding:.....	31
Worker Testimony:.....	31
Explicit Labor Law Violations.....	33
Note Worthy Activities:.....	34
Conclusion.....	37

Introduction

In January, a shareholder proposal was put forward in partnership between concerned shareholders at Trillium, union pension fund managers, and a coalition of thousands of Apple employees from around the world. In response to this proposal, Apple decided to commission its report aimed at assessing its labor practices to determine whether or not its policies and actions pose a risk to the interests of its shareholders. These concerns were growing as more and more employees around the world reported new trends of troubling and problematic behavior that their managers and leaders were suddenly exhibiting. “The audit comes amid complaints by federal regulators and employees that the company has repeatedly violated workers’ labor rights as they have sought to unionize over the past year. Apple has denied the accusations.” wrote Noam Scheiber of the New York Times.

When workers in Towson, Maryland announced they intended to unionize, forming the Apple CORE Union, they were immediately met with a barrage of “union avoidance” tactics. Apple hired Littler Mendelson, a company notorious for their union-busting tactics used against workers at Starbucks, Amazon, Nissan, and Delta Airlines. They immediately began instructing managers and leadership to begin an intense campaign to beat the union. On June 18th, 2022 the workers at Apple Towson made history and, despite Apple’s best efforts, won their NLRB election with a tally of 65 yes to 33 no. Former U.S. Labor Secretary Tom Perez wrote on Twitter “All across our country we’re seeing workers demanding fairness and dignity. So proud that the nation’s first Apple store to form a union is right here in Baltimore County.”

On Friday, October 13th, 2022 the workers at Apple Penn Square in Oklahoma City became the second Apple store to win an election. The workers there echoed the experience of the Towson employees, describing intense pressure from management in opposition to the union effort. (Under current NLRB rules the workers at Penn Square would not have had to hold their election since an Unfair Labor Practice charge was filed by CWA before the election which resulted in a complaint filed by the board.) The NLRB has ruled that when an employer violates the law during an election, the election is canceled...

...and the union is automatically recognized. The complaint filed by the board against Apple cited egregious violations including:

- Making statements to employees that support for their union was futile
- Soliciting grievances from employees
- Interrogating employees about their support for the union
- Holding “captive audience meetings” with workers
- Threatening its employees with retaliation if they unionized.

This complaint sought remedies that included posting notice of the violation of labor law and access to facilities to ensure compliance with the posting has been met.

The Jenner Team stated in their report “Jenner did not undertake an independent evaluation of Apple’s compliance with domestic labor law, nor did Jenner investigate specific ULP claims that have been made against Apple...” while concluding that “the proper procedure for evaluating such claims is outlined in the National Labor Relations Act (“NLRA”), and the proper forum for such claims is before the NLRB (and ultimately, in some cases, federal court).” The effects of credible and substantiated violations of Labor Law and their potential for “meaningful reputational, legal, and operational risks...(that) may negatively impact its long-term value”, a concern shareholders made clear in their proposal for the commission, did not seem to be a priority for the report’s authors. The sidestepping of the specific shareholder concerns is both a dereliction of duty and also a vacancy of morality in the eyes of this response’s authors. Time will tell if this opinion is shared with the shareholders, and whether that might compromise their confidence in the members of this Board of Directors in their ability to fulfill their duties.

The Jenner Team framed their objective for the assessment with the following summary:

“Over the last few years, there has been an uptick in high-profile labor organizing activity across several industries in the United States. Like many other companies, Apple has experienced recent organizing efforts, with two of its U.S. retail stores unionizing. Amidst this backdrop, in January 2023, Apple announced its agreement to conduct an assessment of “Apple’s efforts to comply with its Human Rights Policy as it relates to workers’ freedom of association and collective bargaining rights in...

...the United States by the end of calendar year 2023.”¹ Apple retained Jenner in February 2023 to conduct the Assessment and to publish a report on the results of the Assessment (the “Report”).” - Jenner Team

This characterization of events and the laundering of any hint of wrongdoing is either a lie by omission or deep incompetence or inability on behalf of the Jenner Team.

The commission laid out its methodology for assessing Apple’s policies and boasted that it consulted a “diverse group of external stakeholders, including experts on business and human rights and organized labor advocates.” Any worker who has experienced the effects of Apple’s policy can note a demographic suspiciously left out from this “diverse group.” Ask yourself this question: “How can you possibly assess a company’s treatment of workers and their attitude towards their rights without speaking to a single worker?” The Jenner Team claimed they made an effort to speak to a representative at the CWA, though their efforts were a single attempted correspondence from an email address bearing no connection to Apple or any party known to represent them. In their report, they do not claim to have ever spoken to an Apple Store employee, a single member of a unionized Apple Store, or a single employee who has ever raised concerns about Apple’s compliance with not only the law but with the values the company claims they to stand for.

Due to Jenner’s Team's lack of either investigative integrity or ability, Apple CORE Union took it upon themselves to do what the report failed to do... speak to the workers.

A worker-focused investigation

To effectively summarize the experiences, perspectives, and feelings of Apple's workers, we commissioned a survey to be shared with current and former Apple employees. The survey was open for one month and we received 161 responses. This survey was shared directly with verified workers and sought to test the claims and "findings" the assessment presented. In our survey, we asked workers the following questions:

Section 1: Worker Sentiment

Respondents were asked to identify if they Strongly Agree (1), Agree (2), Neither Agree Nor Disagree (3), Disagree (4), or Strongly Disagree (5) with the following statements.

- 1) I believe Apple respects my right to collectively bargain and form a union.
- 2) I believe Apple would never retaliate against an employee seeking to form a union.
- 3) I believe Apple has never attempted to coerce or influence me or my coworkers against forming a union.
- 4) I believe Apple would never intentionally violate the law to prevent an Apple Store from unionizing.
- 5) I believe Apple has never unintentionally broken the law to stop an Apple Store from unionizing.
- 6) I believe Apple has always been truthful and transparent regarding unions and their effects on working conditions.
- 7) I believe Apple has made every effort to bargain in good faith with any Apple Store that has unionized.
- 8) I believe that all of Apple's Leadership, including retail store managers, respect their employee's right to collective bargaining.
- 9) I believe Apple takes a worker's right to form a union very seriously.

-
- 10) I believe Apple's policies and actions concerning workers' rights have always been consistent with their values and the Credo.
 - 11) I believe Apple has a workplace culture where workers can talk about unionizing without fear of retaliation, harassment, or intimidation.
 - 12) I believe Apple would never offer a worker favors, promotions, raises, or any other reward for opposing an effort to unionize.
 - 13) I believe Apple would never share lies, misleading information, falsehoods, or omit any truths regarding the effects a union would have on the workplace.
 - 14) I believe Apple has not and is not actively attempting to prevent any worker from unionizing.
 - 15) I believe Apple has never, purposely or otherwise, adversely or negatively impacted the well-being of an employee to prevent a union.
 - 16) I believe Apple's existing avenues for employee feedback sufficiently address their concerns, needs, and ideas.

Section 2: Actions by Management

Respondents were asked if they had experienced or witnessed any of the following actions taken by management:

(Note: Actions marked with a "*" are explicit violations of the NLRA and would constitute Unfair Labor Practice charges)

- 1) *Held mandatory meetings where members of leadership explicitly discouraged employees from unionizing.
- 2) ...hold voluntary meetings regarding unions that offered incentives to attend.
- 3) ...schedule meetings sharing negative perspectives of unions that employees could opt out of.
- 4) ...share written communications such as emails, texts, work email messages, or hello messages discouraging employees from unionizing.
- 5) ...share video messages discouraging employees from unionizing.
- 6) *...threaten, be hostile, or coerce me for expressing support for a union.
- 7) *...give new improvements to my benefits immediately after news of another store unionizing.

-
- 8) *...allow members of my team expressing anti-union a stage to express their opinions.
 - 9) ...make claims a union would result in a loss of benefits.
 - 10) ...make claims about the economic impact of dues.
 - 11) ...portray unions as untrustworthy or a "third party".
 - 12) ...make claims that a union would prevent them from helping you.
 - 13) *...prohibit employees from talking about the union during working time, if you permit them to talk about other non-work-related subjects.
 - 14) *...coercively question employees about their own or coworkers' union activities or sympathies.
 - 15) *...poll your employees to determine the extent of their support for a union, unless you comply with certain safeguards.
 - 16) *...spy on employees' union activities.
 - 17) *...solicit individual employees to appear in a campaign video.
 - 18) *...convey the message that selecting a union would be futile.
 - 19) *...discharge, constructively discharge, suspend, layoff, fail to recall from layoff, demote, discipline, or take any other adverse action against employees because of their protected concerted activities.
 - 20) *...initiate, solicit employees to sign, or lend more than minimal support to or approval of a decertification or union-disaffection petition.
 - 21) *...threaten employees with adverse consequences, such as closing the workplace, loss of benefits, or more onerous working conditions, if they support a union, engage in union activity, or select a union to represent them.
 - 22) *...confer benefits on employees during a union organizing campaign to induce employees to vote against the union.
 - 23) ... held a round table or download where they shared incomplete, misleading, or false information about another store's unionization efforts.

Demographics:

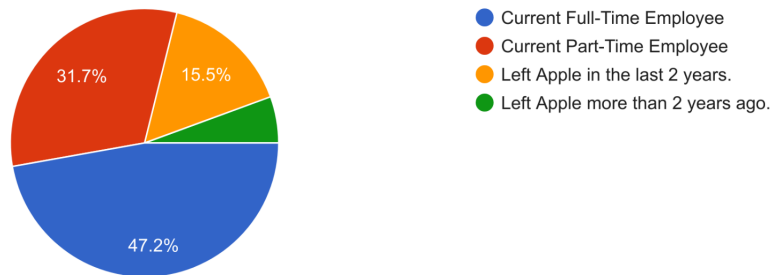
We sent our survey to verified current and former Apple employees from around the world who serve in a broad variety of roles in Retail Stores, Call Centers, and Corporate Offices. Here is a look into some of the demographic information about our respondents:

Employment Status:

Most respondents were currently employed as Full-Time employees at Apple. It is not surprising that workers who have made working for Apple their career are deeply worried about the way their company views their rights.

What is your employment status with Apple?

161 responses

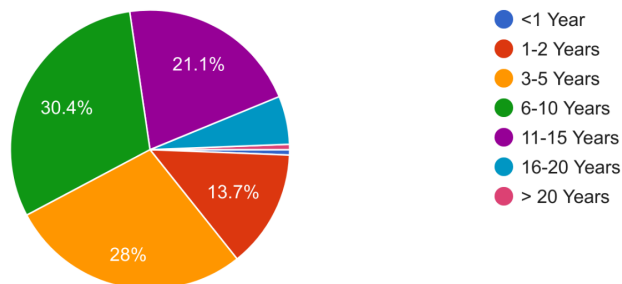


Tenure:

We received responses from employees with a wide range of tenure at Apple. Over two-thirds of respondents have spent at least six years working for Apple.

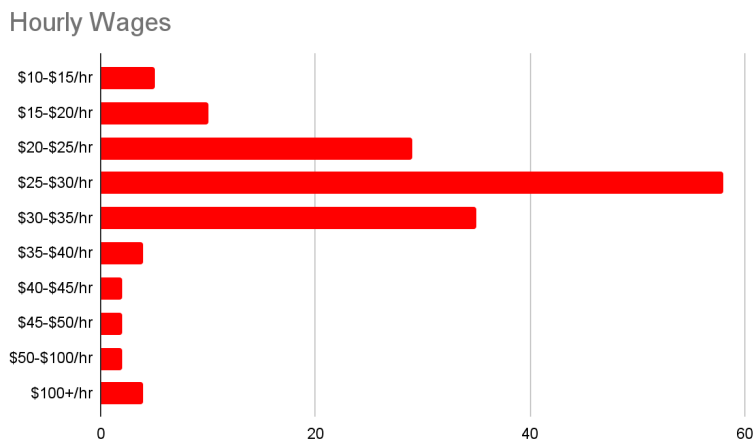
How long did you/have you worked for Apple?

161 responses



Wages:

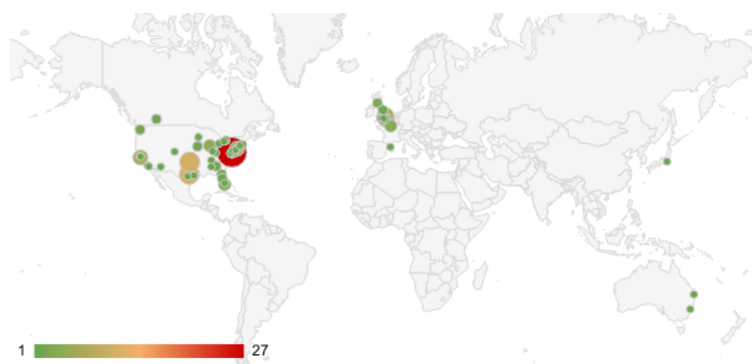
Hourly wages ranged from \$27,000 per year for part-time retail employees, up to salaries of \$280,000 a year for employees working corporate office jobs. Full-time, tenured employees in Retail and Applecare employees averaged \$56,492 per year whereas the lowest-paid Corporate employee reported a salary of \$145,000, with an average yearly salary of \$219,765 per year. Retail managers fell in between these roles making between \$89,000 and \$102,000 per year.



Adjusted to USD, Full-Time Salary adjusted to 40-hour work week hourly equivalent.)

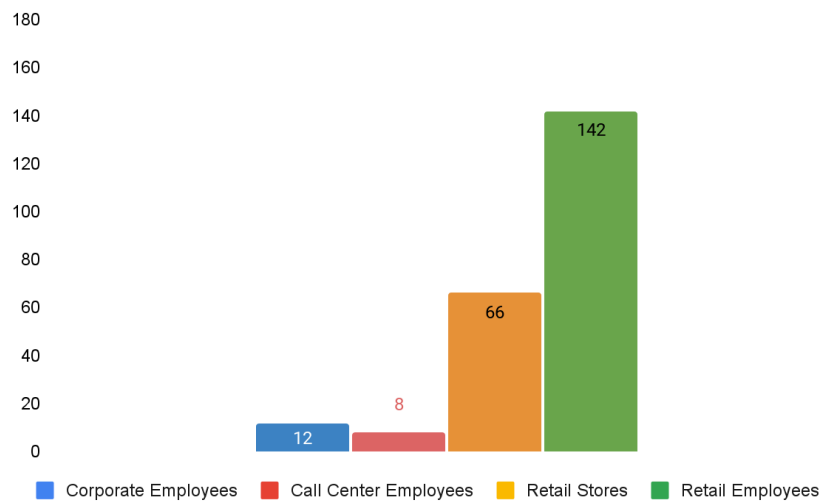
Locations:

The majority of workers who responded reside in the United States, though roughly a quarter of respondents are located in other countries. We received responses from 6 unique countries, 24 states, and 60 cities across the world.



Workplaces:

We received surveys from workers at dozens of retail stores, as well as several from call centers and corporate offices.



We heard from workers in nearly every role in retail, as well as a broad set of roles in AppleCare and RCC call centers, as well as at-home advisors. We also heard from corporate employees across multiple teams and on campuses in California and Texas. We believe that the employee survey presents an accurate sample of workers who could be affected by Apple's policies related to workers' rights.

Worker Testimony Refutes the Findings

After compiling the responses to our survey, it became abundantly clear that had the Jenner Team spoken to and incorporated the testimony of Apple's Workers, there is no reasonable way the Jenner team could have truthfully made these conclusions. To underscore this we will compare the information we received from this survey to the claims the report makes.

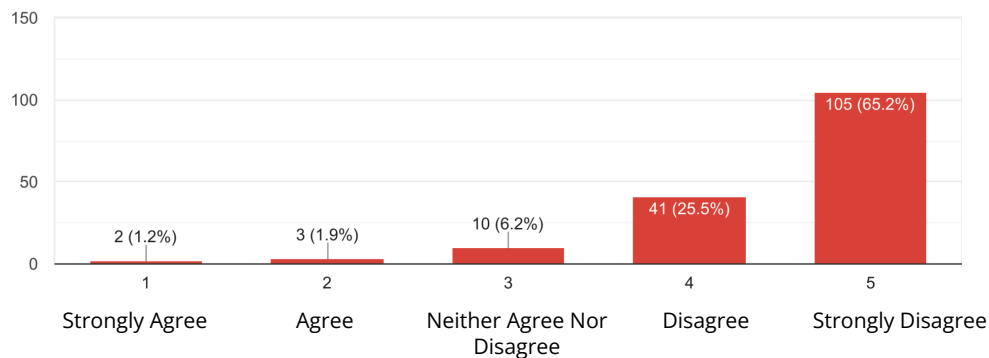
Broad Themes:

Many themes emerged but not all were directly related to the findings of the report, however, their nature refutes the spirit and the broader conclusion the report implies.

Hostility Towards Unions:

I believe Apple respects my right to collectively bargain and form a union.

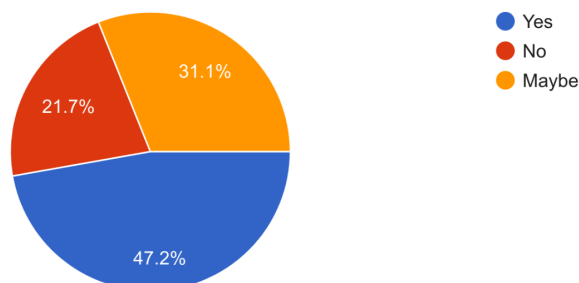
161 responses



Generally speaking, workers felt that Apple did not respect their right to form a union and that this hostility towards the concept of unions has directly affected the majority of workers.

Do you believe you have been personally effected by Apple's Anti-Union behavior?

161 responses



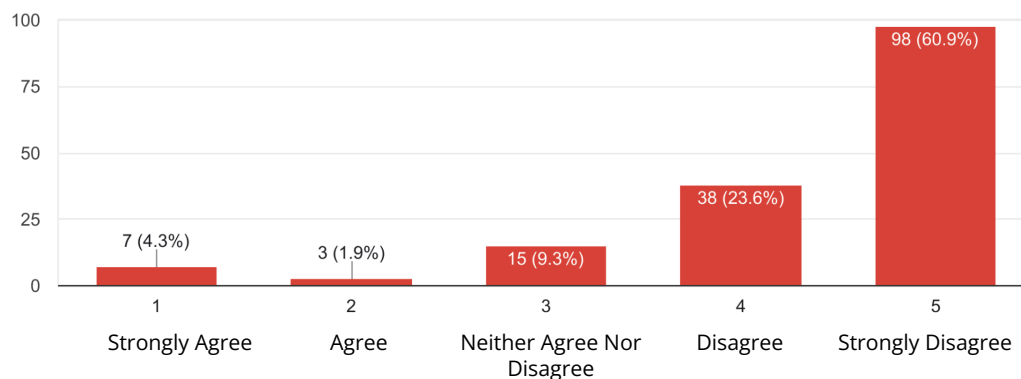
Fear of Retaliation

Employees make it clear that Apple's actions thus far have led to a climate where they believe they will be retaliated against for attempting to organize. In March of 2023, Laura Gurley of the Washington Post reported on Apple illegally firing workers for organizing.

"I had a long history with the company, and I loved my job," Wyatt said. "They absolutely succeeded in crushing the will to organize at our store. People are, of course, interested in having a say in their working conditions, but not risking their livelihood."

I believe Apple would never retaliate against an employee seeking to form a union.

161 responses



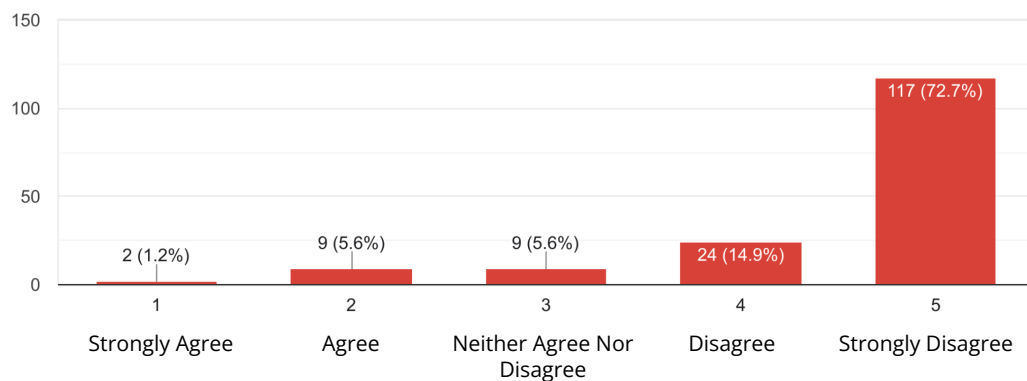
Apple's efforts to scare and coerce employees don't end with pressure on individual employees. The Company has made it a point to use collective punishment to frighten employees away from organizing. "The National Labor Relations Board filed a complaint against Apple on Wednesday, alleging that the company violated US labor law by withholding benefits from unionized workers at its Towson, Maryland, store, which became the first Apple Store in the country to unionize in June 2022." wrote Caroline Haskins of the Washington Post. These explicit as well as implicit threats towards their employees have been one of the many coercive practices Apple has employed to bust unions all over the country.

Coercive Behavior:

Union busting has had a tangible effect on many workers' lives. Business Insider reported on Apple's successful efforts in crushing the organizing campaign in their Atlanta store. Sarah Jackson wrote "An overwhelming majority of the workers at the Cumberland Mall Store announced that they were forming a union in April and requested recognition from the company," a CWA representative said in a statement, according to CNBC. "Since then, Apple has conducted a systematic, sophisticated campaign to intimidate them...and interfere with their right to form a union." These union-busting campaigns have led workers to believe Apple will do whatever it takes to stop a union.

I believe Apple has never attempted to coerce or influence me or my coworkers against forming a union.

161 responses



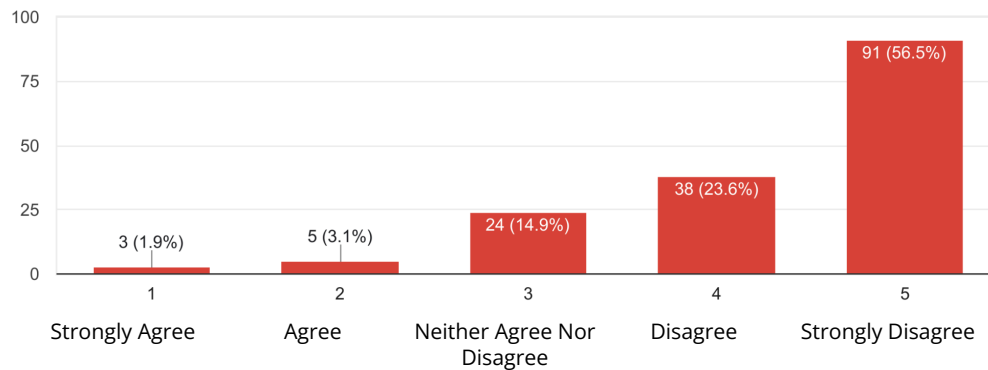
Violations of the Law:

Workers believe Apple's commitment to busting unions means that the company would even go so far as intentionally violating the law to do so. If the Jenner Team had investigated the numerous Unfair Labor Practice charges that have been filed with the NLRB, then they would have seen the pattern of illegal behavior the company has taken that has led the shareholders to duly worry about its impact on their investments. As mentioned in our introduction, Apple has already been found to violate the law in Oklahoma City during Penn Square's campaign, but they have also been found to violate...it through interrogation of employees in New York, as well as through withholding benefits in Towson.

This pattern only reflects the few Unfair Labor Practice charges that have managed to make their way to the NLRB, with several others still pending the Board's review. The pace at which the government operates can not be used to conclude that pending charges bear no merit. If anything, the Jenner team should have looked at the magnitude of pending charges as the impending wave of legal troubles that they pose.

I believe Apple would never intentionally violate the law to prevent an Apple Store or any team at Apple from unionizing.

161 responses



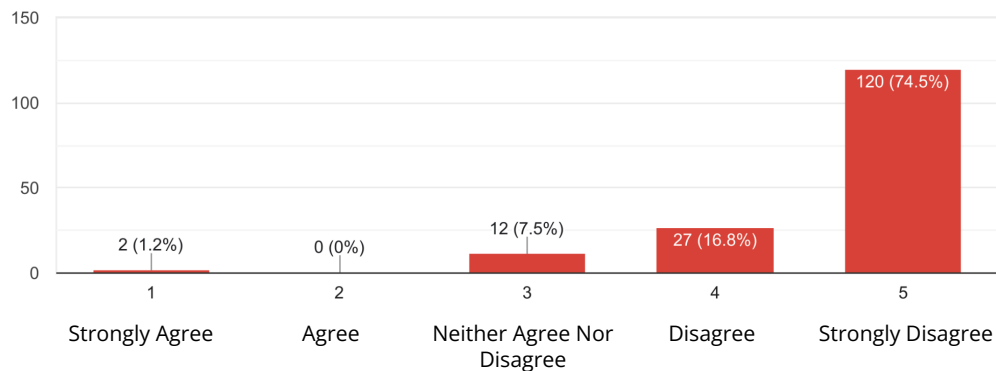
To truly address the assessment, we will now examine its findings and provide worker testimony and sentiments that stand in stark contrast with their alleged discoveries.

Finding #1:

“Consistent with Guiding Principle 15, Apple has instituted policy commitments to meet its responsibility to respect human rights. Apple’s Human Rights Policy is (a) informed by internal expertise, (b) publicly available, and (c) reflected in operational policies and procedures.”

Survey Finding:

I believe Apple has not and is not actively attempting to prevent any worker from unionizing.
161 responses



Worker Testimony:

“As I was approaching my 9th year in Apple, with a clear record of service, I frequently asked for adjustments to be made due to an ongoing health condition. When I made a mistake due to this condition, I was put through a three-month disciplinary process that ended with a final written warning. Disciplinary procedure was not followed and a member of leadership went on record stating ‘Regardless of your condition, you are expected to perform as anyone else would be.’ I left the business feeling betrayed by a company I worked for nearly a decade. I believe this is due to my very vocal support for unionizing and efforts in organizing.”

- Anonymous, Former Genius, Glasgow, Scotland

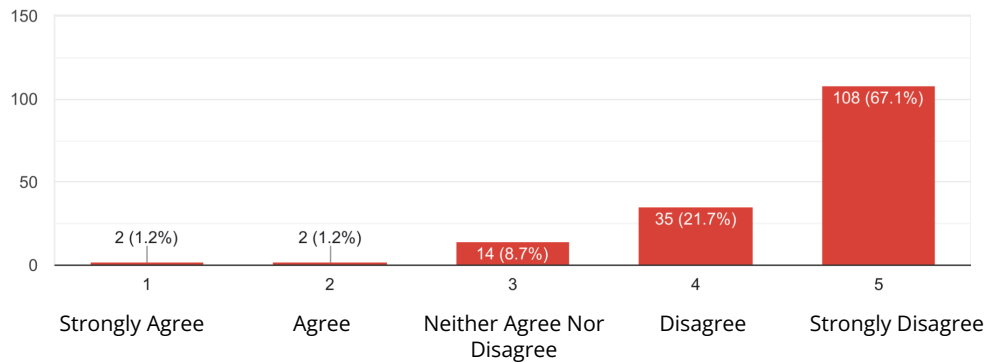
Finding #2:

“Apple’s Human Rights Policy, as it applies to labor organizing efforts, works in tandem with several other Apple policies.”

Survey Finding:

I believe Apple’s policies and actions in relation to worker’s rights has always been consistent with their values and the Credo.

161 responses



Worker Testimony:

“At my store, our unionizing effort became very public way too soon, and everyone who was ‘out’ as an organizer began getting heavily scrutinized for every little thing and followed around work to nit-pick the very action. ”

- Anonymous, Genius, Chicago, Illinois

“My coworker who was the visible partner in trying to organize was threatened with possible dismissal for discussing views while at work (he was only doing so on breaks, away from the store)”

- Anonymous, Technical Expert, Calgary, Canada

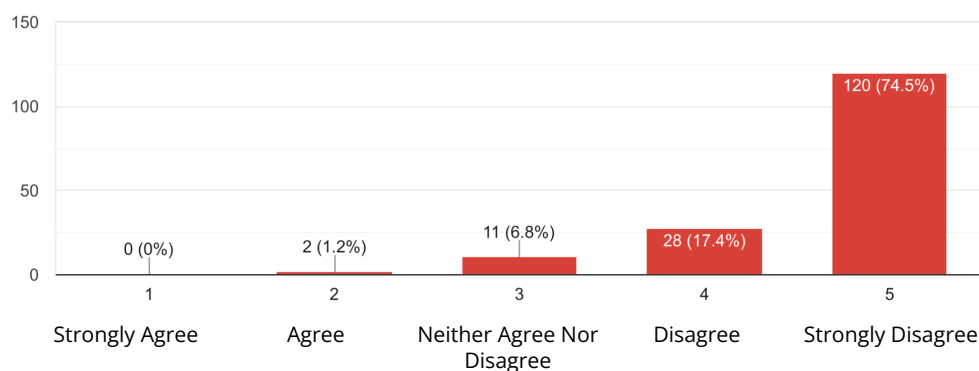
Finding #3:

“Apple seeks to create a workplace culture that balances an open and collaborative environment with the need to protect proprietary information. In general, Apple aims to foster an environment where team members can freely discuss any subject with leadership and teammates.”

Survey Finding:

I believe Apple has a workplace culture where workers can talk about unionizing without fear of retaliation, harassment, or intimidation.

161 responses



Worker Testimony:

“More than six of our organizers have left the job, just because they didn’t want to deal with the retaliation anymore or be held to such an unattainable standard. Those of us still here are incredibly stressed, and they’ve brought in new management who are increasingly authoritative. I’m worried it will never get better. I fear this job I used to love has just turned into a hostile war ground where I could get in trouble for anything at any moment. ”

- Anonymous, Genius, Chicago, Illinois

“Union busting at my store caused me so much anxiety it was hard to come to work. There were days I was too nervous to eat lunch in the store. Seeing leaders I trusted and admired blatantly lie to us, actively mislead us, and purposely sow unnecessary fear...

...was incredibly hard to watch and be part of. Seeing this misinformation and doubt percolate through my entire team was so stress-inducing because I knew it was morally wrong. Combating this on an everyday basis for weeks on end made me lose faith I worked for a progressive company, which made me see my leaders and some peers in a much darker light, and ultimately led to me being a bitter person at a job I used to love coming to."

- Anonymous, Operations Specialist, Towson, Maryland

"I've experienced downloads where managers share incomplete or inaccurate information about unionizing. The managers were only sharing the negatives and the bad things that happened and didn't mention that those things could be negotiated. Managers have also told the download that they are personally against unionization."

- Anonymous, Former Operations Specialist, Nashville, Tennessee

"During a meeting, one my Managers compared the claims of my union with 'terrorist speeches'"

- Anonymous, Technical Expert, Barcelona, Spain

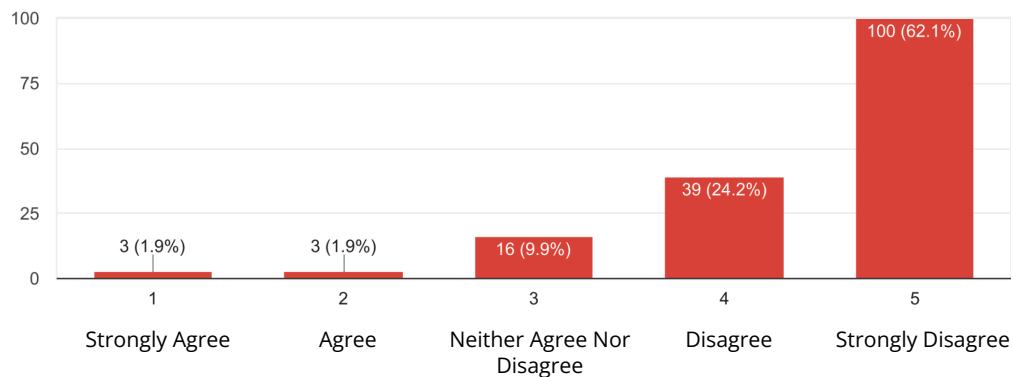
Finding #4:

“Apple has historically trained its managers about freedom of association and labor organizing. As organizing activity increased, Apple expanded its efforts to educate managers and enhance the focus on labor issues and employee rights, highlighting that workers have the right to organize or refrain from organizing.”

Survey Finding:

I believe that all of Apple's Leadership, including retail store managers, respect their employee's right to collective bargaining.

161 responses



Worker Testimony:

“During my break, I placed five printed copies of the ‘EMPLOYEE RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT’ on the break table. Within about one hour they were all discarded. ”

- Anonymous, Specialist, Denoise, Iowa

"Our store leadership shredded, in full view of employees, employee-made posters that were designed to educate team members about their rights and that included comparisons of proposed changes to working conditions."

- Anonymous, Genius, Brisbane, Australia

"A store leader has spoken openly about a year and a half ago in an all-store meeting to say unionizing is not in our best interest, that they would hold a meeting where the pros and cons would be discussed openly, it was just a list of cons about us potentially losing benefits, it felt like a way of finding out who was into the idea of unionizing instead of being in the interest of employees. Multiple managers have spoken about unionizing affecting our benefits, they genuinely seem to believe we'll lose them. There is a huge fear of retaliation if they find out which of us are union members, so a lot of us don't speak about it at work at all. I know they could make my work life extremely unpleasant if they found out. It's already getting very militant. After just over 8 years I feel hopeless and think I'll leave in the next 6 months. "

- Anonymous, Specialist, London, England

"Most of my store has been completely and deliberately misinformed and dissuaded from considering unionization. I would like to organize my store, but it is a daunting task, and I, unlike most of my fellow workers, have a family to support and am concerned about retaliation. "

- Anonymous, Genius, Lancaster, Pennsylvania

"Because I was a known union sympathizer I was never scheduled for these meetings (round tables). I had to request to be included. "

- Anonymous, Operations Lead

"Routinely in downloads management has given wrong information about unionizing and what it does. One manager claimed a store had voted against unionizing for example which is untrue."

- Anonymous, Creative Pro, London, England

"We attempted to form a union and were the first store to do so. shortly after we started sending out information about union and talking to our peers management started to have roundtable meetings. They were for "store improvement" but were often used to talk down about unions and portray them as a bad situation. They also had conversations in downloads giving misinformation about unions and how they were third party and didn't care about employees."

- Anonymous, Technical Specialist, Atlanta, Georgia

"It's always presented as a 'we are just saying ask questions' but one of the questions we were told to ask were what has a union done lately, ignoring the current standard we take for granted, and suggesting that apple would make conditions worse if the law allowed them to"

- Anonymous, Creative, Basingstoke, England

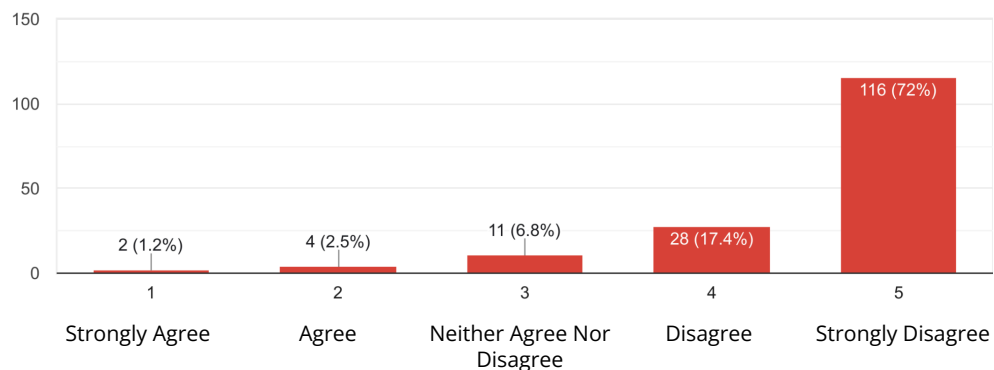
Finding #5:

“Apple shares information related to labor organizing and freedom of association in various ways, including through town halls, roundtables, daily downloads, and one-to-one meetings with team members.”

Survey Finding:

I believe Apple would never share lies, misleading information, falsehoods, or omit any truths in regards to the effects a union would have on the workplace.

161 responses



Worker Testimony:

“Immediately after Towson unionized, Apple has held downloads trying to steer the conversation reminding us of what benefits we get that other retail workers don’t get, not minding the load of work and expectations of us. This has happened at three stores I’ve worked at. Even with the piss poor attempts to appear unbiased, there’s always this thing that ‘unions are good where they’re needed, but they’re not needed here at Apple’.”

- Anonymous, Creative, Brooklyn, NY

“In a captive audience meeting when I spoke up advocating for our team members to do their research I realized I shot myself in my foot for promotions and when I stopped...”

...being vocal about said issue the same manager said, "I feel a weight lifted off your shoulders". I believe there is a direct correlation between my advocating a potential union and being recognized for a promotion."

- Anonymous, Specialist, Jacksonville, Florida

"I was called in by my connection leader at the time to discuss my quarterly results. This was a closed-door meeting with a manager, which was uncommon even before unionization efforts went public. After we discussed my results and goals for the next quarter, he asked if I'd heard about other Apple stores voting to unionize. I said I don't know much about any specific store. He went on to warn me about how unions are third parties looking to make money off of hard-working employees and that he hadn't liked working for a unionized business in the past. When our store went public, our store leader Linda West, and one of the senior managers Ryan Littlefield both shared anecdotes about their parents' business that unionized and how disconnected it made the bosses feel from their employees. It was suggested by West in multiple daily downloads that unionizing would make it impossible for her to hear us out if we had any concerns or needed any help."

- Anonymous, Specialist, Oklahoma City, Oklahoma

"I used to take the stance of neutrality during the original organizing, and I called myself olde Switzerland to set myself aside, during a particular walk and talk with a manager, they stated that there would be no Switzerland stance should the union pass and that I need to consider that."

- Anonymous, Genius, Oklahoma City, Oklahoma

"There were a handful of downloads that brought up unionization and a manager voiced how their experience working in a union made it more difficult to do his job and would create a barrier in talking about work-related issues without contacting the... ..union. I

specifically added on my own at the end of the download that Apple stores have unionized and there is public information about what it is like and how it is going and everyone should do their research. I suspect that this sentiment has influenced my promotion. Some of the verbiage I heard in regards to feedback as to why I wasn't being promoted was 'If you want to be in management you have to get along with the managers.' I never once thought management didn't get along with me."

- Anonymous, Specialist, Jacksonville, Florida

"My managers held one-on-one meetings between managers and new hires discouraging interest in unions by describing unions negatively."

- Anonymous, Genius, Lancaster, Pennsylvania

"Management asked one of our coworkers to be an 'inside man' during a round table discussing unions to keep the messaging close to what they want."

- Anonymous, Genius, Chicago, Illinois

"We had to sit through multiple mandatory "information" meetings about unions. The general tone was negative towards Unions and most time managers read off a script directly. If a discussion was held it wasn't outwardly expressed but any positive sentiments towards unions weren't positively received by management. Overall the views inside the store by management was anti-union."

- Anonymous, Former Operation Specialist, Scottsdale, Arizona

"We were coerced into off-site meetings where anti-union lies and emotional outbursts were permitted from these same people. I found it abhorrent and a waste of payroll hours to say the least. My peers were subjected to 'one-on-one walk and talks'..."

...where some managers would ask about union affiliation or how this made the particular employees feel. I cannot say for sure because I was never personally taken on a walk and talk. But from hearing what my peers were asked I definitely think it was an isolation tactic. Before the union talks, I didn't have a good or well thought out one-on-one and then suddenly my tactics and numbers came into question."

- *Anonymous, Former Specialist, Oklahoma City, Oklahoma*

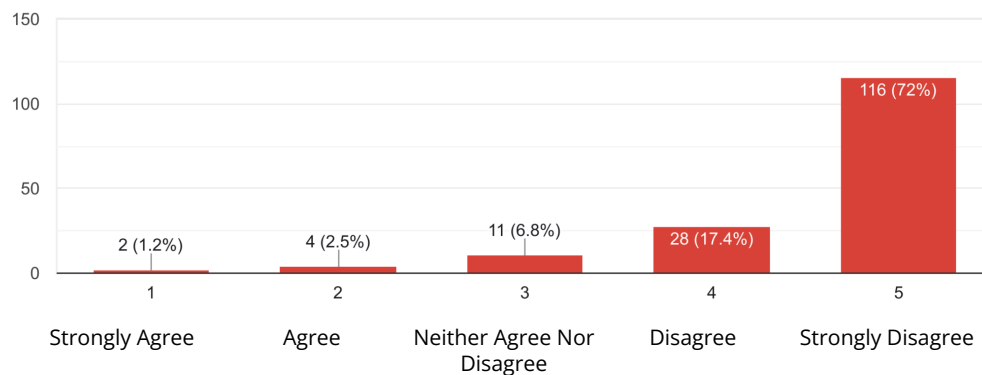
Finding #6:

“Collective bargaining efforts are in the early stages at Apple’s two unionized stores in the United States, and Apple’s leadership has expressed their commitment to negotiate in good faith.”

Survey Finding:

I believe Apple would never share lies, misleading information, falsehoods, or omit any truths in regards to the effects a union would have on the workplace.

161 responses



Worker Testimony:

“Apple has repeatedly done everything they can to delay negotiations as long as possible. They give lengthy presentations on irrelevant information, ask meticulous questions only to just respond no, and dedicate one or two days a month to bargain while insisting that we must submit proposals for every single benefit included at Apple. These have been clear attempts at delaying, a tactic they employed in every other legal battle they have ever undertaken. ”

- Kevin Gallagher, Creative, Towson, Maryland

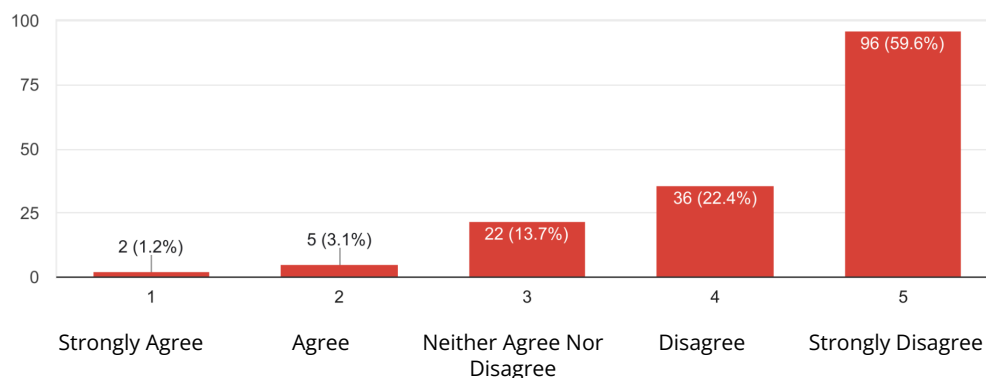
Finding #7:

“According to Guiding Principle 18, a critical aspect of due diligence efforts for business enterprises is to “identify and assess any actual or potential adverse human rights impacts with which they may be involved.” Jenner found that Apple does assess whether its policies and practices have the potential to adversely impact associational rights.”

Survey Finding:

I believe Apple has never, purposely or otherwise, adversely or negatively impacted the well-being of an employee in an effort to prevent a union.

161 responses



Worker Testimony:

“Senior Manager Austin Kihn at Apple Lincoln Park in Chicago, IL, stated at a union-busting roundtable on Thursday, March 30th, 2023: ‘DACA benefits could be negotiated away.’”

- Andres Guzman, Operations Specialist, Chicago, Illinois

“My Managers used emotional specific scare tactics. For example, they asked two different employees who were expecting, ‘Have you thought about how you can afford union dues with your new baby?’”

- Anonymous, Genius, Oklahoma City, Oklahoma

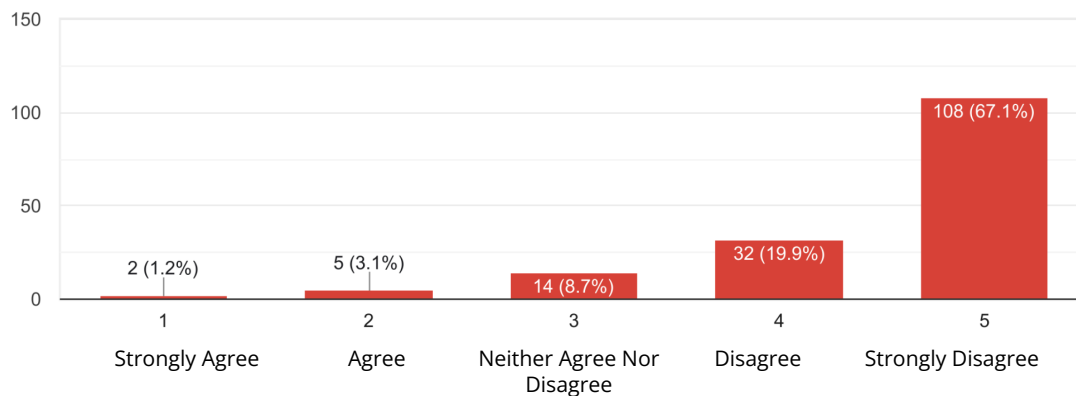
Finding #8:

“Apple has multiple avenues for employees to provide feedback.”

Survey Finding:

I believe Apple’s existing avenues for employee feedback sufficiently address their concerns, needs, and ideas.

161 responses



Worker Testimony:

“I’m from the Glasgow store where our main issue has been the store leader and her leadership style. Feeding this back via multiple NPP and Pulse surveys has had no effect. This led to us unionizing and weirdly after we filed for recognition Market heads and Dierdre O’Brien turned up at our store. They have done their hardest to delegitimize our collective by incessantly bringing up ERT (Apple’s pseudo-union) at every opportunity. Life has been made unbearable in the store and this has resulted in 46 employees leaving since unionization. ”

- Anonymous, Genius, Glasgow, Scotland

"Apple used to have a slack group which was closed, where employees would discuss issues with their job."

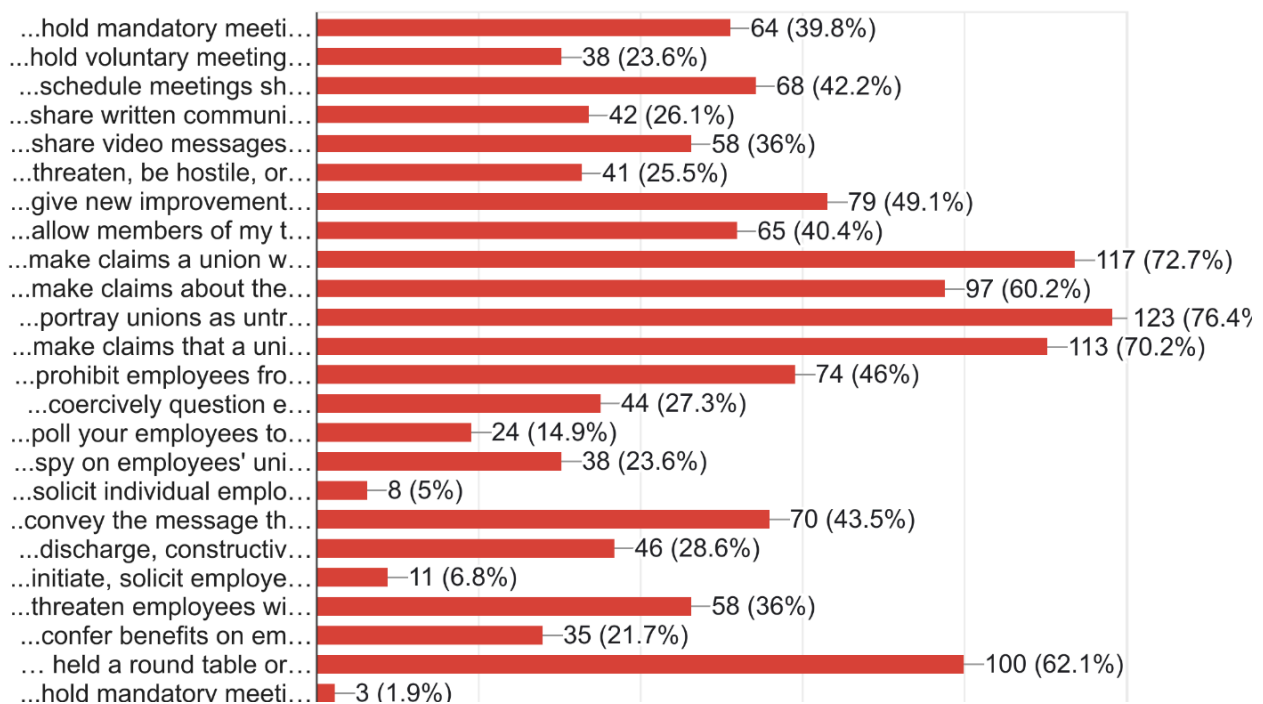
- Anonymous, Call Center Employee

Explicit Labor Law Violations

When employees were asked to indicate if they had experienced any of the following union-busting activities, many of which were explicitly illegal under the NLRA, we found the following:

I have experienced a manager, member of management, or corporate leadership...

161 responses



Note Worthy Activities:

There are several activities conducted by Management that team members have reported which are explicitly violations of the law. The frequency of these actions and prevalence in such a high number of workplaces make it clear that these actions are not the result of a lack of training on the part of any given leadership team, but rather a result of... explicit instructions and direction to conduct these illegal activities on behalf of the company. These actions Include the following:

Making claims a union would result in a loss of benefits - 73%

This action explicitly violates Sections 7 & 8(a)(1) of the National Labor Relations Act and would constitute legal action toward the company on behalf of 81.4% of respondents. With the number of workplaces recorded in this survey, should these employees file charges, the current list of charges would pale in comparison to the potential these actions bring.

Portraying unions as untrustworthy or a "third party". - 76%

Though this is not an explicit violation of the law, it squarely contradicts the tone the Jenner team's attempts to paint the company's messaging in. It is not simply an attempt to allow employees to speak freely, but rather an active attempt to have leaders in the store propagandize its workforce into believing falsehoods and misinformation. Though this is not against the law, the Board should be cautioned that widespread knowledge of this behavior could paint the company in a negative light, and lose the goodwill it has so meticulously worked to build in the crafting of the company's brand.

Make claims that a union would prevent management from helping you. - 70%

Leadership attempting to create the impression that there would be consequences for forming a union, and attempting to misattribute these actions to anyone but themselves is not only an unethical practice, but it could also be interpreted as "Threatening employees with adverse consequences, such as closing the workplace, loss of benefits, or more onerous working conditions, if they support a union, engage in union activity, or select a union to represent them.", another action prohibited by Section 8(a)(1).

Holding roundtables and downloads where management shared incomplete, misleading, or false information about another store's unionization efforts. - 63%

A super-majority of workers provided testimony that downloads, round tables, and other captive audience meetings were used as platforms for leadership to conduct these "union avoidance" activities. These downloads and roundtables were sure to be operating off of the same training, scripts, and guidance given to managers across the world. The fact that these downloads are so widespread, even in stores that have shown no sign of active union activity, could lead any reasonable person to believe that though some of the activities below were reported by less than a majority of workers, it is likely they have or could experience it at some point, especially if their workplace shows signs of expressing intent to unionize.

Prohibit employees from talking about the union during working time, if you permit them to talk about other non-work-related subjects. -46%

About half of workers claimed that they were prohibited from discussing unions while in the workplace, where non-work related subjects were permitted. This contradicts the report's assertion in Finding #3 and also is another violation of the law.

Conveyed the message that selecting a union would be futile. - 43%

A continued pattern of explicit violations of the law reported by about half of workers, and continued betrayal of the company's alleged values.

Coercively question employees about their own or coworkers' union activities or sympathies. - 27%

This is another violation of the NLRA and a contradiction of Finding #3, and arguably #1, #2, #5, and #7.

Conferred benefits to employees during a union organizing campaign to induce employees to vote against the union.- 21%

Towson's Unfair Labor Practice charges, at the time of writing this response, have resulted in a complaint against the company and are awaiting an appeals hearing. This

specific action was reported by more than just Towson employees but by employees...
...everywhere. Continued practice of this hostile and coercive tactic is, more likely than not,
a recipe for further legal troubles for the company.

The prevalence of unethical and illegal practices conducted by members of management should not only concern the board but also compel them to action. Though many of these claims rely on worker testimony as evidence (as managers were sure to never put them in writing), we found multiple instances of labor law violation that had concrete material evidence, and in many cases, that is not just our assessment, but the assessment of the National Labor Relations Board.

Conclusion

In light of our findings, we, the members of the Apple CORE Union and Apple employees in stores, call centers, and corporate offices, call on the Board of Directors to fulfill their commitment to their shareholders, the law, and their values. We demand that you make good on your promise to investigate the company's actions and their impact on their worker's rights. The board must take the following steps immediately:

- Rescind the Jenner Team's report and publicly acknowledge its shortcomings.
- Form an investigative committee that includes representatives from organized Apple Stores and nonunionized stores and teams that are tasked with creating a new report that takes the concerns of the shareholders seriously.
- An immediate end to relationships with any "Union Avoidance" consultants or legal firms.
- A financial report itemizing Apple's expenditures on Union avoidance consulting, legal fees associated with labor law violations, and any other resources used to conduct Union avoidance activities.
- A commitment to automatic recognition of any Apple Store or Apple team that can provide union authorization signatures from 50%+1 of the eligible bargaining unit.
- A commitment to expedient, good faith, and respectful bargaining.
- A commitment that should the new report find explicit and intentional directions from members of Apple leadership, including but not exclusive to the executive team, to its employees requiring they conduct actions that violate the NLRA, that those individuals be immediately removed from their position at Apple.
- Apple immediately includes actions that intentionally aim to discourage workers from exercising their right to collectively bargain, whether illegal or not, as violations of Apple's business conduct policy and warrant immediate termination.

We believe anything short of these steps would be a dereliction of your duty to Apple's shareholders who have expressed explicit concerns with anti-union activities' potential to result in "meaningful reputational, legal, and operational risks, and may negatively impact its long-term value." We hope that the Board decides to voluntarily accept our demands

and have the opportunity to show a good faith commitment to Apple's shared values. Below are the signatures of the workers who the Jenner Team failed, and who are committed to ensuring these demands are met, with or without your approval.

In ending we leave you these words from Apple's founder, Steve Jobs:

"Being the richest man in the cemetery doesn't matter to me. Going to bed at night saying we've done something wonderful – that's what matters to me."

We eagerly await your response,

In Solidarity,