



**TOWSON TOWN CENTER
APPLE STORE
BARGAINING COMMITTEE**



**PENN SQUARE
APPLE STORE
BARGAINING COMMITTEE**

Sue Wagner
Board of Directors
Apple
1 Apple Park Way
Cupertino, CA 95014

October 26, 2023

Dear Ms. Wagner:

When Apple committed to undergo a third-party assessment of efforts to comply with its human rights policy as it pertains to workers' freedom of association and collective bargaining rights in the United States, Apple left out the people most directly affected and knowledgeable about Apple's compliance with its human rights policy.¹ It's unionized workers. We, the bargaining committees of Apple's unionized retail stores, request to be formally included in this audit process.

While we are pleased that Apple has agreed to undergo this assessment, we are concerned that Apple's unionized workers have yet to be consulted in the auditing process. With less than three months left before the audit concludes in December 2023, we are worried that our voices and experiences will be left out of the third-party assessment. Our omission feels particularly curious given that shareholders urged the necessity of a labor practices audit² because of the company's antagonistic response to our successful organizing efforts and Apple's antagonistic actions that unlawfully stifled worker rights.³

¹ Apple. United States Securities and Exchange Commission. Schedule 14A.

https://www.sec.gov/Archives/edgar/data/320193/000130817923000019/laap2023_def14a.htm.

² Scheiber, N. 2023, January 17. Apple Reaches Deal with Investors to Audit Its Labor Practices.

<https://www.nytimes.com/2023/01/17/business/economy/apple-labor.html>.

³ Silberling, A. 2022, December 6. Apple illegally interfered with union organizing in Atlanta, labor board finds. <https://tcrn.ch/3uqvFPU>; Fielding, S. 2023, June 21. Apple's union-busting practices violated employee rights at NYC store, judge rules.

To be clear, we continue to endure a vicious anti-union campaign from Apple. In less than one year, we have had to file six unfair labor practice (ULP) charges on behalf of our two stores alone.⁴ In June 2023, the National Labor Relations Board (NLRB) issued a complaint against Apple for labor violations at the Penn Square Apple store in Oklahoma City. Some of the cited violations include threatening employees with retaliation if they unionized, interrogating employees about their support for the union, and holding “captive audience meetings” with workers.⁵ Apple settled this complaint in October.⁶ Other allegations are still under investigation.

Despite Apple’s interference, we have maintained our solidarity and continue to deliver an exceptional in-store experience for Apple customers. Shortly after unionizing in April 2023, the Penn Square store received an Ovation Award from Apple recognizing improvements made to its Genius Bar.⁷ April also marked the second consecutive quarter that the Towson Town Center store won an Ovation Award.⁸ Yet, nearly six months have passed since contract negotiations began for both of our stores, and we are still at the bargaining table with Apple. To that end, on July 17⁹ and August 1, 2023¹⁰, we filed ULPs against Apple for refusing to bargain in good faith.

We remain committed to Apple. We also remain committed to exercising our lawful right to freely associate and collectively bargain. Apple’s human rights policy makes clear that free association and collective bargaining are compatible. Because Apple is committed to human rights and free association, we are publicly requesting to speak with the third-party assessor to share our experiences and offer feedback on how Apple can better uphold its own policies. We want to ensure that the labor practices audit is fair and representative of all voices raised in the spirit of Apple’s credo. We look forward to engaging with you and the assessor as this critical process moves forward.

Sincerely,

<https://www.engadget.com/apples-union-busting-practices-violated-employee-rights-at-nyc-store-judge-rules-115036323.html>.

⁴ NLRB Case 14-CA-304665; NLRB Case 05-CA-306442; NLRB Case 14-CA-308814; NLRB Case 14-CA-316709; NLRB Case 05-CA-321805; NLRB Case 14-CA-322930.

⁵ Gatley, A. 2023, June 4. NLRB issues first complaint against OKC Apple Store management. <https://freepressokc.com/nlr-issues-first-complaint-against-okc-apple-store-management/#:~:text=OKLAHOMA%20CITY%20%E2%80%94%20The%20National%20Labor,labor%20law%20in%20Oklahoma%20City>.

⁶ Beverly, B. 2023, October 13. Apple, NLRB End Union Case Interrogation Case with Settlement. <https://www.law360.com/employment-authority/articles/1732831/apple-nlr-union-interrogation-case-with-settlement>

⁷ Gatley, A. 2023, April 28. OKC Penn Square Apple Store wins award after unionizing. <https://freepressokc.com/okc-penn-square-apple-store-wins-award-after-unionizing/>.

⁸ Twitter. @acoreunion. 2023, April 22. <https://twitter.com/acoreunion/status/1649826802699759616>.

⁹ NLRB Case 05-CA-321805 <https://www.nlr.gov/case/05-CA-321805>.

¹⁰ NLRB Case 14-CA-322930 <https://www.nlr.gov/case/14-CA-322930>.

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