

## United States Senate

May 1, 2020

Frederick W. Smith  
Chief Executive Officer  
FedEx Corporation  
942 South Shady Grove Road  
Memphis, Tennessee 38120

Dear Mr. Smith:

I write to express my concerns regarding the health and safety of FedEx employees at the Newark Airport Shipping Center during the COVID-19 pandemic. I am deeply troubled by reports that numerous FedEx personnel working at the Shipping Center in Newark, New Jersey have contracted COVID-19 and several have died. Specifically, I am concerned about reports of loosely enforced social distancing policies, insufficient access to personal protective equipment, inadequate sanitation within the facility, and limited transparency from FedEx on quarantine procedures, confirmed cases, and fatalities. FedEx employees have a critical role in delivering essential goods to people across the country, and I urge you to prioritize the health, safety, and wellbeing of the many New Jerseyans employed by FedEx.

In recent weeks, my office has had multiple conversations with FedEx representatives regarding concerns raised by my constituents, and was advised that under FedEx policy, any FedEx employee that has come into “close proximity” (i.e., within six feet for ten minutes or more) with a COVID-19-positive team member is: (1) informed of her or his potential exposure; and (2) if the employee is symptomatic, advised to self-quarantine. According to my constituents, however, this has not been the case at the Newark Shipping Center. Multiple FedEx employees have informed me that they only learned of their exposure to coworkers that have tested positive for COVID-19 from other colleagues, and heard no such information from management. Furthermore, some workers who came into close contact with COVID-19-positive employees have reported being advised by management to only quarantine for one or two days, despite the recommendation from the Centers for Disease Control and Prevention (CDC) that all individuals exposed to COVID-19 should engage in a 14-day self-isolation. Employees who were diagnosed with COVID-19 have also reported that FedEx never advised them how long they should stay home from work, nor did FedEx request that they identify any coworkers with whom they had been in close contact.

Given this marked discrepancy between FedEx’s stated policy and my constituents’ experiences, I respectfully ask that you confirm the following information: (1) how many FedEx employees at the Newark Shipping Center have contracted COVID-19; (2) how long those employees remained home from work; (3) how many employees were subsequently informed that they had come into close proximity with those diagnosed; (4) how many of those employees were sent home to self-quarantine, and for how long; and (5) how many employees have died from COVID-19. In previous conversations with my office, FedEx representatives stated that they were precluded from sharing any of this data under federal statute. If this is still the case, please provide the relevant statutory section(s) from which this conclusion was drawn.

My team has also been informed by your staff that FedEx is compensating employees for leave taken due to COVID-19, but only for those who demonstrate symptoms. This is in direct conflict with reports I have received from FedEx workers diagnosed with COVID-19 stating that they did not receive paid sick leave from FedEx, but had to use vacation days and were instructed to apply for disability insurance. Given this discrepancy, I respectfully ask you to clarify your policy, and I urge you to provide paid sick leave to any employee that has been diagnosed or exposed to a colleague with COVID-19 – whether or not they are symptomatic – in order to better protect your staff, their families, and our communities from COVID-19. As it currently stands, this policy puts many asymptomatic FedEx employees in an untenable position: they are either forced to self-quarantine and forgo their paycheck, or continue showing up to work and risk spreading the disease to their colleagues.

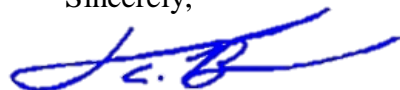
Without adequate personal protective equipment (PPE), the risk of viral transmission through both employee-to-employee contact, and contact between an asymptomatic carrier and a shipping parcel, increases. My constituents have reported that when they requested masks in early March, they were informed by management that it was not FedEx's responsibility to provide them. I understand that masks have since been provided to some employees, but not consistently. I have also received reports that despite many confirmed positive cases of COVID-19 at your Newark Shipping Center, the facility has not been consistently cleaned, nor has FedEx been adequately sanitizing work stations, bathrooms, or common areas.

Although this letter focuses on the concerns raised directly by my constituents, these issues do not appear to be confined to the Newark FedEx facility as reported by several news outlets. Similar reports from around the country allege that FedEx does not provide sufficient sanitization products for workers, and that social distancing is not enforced in break rooms, on the supply line, or in vehicles that transport workers. If the reports of these circumstances are true, they are unacceptable, and I urge you to take immediate and decisive action to properly enforce and strengthen social distancing policies, expand access to PPE, enhance sanitization practices, and drastically improve transparency and communication with workers.

If we are to successfully mitigate the spread of the COVID-19 virus in America, FedEx, which directly employs thousands of people across the country and reaches millions more through its services, must prioritize the safety and wellbeing of its employees and customers through stronger safety protocols and enforcement oversight.

Thank you in advance for your attention to this matter, and I look forward to your response and the information requested herein. I stand ready to work with you and your team to ensure that all personnel employed by FedEx, and the individuals they serve, are best protected during the COVID-19 pandemic.

Sincerely,



Cory A. Booker  
United States Senator