
WORKING PAPER SERIES

**COMMENTARY:
HANDCUFFED FOR THE CAUSE**

**UUP President William E. Scheuerman
Professor of Political Science, SUNY Oswego
September 2005**

WPS 2005-C-005
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United
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Professions

COMMENTARY: HANDCUFFED FOR THE CAUSE

I have a confession to make. Since my last commentary, I've been arrested. That's right. I was busted. I was arrested with AFL-CIO President John Sweeney and dozens of other unionists for participating in an act of civil disobedience in support of graduate employees at New York University (NYU) who are fighting union busting actions by the National Labor Relations Board (NLRB) and the president of New York University.

I can tell you without reservation, getting arrested is a very unpleasant experience, even when you're treated well, as we were, by the police. The process is demeaning, physically demanding and emotionally exhausting. The police handcuffed us, put us in steaming hot paddy wagons, and took us to Central Booking for processing. There was one open toilet for all seventy-six of us and the cell had an odious smell. Worse yet was the realization that we were losing our precious freedom, even if it was just for a few hours.

But all this is beside the point. The arrest and subsequent discomfort are not about me or any other individual who went to the tank with me that day. It's about labor solidarity and doing the right thing. We chose to be arrested to demonstrate our support for the basic First Amendment right to organize. Unionists from a wide array of

organizations, some within the AFL-CIO, others outside, locked arms in solidarity as we were peacefully taken away by the police. If you don't think principled acts of solidarity are important these days, let me tell you what's going on in the world of labor-busting in higher education. It may change your mind.

Last year, the NLRB ruled that graduate employees at private institutions are students, not employees, and therefore don't have the right to form a union. This ruling came after graduate employees of NYU organized their union and secured their first contract. Is the NLRB ruling consistent with reality? Of course not. Graduate students who depend on fellowships and teaching assistantships work long days for little pay and get little in the way of benefits. A serious illness can be catastrophic. Collective bargaining gives these higher education workers the ability to

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escape poverty and gain some security while training for a permanent position at a college or university in the future. The paid work of graduate students at private institutions is no different from that of students who have formed unions at many public institutions.

NYU's graduate employees began negotiating their second contract. Unfortunately for the graduate employees, NYU's managers apparently don't like collective bargaining. Like the elite pompous royalty of years past, they prefer issuing proclamations. While the first union contract was in force, such proclamations were not binding. In fact, in light of the contract, they would have been laughable. But last year's NLRB ruling allowed NYU to return to the good old days of unilateral decision-making. So

NYU took advantage of the ruling and issued a proclamation declaring the end of negotiations. They would no longer talk to the union because the NLRB says they don't have to.

The NYU experience suggests we have our work cut out for us. First, we have the long-term issue of dealing with the consequences of the NLRB ruling. Members of the NLRB were

appointed by the Bush administration, which is openly hostile to organized labor. At this juncture a congressional resolution of the problem is also unlikely, given the pro-corporate and virulent anti-labor attitudes of members of Congress. This brings us to the short-term issue of dealing with NYU. The NLRB ruling, no matter how bad, does not prevent the university from negotiating if it chooses to do so. It is our duty to bring the university's leaders back to the bargaining table. And that's what we're trying to do.

How can organize labor live up to this challenge, you may ask. It's a good question, especially since the media is having a grand time focusing on the recent split in the AFL-CIO and speculating on organized labor's inevitable demise. We have our disagreements but, as the NYU rally demonstrates, we'll all stand together when it comes to basic labor issues. Solidarity forever means just that.

The right to organize was never given to workers. That's good, because what's given can be taken away. American workers made great sacrifices to secure the right to organize and bargain collectively. Lest we forget, as many in Washington apparently have, collective bargaining gave millions of worker access to the American Dream. Now access to the dream—a dream earned with the blood, sweat and toil of generations past and present—is under attack. We do ourselves and our predecessors a great disservice by walking away from a fight that is so fundamental to our freedoms and is part of what is best about the United States.

That's why I said as I was cuffed and taken away, "We'll be back!"