

UNMASKING UNION ANTISEMITISM

HEARING

BEFORE THE

SUBCOMMITTEE ON HEALTH,
EMPLOYMENT, LABOR, AND PENSIONS

OF THE

COMMITTEE ON EDUCATION AND
WORKFORCE

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

HEARING HELD IN WASHINGTON, DC, SEPTEMBER 9, 2025

Serial No. 119-26

Printed for the use of the Committee on Education and Workforce



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UNMASKING UNION ANTISEMITISM

Tuesday, September 9, 2025

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND
PENSIONS,
COMMITTEE ON EDUCATION AND WORKFORCE,
Washington, DC.

The Subcommittee met, pursuant to notice, at 10:15 a.m., in Room 2175, Rayburn House Office Building, Hon. Rick Allen (Chairman of the Subcommittee) presiding.

Present: Representatives Allen, Onder, Wilson, Foxx, Owens, Fine, Walberg, DeSaulnier, Courtney, Norcross, Lee, Mannion, and Scott.

Also present: Representative Stefanik.

Staff present: Vlad Cerga, Director of Information Technology; Maren Emmerson, Staff Assistant; Cabell Fleet, Intern; Amy Raaf Jones, Director of Education and Human Services Policy; Libby Kearns, Press Assistant; Katerina Kerska, Legislative Assistant; Trey Kovacs, Director of Workforce Policy; Campbell Ladd, Clerk; R.J. Laukitis, Staff Director; Danny Marca, Director of Information Technology; Brad Mannion, Professional Staff Member; John Martin, Deputy Director of Workforce Policy/Counsel; Audra McGeorge, Communications Director; Kevin O'Keefe, Professional Staff Member; Alexis Morgan, Intern; Ethan Pann, Deputy Press Secretary and Digital Director; Leah Raymond, Intern; Kane Riddell, Legislative Assistant; Sara Robertson, Press Secretary; Dominico Sassano, Intern; Heidi Schneider, Professional Staff Member; Ann Vogel, Director of Operations; Joe Wheeler, Professional Staff Member; James Whittaker, General Counsel; Jeanne Wilson, Retirement Counsel; Damian Arambula, Minority Intern; Ellie Berenson, Press Assistant; Ilana Brunner, Minority General Counsel; Zenaida De La Cruz, Minority ChCI Fellow; Sarah Holehouse, Minority Intern; Alexandra Pernie, Minority Intern; Stephanie Lalle, Minority Communications Director; Dhrtvan Sherman, Minority Research Assistant; Raiyana Malone, Minority Press Secretary; Kwesi Matthews, Minority Einstein Fellow; Kevin McDermott, Minority Director of Labor Policy; Eleazer Padilla, Minority Staff Assistant; Véronique Pluviose, Minority Staff Director; Banyon Vassar, Minority Director of IT.

Chairman ALLEN. The Subcommittee on Health, Employment, Labor and Pensions will come to order. I note that a quorum is present, and without objection, the Chair is authorized to call a recess at any time.

Today's hearing will examine the ways in which unions are using Federal law to pursue their anti-Israel political agenda, and to harass and discriminate against Jewish workers. Today we will hear about how unions, like the United Electrical Workers, and United Auto Workers affiliate, A Better NYLAG, N-Y-L-AG, would rather defend union members who engage in disruptive, discrimination and antisemitic behavior than fulfill their duty to fairly represent all the workers they represent.

We will hear today about how their unions are selling them down the river, even though Jewish workers have supported unions and been leaders in the labor movement for generations. This Subcommittee held a hearing 14 months ago because we were concerned about the increase in antisemitic incidents in our country and in our workplaces.

Unfortunately, in the last year, we have seen even more tragic incidents of discrimination and violence against Jewish people, including right here in our Nation's capital. According to the FBI crime tracking data, anti-Jewish incidents are the most common religion related hate crime, for a group that represents less than 3 percent of Americans, Jewish people are victims of roughly 60 percent of all religious-based hate crimes.

Last year, the ADL reported over 9,300 antisemitic incidents across the United States, a 5 percent increase from 2023, and the highest number on record since the ADL began tracking antisemitic incidents in 1979. The unions we will hear about today have chosen to spend time and money advancing their divisive, harmful and anti-American political agenda.

Furthermore, these unions are throwing sand in the gears of the employers, trying to create workplaces that are not hostile or discriminatory for the Jewish employees. Take for example, ABN. ABN represents public interest lawyers in New York City. When employees put up posters around the office celebrating the actions of Hamas and violence against Jewish people, the employer banned all posters about the conflict in Israel and Gaza.

The union did not go along with this quietly. Instead, ABN filed unfair labor practice charges against the employer for this policy designed to protect Jewish workers. Take another example, the Cornell Graduate Student Union. This union spends its time trying to stop Cornell from disciplining students who violate school policies. They disrupt campus life and harass Jewish students.

When Jewish graduate students respectfully ask not to have to fund this union's activities, the union tries to make them pay anyway and threatens to get them fired if they do not pay dues, flouting Title VII of the Civil Rights Act of 1964. Union members have rights under the Labor Management Reporting and Disclosure Act and the Supreme Court's backed decision to speak out against these unions and not pay dues for political activities they disagree with.

Title VII protects workers who want to live their lives with integrity and protects them from having to sacrifice their faith and their principles to get and keep a job. Unions have every incentive to keep workers in the dark about their rights.

Today we will hand the microphone over to those who are not truly represented by their unions. We will discuss how the law pro-

tects their political and religious convictions and how lawmakers could provide additional protection. We might not all agree on the appropriate role of unions in society, but I believe we can all agree that they should use their resources to promote the workplace interests of the employees and treat each worker who relies on them with equal dignity and fairness.

With that, I yield to the Ranking Member for an opening statement.

[The prepared statement of Chairman Allen follows:]



Opening Statement of Rep. Rick Allen (R-GA), Chairman
Health, Employment, Labor, and Pensions Subcommittee
“Unmasking Union Antisemitism”
September 9, 2025

(As prepared for delivery)

Today’s hearing will examine the ways in which unions are using federal labor law to pursue their anti-Israel political agenda and to harass and discriminate against Jewish workers. Today we will hear about how unions like the United Electrical Workers and a United Auto Workers affiliate, A Better NYLAG would rather defend union members who engage in disruptive, discriminatory, and antisemitic behavior than fulfill their duty to fairly represent all the workers they represent. We will hear today about how their unions are selling them down the river, even though Jewish workers have supported unions and been leaders in the labor movement for generations.

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The unions we will hear about today have chosen to spend time and money advancing their divisive, harmful, and anti-American political agenda. Furthermore, these unions are throwing sand in the gears of employers trying to create workplaces that are not hostile or discriminatory for their Jewish employees.

Take for example ABN. ABN represents public-interest lawyers in New York City. When employees put up posters around the office celebrating the actions of Hamas and violence against Jewish people, the employer banned all posters about the conflict in Israel and Gaza. The union did not go along with this quietly. Instead, ABN filed unfair labor practice charges against the employer for its policy designed to protect Jewish workers.

Or take another example: the Cornell Graduate Student Union. This union spends its time trying to stop Cornell from disciplining students who violate school policies, disrupt campus life, and harass Jewish students. When Jewish graduate students respectfully ask not to have to fund this union's activities, the union tries to make them pay anyway and threatens to get them fired if they do not pay dues, flouting Title VII of the *Civil Rights Act of 1964*.

Union members have rights under the *Labor-Management Reporting and Disclosure Act* and the Supreme Court's Beck decision to speak out against their unions and not pay dues for political activities they disagree with. Title VII protects workers who want to live their lives with integrity and protects them from having to sacrifice their faith and their principles to get and keep a job. But unions have every incentive to keep workers in the dark about their rights.

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With that, I yield to the ranking member for an opening statement.

Mr. DESAULNIER. Thank you, Mr. Chairman. Welcome back to all the witnesses, thanks for being here. Let us start by saying no one should be threatened, harassed, or attacked because of who they are, who they worship, or what they stand for. I agree we should do more to combat antisemitism in America.

I also agree with Ranking Member Scott of the full committee who has correctly pointed out that while we have had many hearings on antisemitism, we have not had one addressing racism, xenophobia, sexism, Islamophobia, or similar harms confronting workers and student groups.

As we discuss these issues today, I want to remind my colleagues that the labor movement is a large, diverse coalition of workers of Americans, including Jewish Americans, that has been a significant force in the battle against antisemitism. We are fortunate to have Joseph McCartin here as one of our witnesses.

He is a labor historian, and a history professor at Georgetown University, who also serves as the Executive Director of the Kalmanovitz Initiative for Labor and the Working Poor. Dr. McCartin's written testimony details how the labor movement has been among the most important forces countering antisemitism, and how labor unions are fundamentally diverse.

On a personal note, I will always also note that he graduated from the best Catholic Jesuit college in the United States, Holy Cross in Worcester, which I just happened to go to as well. As Dr. McCartin mentions in his testimony, one of the most notable labor leaders, and one of the most amazing Americans in our history, was a Jewish immigrant from London, Samuel Gompers, a cigar maker by trade, and the son of Dutch Jewish working-class immigrants, by way of London.

He was the first President of the American Federation of Labor. He is reported to have said, "To be free, the workers, [American workers,] must have a choice. To have a choice they must retain in their own hands the right to determine under what conditions they will work."

Throughout history, unions have been pivotal in advancing the conditions of the right of workers. From establishing the 5-day work week to championing minimum wage, banning child labor, protecting workers from being maimed and killed at work, the labor movement has been instrumental in building and sustaining America's middle class.

The labor movement created the American middle class, which is now under relentless attack. Since returning to office, President Trump and his administration have attacked workers' right to organize, exposed them to exploitive workplaces. For example, President Trump has stripped nearly half a million—half a million—of Federal workers of their hard-won protections in one of the worst, if not the worst, act of union busting in modern American history.

He has also undermined the National Labor Relations Board, which is responsible for cracking down on illegal union busting for millions of private sector workers. At a time of obscene wealth inequality in the United States, union workers enjoy approximately

20 percent higher wages and are more likely to have access to benefits such as health insurance, paid leave, and pension plans.

Union-represented workers also have the right to resign from union membership, the right to object to dues beyond representational activities known as the Beck right, which the Chairman referred to in his opening comments. Even the right to request religious accommodation for nonpayment of union dues.

Unions are legally required to inform workers of their Beck rights. Conversely, employers have no obligation to directly inform their workers of their right to organize a union and stand up for better working conditions without retaliation. Our economic system has been rigged against the working class for decades.

As lawmakers, we should work to strengthen workers' rights to balance the playing field, so that workers can afford to provide a better life for themselves and their families, to buy a home, and to retire in dignity, and give their children a better life than they had.

I look forward to today's discussions. Thank you, Mr. Chairman, and I yield back.

[The prepared statement of Ranking Member DeSaulnier follows:]



OPENING STATEMENT

House Committee on Education and the Workforce
Ranking Member Robert C. "Bobby" Scott

Opening Statement of Ranking Member Mark DeSaulnier (CA-10)

Subcommittee on Health, Employment, Labor, and Pensions Hearing

"Unmasking Union Antisemitism"

2175 Rayburn House Office Building

Tuesday, September 9, 2025 | 10:15 a.m.

Thank you, Mr. Chairman. Welcome back to all the witnesses, thanks for being here.

Let's start by saying, no one should be threatened, harassed, or attacked because of who they are, who they worship, or what they stand for. I agree we should do more to combat antisemitism in America. I also agree with Ranking Member Scott of the full Committee, who has correctly pointed out that, while we have had many hearings on antisemitism, we have not had one addressing racism, xenophobia, sexism, Islamophobia, or similar harms confronting workers and student groups.

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As Dr. McCartin mentions in his testimony, one of the most notable labor leaders and one of the most amazing Americans in our history, a Jewish immigrant from London, was Samuel Gompers, a cigar-maker by trade and the son of Dutch-Jewish working-class immigrants by way of London. He was the first president of the American Federation of Labor, and he is reported to have said, "To be free, the workers must have choice. To have choice, they must retain in their own hands the right to determine under what conditions they will work."

Throughout history, unions have been pivotal in advancing the conditions and rights of workers, from establishing the five-day work week to championing minimum wage laws, banning child labor, and protecting workers from being maimed and killed at work. The labor movement has been instrumental in building and sustaining America's middle class. The Labor movement created the American middle class. Which is now under relentless attack.

Since returning to office, President Trump and his Administration have attacked workers' right to organize and exposed them to exploitative workplaces. For example, President Trump has stripped nearly half a million federal workers of their hard-won protections in one of the worst if not the worse, acts of union-busting in modern American history. He has also undermined the National Labor Relations Board, which is responsible for cracking down on illegal union-busting for millions of private sector workers.

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Union-represented workers also have the right to resign from union membership, the right to object to dues beyond representational activities, known as the “Beck” right, which the Chairman referred to in his opening, and even the right to request a religious accommodation for nonpayment of union dues. Unions are legally required to inform workers of their “Beck” rights. Conversely, employers have no obligation to directly inform their workers of their right to organize a union and stand up for better working conditions without retaliation.

Our economic system has been rigged against the working class for decades, and as lawmakers, we should work to strengthen workers’ rights to balance the playing field so that workers can afford to provide a better life for themselves and their families, to buy a home and retire in dignity and give their children a better life than they had.

I look forward to today’s discussion. Thank you, Mr. Chairman, and I yield back.

Chairman ALLEN. Okay. I thank the Ranking Member, and now we will go to the introduction of witnesses. Sorry, excuse me. Sorry. A few legal matters to take care of. Pursuant to Committee Rule 8(c), all members who wish to insert written statements into the record may do so by submitting them to the Committee Clerk electronically in Microsoft Word format by 5 p.m., 14 days after this hearing.

Without objection, the hearing record will remain open for 14 days to allow such statements and other extraneous material noted during the hearing to be submitted for the official hearing record. I note that some of our colleagues who are not permanent members

of this Subcommittee may be waving on for the purpose of today's hearing. I was in a hurry to get to our witnesses, so I almost missed that.

Now, we will turn to the introduction of our four distinguished witnesses. Our first witness is Ms. Kyle Koeppel Mann, Senior Staff Attorney for the New York Legal Assistance Group from New York City. Our second witness is Mr. David Rubinstein, a Ph.D. Candidate at Cornell University's Department of History in Ithaca, New York.

Our third witness is Dr. Joseph A. McCartin, Professor of History and Executive Director at Georgetown's University's Kalmanovitz Initiative for Labor and the Work Poor in Washington, DC. Our last witness is Mr. Glenn Taubman, a Staff Attorney for the National Right to Work Legal Defense Foundation in Springfield, Virginia, and I trust I got most of those names correct.

We thank the witnesses for being here today, and we look forward to your testimony. Pursuant to Committee Rules, I would ask that you each limit your oral presentation to a 3-minute summary of your written statement. As Committee members have many questions for you, the clock will count down from 3 minutes.

Pursuant to Committee Rule 8(d), and Committee practice, however, we will not cutoff your testimony until you reach the 5-minute mark. I would also like to remind the witnesses to be aware of their responsibility to provide accurate information to the Subcommittee.

I will first recognize Ms. Mann for your testimony.

STATEMENT OF MS. KYLE KOEPEL MANN, SENIOR STAFF ATTORNEY, NEW YORK LEGAL ASSISTANCE GROUP, NEW YORK CITY, NEW YORK

Ms. MANN. Thank you. Good morning. I am Kyle Koeppel Mann, a Coordinating Senior Staff Attorney in the Immigrant Protection Unit at the New York Legal Assistance Group, a civil legal services nonprofit. I am also a former member of A Better NYLAG, or ABN, a chapter of UAW Local 2325, the exclusive bargaining representative that has a duty to fairly represent me.

NYLAG has been a part of my life for decades. It was founded by my step grandmother in 1990 as a partner agency of United Jewish Appeal, Federation of Jewish Philanthropies of New York, which still funds its work. I love the work I do helping my clients, and I once loved the office where I did it. Like you, I am a public servant because I care deeply about improving lives.

In June 2019 I voted to unionize. I believed collective bargaining would mean better pay, healthcare, caseloads and workplace conditions. In February 2023, I walked the picket line when ABN went on strike. However, in 2024, I withdrew from ABN as a religious objector after its crusade against Israel following the October 7th Hamas attacks.

The union turned NYLAG from a place where I could proudly be Jewish and Zionist, identities inseparable for me and most Jews, into a hostile, antisemitic workplace. For months, Jewish staff faced posters glorifying violence against Jews and Israelis. "Intifada Now, Long Live the Resistance, and Abolish the Settler State," covered NYLAG's walls.

In one of my many complaints to NYLAG management, I wrote that the images called for, “the destruction of the Jewish State of Israel, after the massacre, rape, and kidnapping of nearly 1,500 Jews by Hamas, an organization that has murdered countless Jews. The rhetoric in these images is not vague. They are rallying cries for murdering Jews.

As a Jew, I feel threatened when I see these and depressed that they surround my workplace.” To its credit, NYLAG responded by banning harassing materials that create a toxic work environment for many Jewish employees. Instead of supporting us, ABN filed an unfair labor practice charge against NYLAG for its opposition to antisemitic material.

ABN has failed in its duty to fairly represent all employees. As such, with the Brandeis Center for Human Rights Under Law, I, and several other Jewish colleagues have filed complaints with the National Labor Relations Board and the Equal Opportunity Employment Commission.

We cannot serve the public while enduring abuse at work. Jewish union members have the right to expect that their union will fight to remediate toxic antisemitic workplaces, not be the ones creating them. Thank you.

[The prepared statement of Ms. Mann follows:]

U.S. House of Representatives
Committee on Education and Workforce
Subcommittee on Health, Employment, Labor and Pensions
Hearing on “Unmasking Union Antisemitism”
September 9, 2025

Kyle K. Mann
Written Testimony

The New York Legal Assistance Group (NYLAG) has been a part of my life for as long as I can remember. The organization was founded by my step-grandmother, and I was a summer intern in the Family Law Unit when I was 20 years old. I came back to NYLAG in 2014 as a volunteer attorney after law school and joined the staff in 2017. I am currently a Coordinating Attorney and Senior Staff Attorney in the Immigrant Protection Unit (IPU) at NYLAG. I love the work I do, and I used to love the office where I did it. Like all of you, I am a public servant. I don't do my job for the hefty paycheck. I do it because I care deeply about the people I serve and want to make their lives better. At this moment in time, when my work feels more important than ever, it is devastating that union anti-Semitism, which is omnipresent in my office, prevents me from doing my job.

NYLAG was founded in 1990 as a United Jewish Appeal (UJA) Federation of New York partner agency, with significant funding from UJA, and remains so to this day. When I first joined NYLAG, there were mezuzahs on doors, and any NYLAG-catered event was Kosher. NYLAG was a place where I could proudly be Jewish and was a warm, welcoming environment for everyone. I loved working there and felt respected by my colleagues. In June of 2019, on my last day in the office before going on maternity leave, I voted to unionize. I did so because I believed that collective bargaining would give its members, including myself, amongst other benefits, better pay, better workplace conditions, better healthcare and workload. For the first few years that NYLAG was unionized, it felt like that was what was happening.

10/7 changed that. On October 10, three days after Hamas' brutal terrorist attack in Israel, NYLAG's President and CEO, Lisa Rivera, sent an email to all NYLAG staff and volunteers addressing "news of mass violence and war this weekend" and encouraging everyone to take time to breathe and take care of ourselves. Two days later, a statement made by Khaled Mashaal, a former Hamas leader, led the NYPD and other law enforcement agencies around the United States to believe that he had called for a Global Day of Jihad on October 13, 2023. NYLAG's President sent a heartfelt email to the entire organization stating that she had attended an NYPD briefing to discuss security in NYC for 10/13 and the weekend in response to "abhorrent and devastating social media posts and threats about violence." She acknowledged that while the NYPD said there were no credible threats, they were heightening security throughout the city, including at synagogues, yeshivas, and other public places (transportation, public spaces, sports arenas, etc.). She said that NYLAG would remain open "for those who want or need to come in," and that

there was no need to come to the office to satisfy NYLAG's required two days in the office. It was clear from the tone of her email that her intent was to make employees feel supported in a difficult time.

The next day, Friday the 13th, at 8:21pm, and again at 9:53pm, during the sabbath, A Better NYLAG (ABN), NYLAG's chapter of the Association of Legal Aid Attorneys (ALAA) sent a repulsive email to NYLAG's President and Management condemning her October 12th email. *See Exhibit A.* ABN described her decision to waive the in-person requirement as fearmongering, and said her decision perpetuates Islamophobia. Furthermore, they called the NYPD "a racist organization that has historically targeted Black, Brown, Muslim, and Arab communities through intimidation and surveillance, and they are frequent collaborators with the IDF." *See Id.*

The email, sent less than a week after the rape, murder, and kidnapping of innocent Israeli civilians by a United States designated Foreign Terrorist Organization (FTO), was what changed everything at NYLAG. As a member of ABN, I was not consulted about the union having a position, nor was I made aware of ABN's intention to disseminate such a statement. A number of ABN members, including myself, responded to ABN's 10/13 email denouncing its anti-Semitic rhetoric and absurd notion that NYLAG's President was trying to do anything other than help NYLAG employees feel safer. On October 16th, I emailed NYLAG Management, ABN, and ALAA leadership stating that ABN's 10/13 email did not articulate the views of all union members and created a toxic workplace. I demanded that the union and management immediately take action to address the anti-Semitism displayed in the email by its authors. I received a thoughtful and meaningful response from NYLAG's President.

The next day, I emailed ABN rejecting union membership. That Monday in the office, I overheard two union members discussing Israel's illegal occupation of Gaza and the war crimes being committed against Palestinians, with no mention of the 1400 innocent Israeli civilians who were kidnapped and murdered by Hamas. I couldn't believe how quickly my office transformed from a place I loved and felt supported to somewhere I felt unwanted and misunderstood. In the days following ABN's 10/13 email, NYLAG radically transformed from a warm, inclusive office to an aggressive anti-Semitic one. Talking to other Jewish employees at NYLAG, some whom I had never met before, it was clear that we needed each other for support because our office had become a place where we were unwelcome.

On November 14, 2023, I emailed NYLAG's President requesting a meeting with her. I had received a proposed resolution from ABN on behalf of ALAA that was disturbing to my core. On November 17, 2023, NYLAG's President emailed all NYLAG staff urging it to vote no on ALAA's proposed resolution, stating that it was "deeply concerning to us, as it contains language that many of our staff, clients, and supporters will find to be patently one-sided, anti-Semitic, and denying the right of State of Israel to exist. In contrast to this resolution, and as I have said before, there is no place at NYLAG for anti-Semitism, racism, Islamophobia, or any another ism or phobia."

In the early months of 2024, I found it extremely difficult to be in the office but continued to go because I love my work. Representing immigrant survivors of domestic violence requires in-person interactions and I need the administrative support and supplies that we have at NYLAG. I had come to rely on fellow Jewish employees for support in the office and discovered that others were as harmed by the imagery surrounding the office as I was.

For months, Jewish staff faced posters glorifying violence against Jews and Israelis. “INTIFADA NOW,” “LONG LIVE THE RESISTANCE,” and “ABOLISH THE SETTLER STATE,” covered NYLAG’s walls. *See Exhibit B.*

On April 24, 2024, I sent NYLAG Management an email with a few examples of the images I had been seeing in the office for months. I urged them to do something, stating that it was hard to do my job because the images posted throughout the office were legally actionable in that they violated my right to not work in a hostile environment. I focused on three images that I found most disdainful, and explained how each was a blatant statement of Jewish hatred. I wrote, “I have tried to ignore these signs (more of which are being posted every day) and focus on my work for months now, but I just can’t do it anymore and I shouldn’t have to. I am not asking you to take a stance or make a public statement about how complicated a situation this is. I am demanding that anything that can reasonably be interpreted as calls for violence against Jews and/or the Jewish State, such as the images above, be taken down immediately. I am sick of these illegal, anti-Semitic, hostile signs in my workplace. Expressions that support violence and murdering Jews and the Jewish State create a hostile work environment. NYLAG has a legal obligation to prevent a hostile work environment under the Civil Rights Act of 1866, (42 U.S.C. Section 1981), Title VII of the Civil Rights Act of 1964 (42 U.S.C. Section 2000e), New York State Human Rights Law (New York Executive Law Section 296), and New York City Human Rights Law (NY Administrative Code Section 8-107).” *See Id.*

I cried to NYLAG’s President about how much I hated the environment in the office. I shared that many of my Jewish colleagues felt the same way but were afraid to speak up. She commiserated with me and was truly distraught at what had transpired in our office. She too is a lifelong NYLAGer and started her career at NYLAG more than 20 years ago.

On May 20, 2024, NYLAG management sent an email to all NYLAG staff and volunteers enacting what has become its “poster policy.” The policy was very simple – NYLAG’s GC stated, **“we will not allow any posters or other postings regarding the Israel/Gaza conflict to be displayed anywhere in NYLAG’s offices.”**

The union went ballistic. As NYLAG management took down posters, ABN aggressively defied the policy and began hanging posters that served to evoke the sentiments they wanted shared in a way they felt complied with NYLAG policy. Within two days of NYLAG’s GC’s email, the office was covered in posters of watermelons, a symbol of Palestinian solidarity. ABN also started putting up posters that said, “NYLAG Silences Workers” printed over a watermelon.

On May 22, 2024, I received an HR complaint from an unidentified employee who claimed I was taking pictures of them and made them feel uncomfortable and unsafe. I was horrified – I was literally documenting my toxic workplace to share violations of NYLAG policy with management and being gaslit for it. I emailed HR stating that I did not photograph any employee and was documenting violations of NYLAG policy to share with management. I also told the Director of HR that I felt threatened and unwelcome in the office, and that I couldn't believe I was being blamed when I was the victim. That day, ABN also sent an email to its members calling the poster policy an "egregious infringement on our members' speech, and a violation of labor law."

In the past two years, NYLAG's GC has spent countless hours taking down posters. In any other workplace, this would not be tolerated. When similar anti-Semitic behavior took place at Google, the employees were fired. Google has fired over 20 employees, some of whom belonged to its union, Alphabet Workers Union (AWU), for failure to comply with company policy. I don't think that ALAA is providing its members with a real understanding of what an individual's rights are in a workplace. See <https://nypost.com/2024/04/17/business/google-fires-28-employees-involved-in-sit-in-protest-over-l-2b-israel-contract/> and <https://www.cnn.com/2024/04/23/tech/google-fires-employees-protest-israel/>.

The union has doubled down on its choice to protect its anti-Semitic members. It could have stated that anti-Semitism is intolerable and that it won't defend its members in claims of anti-Semitism.

As I mentioned, I voted to unionize. I am not anti-union. When ABN went on strike in February 2023, I walked the picket line. ABN has weaponized its power and manipulated young liberal minds. The generational anti-Semitism is evident – it's mostly younger people in the office that have been persuaded to support Hamas. I am constantly asked why I don't quit. It's deeply disturbing, but the truth is there is nowhere else to go - almost every nonprofit legal service provider in New York City is part of ALAA and dealing with its own anti-Semitism problems. I love my work and don't want to be forced out of doing a job I care deeply about.

NYLAG management again apologized for the harmful and toxic workplace but did not enforce its own policy. Without facing any consequences for its actions, ABN escalated its tactics. I cried at my desk after seeing a flyer inviting me to join ABN on September 17, 2024, for a "LUNCHTIME PICKET TO DENOUNCE CENSORSHIP...DENOUNCING THE ONGOING GENOCIDE IN PALESTINE." See Exhibit C. I couldn't go into the office that day and had to work from home because I knew being there would be emotionally harmful to me. Many of my other Jewish colleagues did not go in that day because they feared for their safety. I also couldn't look on social media anymore without feeling harassed and threatened, as ABN posted images such as "FOR GAZA WE RISE...WE WON'T WORK FOR GENOCIDE" (see Exhibit D) and a photo of ABN members gathered at NYLAG reception wearing keffiyehs and holding Palestinian flags (see Exhibit E). On October 21, 2024, after seeing an image of 23 of my colleagues standing at NYLAG's reception wearing keffiyehs and holding Palestinian flags (see Id.), I wrote to

NYLAG management stating, “[t]his display of pro-Palestinian solidarity is against NYLAG policy - it creates an anti-Semitic, hostile environment in the workplace. What action will NYLAG management take in response? I would like to reiterate what I said in my previous email. Until there are consequences for their actions, nothing will change. I am distraught that there still remains a need to come to you about this - I have seen nothing change since my last outreach. The workplace at NYLAG remains hostile in violation of Civil Rights Act of 1866, (42 U.S.C. Section 1981), Title VII of the Civil Rights Act of 1964 (42 U.S.C. Section 2000e), New York State Human Rights Law (New York Executive Law Section 296), and New York City Human Rights Law (NY Administrative Code Section 8-107).” Management is not trying to silence ABN members, but rather merely asking them to refrain from making political statements at work that make other members feel afraid.

More than a year after the policy was enacted, NYLAG’s GC is still sending out reminders about the poster policy. NYLAG is unable to enforce its own policy because the union is defending some of its members’ “right” to harass other of its members. In preparing this testimony, I have been retraumatized. I can’t believe that the environment at NYLAG is still so toxic. Our rights as Jews are being violated by the union, which has failed in its responsibility to fairly represent its Jewish members. Looking back on the past almost two years, I have wasted so much time fighting for a fair, nontoxic workplace, but gotten nowhere.

That is why, with the Brandeis Center for Human Rights Under Law, I and several Jewish colleagues have filed complaints with the National Labor Relations Board and the Equal Employment Opportunity Commission. *See* Exhibits F and G. I sincerely hope they hear our cries and take action. We are public servants who want to best serve our clients, and we can’t do our jobs when we’re being abused in our office.

Thank you.

EXHIBIT A

From: A Better NYLAG <abetternylag@gmail.com> **Sent:** Friday, October 13, 2023 8:21 PM
To:

Subject: Union Response to Management E-mail

To Lisa and Management,

We are writing regarding your e-mail sent yesterday evening about alleged threats to New York City and your decision to waive the in-person requirement for today. We know that there are staff members who are concerned for their safety, including Palestinian, Jewish, Arab, and Muslim staff members. However, we condemn the fearmongering that your message and decision perpetuates against Muslims and Palestinians—this kind of messaging contradicts the mission and efforts of NYLAG as an anti-racist organization.

Although the NYPD has stated that there are no credible threats to safety, you nonetheless highlighted and gave credence to unsubstantiated threats on social media. The only events concretely happening today and this weekend are protests in support of Palestine and against the illegal Israeli occupation and war crimes against Palestinians. The primary reason for the NYPD to mobilize in this aggressive manner is to antagonize and intimidate participation in protests for Palestine and to associate its movement with violence and terrorism. Our Palestinian, Arab, and Muslim family, friends, and colleagues are confronted by this Islamophobia and racism every day and we condemn your role in spreading and giving life to this narrative.

Additionally, we know the NYPD is a constant threat to Black and Brown people across New York City, and especially in the context of protests. We can look to the Black Lives Matter protests of 2020 as evidence of the egregious police misconduct that resulted in the assaulting and unjust prosecutions of protesters across the city. Racist fears of violence and rioting were also spread to discredit and attack the BLM movement. This mass mobilization of NYPD officers can only increase instances of violence against people who already consistently suffer at their hands.

The NYPD is a racist organization that has historically targeted Black, Brown, Muslim, and Arab communities through intimidation and surveillance, and they are frequent collaborators with the IDF, all of which have likely informed their decision to turn out in force today—yet your message legitimizes their presence as necessary for safety, rather

than calling attention to the ways that their presence will make the city less safe for many of our staff members and clients today.

We are severely disappointed with how your sudden and swift action in this instance to address nebulous threats stands in stark contrast to other recent instances where you neglected or refused to do the same when your staff were facing threats to safety due to flooding, wildfire smoke, and COVID-19. Additionally, it is disheartening that in a moment where Management claims to be concerned with the safety of its staff, the safety of Admin staff yet again was not deemed important to NYLAG. It is distressing to realize that Management is more willing to listen and act in response to the NYPD and politically stoked fears than to what your own staff needs and deserves.

Sincerely,

A Better NYLAG Leadership

This email, including any attachments, may contain information that is legally privileged and/or confidential. If you are not the person this email was intended to reach, then do not share, distribute, or copy it. Please notify the person who sent this email immediately and then delete the email, including any attachments.

EXHIBIT B





EXHIBIT C



EXHIBIT D



EXHIBIT E





EXHIBIT F

May 6, 2025

BY E-FILING ONLY

John D. Doyle, Jr., Regional Director
National Labor Relations Board, Region 2
26 Federal Plaza
New York, New York 10278

Re: *A Better NYLAG*, Case No. _____

Dear Mr. Doyle,

The Louis D. Brandeis Center for Human Rights Under Law respectfully submits this position statement on behalf of the Charging Party, the Louis D. Brandeis Center Coalition to Combat Anti-Semitism (“the Coalition”). Charging Party’s members are employed by the New York Legal Assistance Group (“NYLAG”) and owed a duty of fair representation by their exclusive bargaining representative, A Better NYLAG (“the ABN”).¹ The Coalition has charged the ABN with violating its duty of fair representation pursuant to Sections 8(b)(1)(A), 8(b)(2), 8(b)(3), and 9(a) of the National Labor Relations Act (“NLRA”), by its active opposition to NYLAG’s effort to remedy an anti-Semitic working environment.²

INTRODUCTION

The October 7, 2023, terrorist attack in southern Israel precipitated an onslaught of anti-Israel advocacy in NYLAG’s offices that came to permeate the workplace. Many Jewish NYLAG employees complained that this advocacy had subjected them to anti-Semitic, discriminatory environment. In order to ensure a non-discriminatory work environment, NYLAG management promulgated a viewpoint-neutral policy prohibiting the display of “any posters or other postings regarding the Israel/Gaza conflict” in the office.

Rather than defend the right of these Jewish NYLAG employees in the ABN’s bargaining unit to be free from a toxic work environment – created in large part by the ABN’s own activities – the ABN went so far as to advocate against the very Jewish employees whom they purport to

¹ The ABN’s complete name is “A Better NYLAG, chapter of the Association of Legal Aid Attorneys, United Auto Workers Local 2325.”

² This position statement is based upon the facts known at this time. Charging Party reserves the right to amend or amplify this position statement and its underlying charge in the event further material facts are discovered.

represent. The ABN took actions to undermine NYLAG's efforts to protect Jewish employees. Specifically, the ABN filed an unfair labor practice charge against NYLAG with the National Labor Relations Board ("NLRB") accusing it of violating (1) and (5), and has continued to take actions opposing NYLAG's policy.³

PARTIES

The Coalition is a membership organization whose mission includes combating anti-Semitism in the workplace. Among its members are Jewish NYLAG employees to whom the ABN owes a duty of fair representation. The ABN was certified by the Board as the exclusive representative of all NYLAG employees in 2019.⁴ This includes Coalition members who are both ABN members and ABN non-members who are experiencing an unlawful anti-Semitic toxic work environment that NYLAG is obligated to remediate.⁵ For these Jewish NYLAG employees, Zionism and a deep connection to the Jewish state of Israel plays a central role in their Jewish identity, i.e., in their Jewish faith and their shared Jewish ancestry as the Jewish people. Celebrating the murder of Jews and advocating for the extinguishment of the Jewish state of Israel offends them not merely as decent human beings but, in particular, as Jews.

The ABN is a chapter of the Association of Legal Aid Attorneys, UAW Local 2325 ("ALAA"). The ABN is the exclusive bargaining representative for NYLAG's legal staff, including the Coalition's members, pursuant to a 2022-2025 collective bargaining agreement.⁶ Both the ABN and the ALAA are headquartered in New York City. NYLAG, although not a party to this proceeding, is a non-profit legal services provider in New York City.

STATUTE OF LIMITATIONS

Because the ABN's NLRB charge of an unfair labor practices, filed originally on June 20, 2024, and amended on August 16, 2024, is ongoing, it is a continuing violation of its duty of fair representation, satisfying the six-month statute of limitations imposed by 29 USCA § 160(b). Aside

³ The ABN's NLRB charge against NYLAG is designated Case 02-CA-345030.

⁴ Certification of Representative issued by the National Labor Relations Board on July 5, 2019 (02-RC-243013).

⁵ As the exclusive collective bargaining agent, the ABN owes a duty of fair representation to all of NYLAG's employees in the classifications covered by the collective bargaining agreement, which includes the Coalition members on whose behalf this complaint is filed. *See Steele v. Louisville & N.R. Co.*, 323 U.S. 192, 200 (1944) ("The labor organization chosen to be the representative of the craft or class of employees is thus chosen to represent all of its members, regardless of their union affiliations or want of them."); *Int'l Ass'n of Machinists v. St.*, 367 U.S. 740, 761 (1961) ("[A] union's status as exclusive bargaining representative carries with it the duty fairly and equitably to represent all employees of the craft or class, union and nonunion."); *Int'l Union of Bricklayers & Allied Craftsmen Loc. No. 5 v. Hudson Valley Dist. Council Bricklayers & Allied Craftsmen Joint Benefit Funds*, 858 F. Supp. 373, 374, n.1 (S.D.N.Y. 1994) ("A labor organization also owes a duty of fair representation to all employees within the collective bargaining unit, regardless of union membership.").

⁶ 29 U.S.C. § 159(a) ("Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment.")

from the application of any “continuing violation” doctrine to the Coalition’s claim, at least one concrete action opposing the NYLAG rule has occurred within the last six months, i.e., on November 7, 2024, when the ABN staged a protest in NYLAG offices and delivered a letter to NYLAG management opposing NYLAG’s efforts to support Jewish employees.

FACTS

After the October 7, 2023, Hamas terrorist attack in southern Israel that killed more than 1,200 people and resulted in the kidnapping of hundreds more, NYLAG’s workplace became engulfed in anti-Israel and anti-Semitic expression and advocacy, driven in large part by the ABN. This included vile expressions of anti-Israel hatred and anti-Semitism via resolutions, formal statements, social media posts, rallies, and in-office displays of posters, buttons, garments, etc. demonizing Israel, supporting the destruction of the Jewish state, lauding Hamas, minimizing the October 7th attacks, and/or promoting violence against Jews.

ABN members have harassed NYLAG’s Jewish employees from almost the moment Hamas attacked Israel on October 7, 2023. For example, less than a week after the October 7th attack, on October 12, 2023, NYLAG’s President and CEO sent an organization-wide email expressing sympathy and concern for Jewish employees fearful that an anti-Israel protest planned for the next day (a self-styled, “global day of rage”) posed safety concerns for the Jewish community. This e-mail followed a briefing from the New York Police Department “in direct response to *abhorrent and devastating* social media posts and threats about violence tomorrow.” (emphasis in original). NYLAG also offered its concerned employees the opportunity to work from home to avoid the protest and its effects.

The next day, October 13, 2023, still not one week after the terrorist attack, the ABN responded with an email of its own focusing on “the illegal Israeli occupation and war crimes against Palestinian,” blaming the NYPD’s supposed motivation to “turn out in force” at the protest on the NYPD being “frequent collaborators with the IDF,” and attacking NYLAG management.

Several Jewish NYLAG employees and ABN members objected to the ABN’s email. One such objection was sent on October 15, 2023, and included:

I do not know who you presume to represent, but this is certainly does not represent my view or the views of other union members I spoke to after you sent this out without advising or consulting us. At a time where tensions are extremely high, a “global day of rage” was planned on Friday. Your personal assessment of the threat or lack of threat notwithstanding, I personally was a part of text message threads where my fellow Jews discussed what precautions we needed to take to stay safe. I thank [NYLAG President and CEO] for her concern for our safety and comfort in a difficult and scary time for some of us.

Another Jewish NYLAG employee and ABN member emailed ABN leadership on October 16, 2023 (emphasis in original):

[ABN], your personal assessment as to the lack of threat on this global day of rage, are, at its very best, misguided. Thank god that recorded attacks were minimal, however, the calls for the annihilation of the Jewish People still rung out. [ABN], were you aware that my not-even two-year-old daughter couldn't go to her classes on Friday, despite the increase of police presence, for fear of her physical safety? That my husband couldn't wear a kippah to work on Friday, for fear of being attacked? To add a bit more helpful context, my family was in Israel when the terrorist attacks occurred. We were there for when the war broke out. We spent days going in and out of bomb shelters. There were decisions I had to make, as a mom of a young toddler, while 6.5 months pregnant with my second child, that no one should be in the position to make. *And we are the lucky ones.*

Email titled "Union Response to Management E-mail," Oct. 16, 2023.

Anti-Israel animus came to permeate the NYLAG workplace. As of the date of this Charge, ABN members, with the ABN's full support, encouragement, and defense, display posters, flyers, and buttons excusing, glorifying, and threatening violence and terrorism against Jews. One such button proclaims, "Resisting colonialism is not terrorism":



Another poster warns, “RESPECT EXISTENCE OR EXPECT RESISTANCE”:

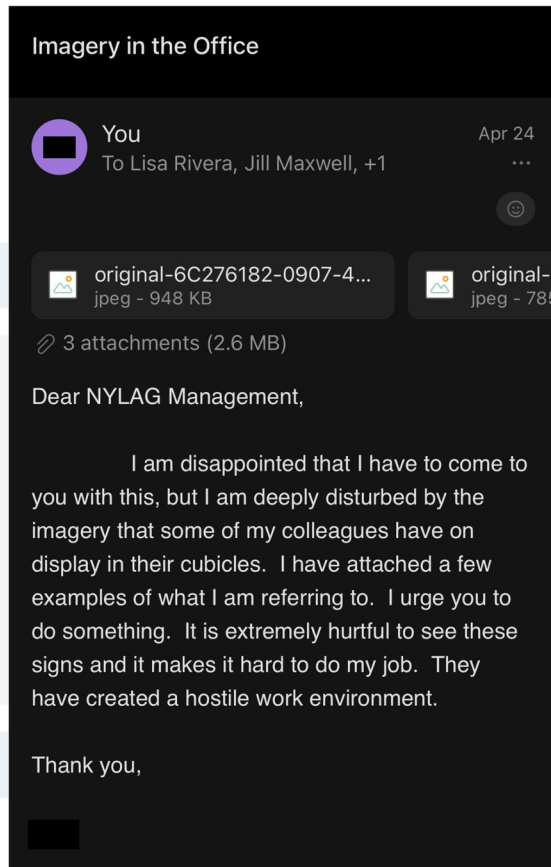


Yet another poster displays a figure with an outstretched arm over her head brandishing a missile, declaring “LONG LIVE THE RESISTANCE!”:



This activity created a toxic environment for NYLAG’s Jewish employees, including Coalition members. In emails and other communications, these Jewish employees and ABN members complained to NYLAG management that this activity created an anti-Semitic, discriminatory hostile environment in violation of federal, state, and local anti-discrimination laws, and implored NYLAG management to protect them.

For example, on April 24, 2024, a Jewish NYLAG employee and ABN member emailed NYLAG management (sender redacted):



Two weeks later, on May 7, 2024, this NYLAG employee and ABN member again emailed NYLAG management to seek protection from the anti-Semitic toxic environment that the posters so significantly contributed to, including posters with images of a Palestinian state whose

boundaries cover all of Israel, and calls to “ABOLISH THE SETTLER STATE” and for INTIFADA NOW”:

As I wrote in my initial email, the imagery in the office relating to what is going on in the Middle East has created a hostile work environment. There are additional hateful images since my last email (including the first one below). Rather than discuss them all, I will focus on those that I believe are legally actionable in that they violate my right to not work in a hostile environment.



These three images call for a destruction of the Jewish State of Israel. After the massacre, rape, and kidnapping of nearly 1500 Jews in Israel by Hamas, an organization that has murdered countless Jews and ordered for the murder of Jews in Israel and around the world, the rhetoric in these images is not vague and open to interpretation. They are rallying cries for murdering Jews. As a Jew, I feel threatened when I see these and depressed that they surround my workplace.

Email titled “Imagery in Office,” May 7, 2024.

Acting to remedy this anti-Semitic toxic working environment, NYLAG's general counsel announced on May 10, 2024, a policy prohibiting the display of "any posters or other postings regarding the Israel/Gaza conflict" in the office:

Dear Colleagues,

We understand that the continued conflict in the Middle East is extremely distressing to many of our staff and clients, and that many are deeply impacted by the Israel/Gaza conflict in various ways. It is with this in mind, and to ensure a safe and welcoming environment for everyone, that effective immediately, we will not allow any posters or other postings regarding the Israel/Gaza conflict to be displayed anywhere in NYLAG's offices.

One of our core values here at NYLAG is that we strive to create a welcoming and inclusive work environment. We are implementing this policy to ensure that all of our staff and clients feel safe and welcome, regardless of religion, race, or ethnicity.

If you have a posting up that falls within these guidelines, please take it down immediately, and no later than the close of business of Tuesday, May 21. If you are out of the office and cannot take down a poster, feel free to email me and I can take it down for you. Also, feel free to let me know if you have any questions about this policy.

We appreciate everyone's cooperation with this policy.

NYLAG's action was consistent with Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-2(c), the New York State Human Rights Law, N.Y. Exec. Law § 296, and the New York City Human Rights Law, N.Y.C. Admin. Code § 8-107, each of which prohibits an anti-Semitic hostile environment in the workplace. Many Jewish NYLAG employees complained to NYLAG management that the proliferation of anti-Israel posters, pins, buttons, and flyers in the office, particularly in the context of the October 7, 2023, terrorist attacks in Israel and the continued holding, and periodic execution, of Israeli hostages by the Hamas terrorist organization in Gaza, created a toxic working environment for them.

The ABN's anti-Israel crusade at NYLAG has never abated, and the ABN has embraced the posters' violent anti-Semitic rhetoric. For example, one poster used by the ABN as an exemplar of the policy's purported injustice proclaims, "INTIFADA NOW," an exhortation to terrorist attacks on Jews:



ABN "Statement on NYLAG Silencing Workers' Speech," June 10, 2024.

In fact, the speech conveyed by those posters and imagery has absolutely nothing to do with working conditions at NYLAG; nothing to do with wages, benefits, job security, retirement, workload, discipline, promotion, opportunity for advancement, unequal treatment of employees, or anything that would conceivably improve any aspect of NYLAG's workplace.

ABN's support for advocacy in this context – including a poster demanding INTIFADA NOW – frightened many Jewish NYLAG employees. NYLAG's rule prohibiting the display of "any posters or other postings regarding the Israel/Gaza conflict" in the office is an attempt to protect those Jewish employees – ABN's members and non-members who are owed a duty of fair representation – from an anti-Semitic work environment.

NYLAG's actions are far from sufficient to remedy the anti-Semitic environment that exists in its workplace, but its poster policy is a good faith effort to do so. The ABN had a duty to all of its members to support – and certainly not to oppose —good faith efforts to ensure an inclusive, non-discriminatory work environment.

Yet rather than stand with its Jewish employees who are subjected to these expressions of support for the murder of Jews and the destruction of the Jewish state, the ABN responded to NYLAG's rule with a statement accusing management of "flagrantly violating the National Labor Relations Act, which protects our right to protest unfair working conditions," and promised to file "an Unfair Labor Practice charge with the National Labor Relations Board."

That NLRB Charge was filed on June 20, 2024 (and amended on August 16, 2024), alleging a violation of the ABN members' right to engage in "concerted activities for the purpose of collective bargaining or other mutual aid or protection," 29 U.S.C. § 157. The Charge reads as follows:

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Since on or about May 10, 2024, a date within the last six months, the above-named employer has violated the Act by issuing an unlawful and overbroad workplace policy regarding postings in union-represented employees' cubicles, and by suppressing the protected concerted speech of union members. Since a date within the last six months, the above-named Employer has violated the Act by refusing to furnish the information requested by Association of Legal Aid Attorneys, UAW, Local 2325 (AFL-CIO), the collective bargaining representative of the Employer's employees.

A Better NYLAG vs. New York Legal Assistance Group, N.L.R.B. 02-CA-345030 (June 20, 2024; amended Aug. 16, 2024).

While the ABN presses ahead with its NLRB charge, the ABN has continued to take action to oppose NYLAG's rule protecting the ABN's Jewish members experiencing a toxic work environment. On September 17, 2024, the ABN conducted a "lunchtime picket" outside NYLAG's office to protest NYLAG's rule. On October 21, 2024, the ABN protested the NYLAG policy in the office, and documented doing so on its Instagram account, by "wearing their keffiyehs and flying flags in solidarity with Palestinians." On November 7, 2024, the ABN delivered a letter to NYLAG management and organized a protest in NYLAG's offices against NYLAG's rule.

NYLAG management has tried to explain to the ABN that its policy is necessary to fulfill its "obligation to all our staff to maintain a safe and inclusive work environment," including the Jewish NYLAG employees to whom the ABN owes a duty of fair representation:

Dear Executive Board Members,

We have reviewed the email and all of the statements [opposing the policy]. I also understand that you discussed the Union meeting and

poster policy more broadly at the monthly Union-Management meeting this past Friday.

While we consider, and have considered, the perspectives you have uplifted, we also expressed to you that this fails to consider the complete picture. We have also heard from our colleagues, including fellow members of the collective bargaining unit, who feel harmed by some of the displays. We have meaningfully engaged with staff members who represent a variety of viewpoints across the organization. We have an obligation to all our staff to maintain a safe and inclusive work environment, and do not discount anyone's perspective. As we have said, the poster policy seeks to respect all staff's right to come to work without being forced to engage in conversations, instead letting people select how and when they want to engage. Furthermore, our clients deserve to come into an environment that is safe and welcoming.

This policy is rooted in our obligations and responsibilities to all who work at and use NYLAG's spaces. We seek to maintain a workplace where our staff can work together, so that we can fulfill our mission here in New York. The reasons for creating the policy have not changed; thus, the policy remains in place, and we will enforce it.

Best,

Randal

Randal S. Jeffrey
General Counsel
Pronouns: He, Him, His

Email from NYLAG General Counsel to ABN Executive Board, Sept. 9, 2024.

The ABN's advocacy against NYLAG's anti-discrimination efforts has further exacerbated the environment in the office, as described by a Jewish ABN member in a letter to the ABN executive board after the ABN announced its intention to hold a demonstration against the policy:

ABN Board,

With the post this morning on the ABN official Instagram account reposting UAW for Palestine, threatening union activity or

demonstration on October 7, I am no longer able to ignore the blatant antisemitism of this bargaining unit.

Rather than accede to what you know to be an entirely legal and permissible rule that employees may not place posters related to the current war in the region that was put in place in order to avoid disruption and distraction in the office, you have escalated the issue to an intolerable level. Most recently, you held a picket outside of the office where speakers employed blatantly antisemitic [sic] tropes to decry NYLAG management's policy, including that the policy originated from, and is supported by a Zionist cabal on the board of directors. That is just what is posted online on your Instagram account. You are now threatening to take some action on the most traumatizing day for Jews and Israelis in recent memory.

You have gone way past the point of making this office a hostile work environment. Please consider this an official complaint of a violation of UAW Ethical Practice Codes preamble, section 1, and section 5, namely discrimination based on national origin and religion, vilifying other union members, acting in a manner against and injurious to other union members by creating an impermissible hostile working environment based on national origin and religion.

I was on the executive board of my former bargaining unit at Northeast New Jersey Legal Services UAW NOLSW 2320 for 7 years, serving as vice president and president of the bargaining unit. As best as I could, I strove to represent the interests of all members and to make all members comfortable, and successful, at work even if I may have disagreed with their point of view. You are intentionally seeking to harm members of the unit for your own personal political purposes which have absolutely nothing to do with working conditions of the bargaining unit members. It is not the way to run a union - solidarity is a two-way street.

I hope that you will take this complaint seriously and return to working to advance the interests of all union members, and that there will be no need for further action. I can assure you that I am not the only member that feels this way.

-- XXXX

Email titled "ABN antisemitism," Sept. 24, 2024.

On October 25, 2024, a NYLAG employee and ABN member responded to an ABN online survey by explicitly complaining that the ABN's opposition to the NYLAG poster policy violated the ABN's duty of fair representation, "especially [to] those who are Jewish with Zionist views":

How do you feel about your ability to express yourself and your views in the workplace?

The posters display that NYLAG were/are inappropriate for a diverse work setting. Some of the posters have displayed violence and were implicitly or explicitly antisemitic. The union is not upholding its duty of fair representation to all its members, especially those who are Jewish with Zionist views. Zionism is the right of the Jewish people, who have indigenous rights in Israel, to self determination, just like any other people. If I express this view to the union, I fear retaliation. The union has created a hostile work environment. It is difficult for me to work around these posters and attitudes. In 2023, in the U.S., Jewish people were the victims of more hate crimes than any other group. (Relative to their small numbers). I studied peace and conflict resolution. I believe in coexistence and peace and I hope the Union takes these concerns, statistics, and concerns of Jewish members, and our allies, seriously. I am very open to respectful dialogue and I hope we can resolve this issue. I have much empathy for the Palestinian people and I wish that this empathy was shown to Jewish and Israeli people, who are also suffering.

NYLAG Employee/ABN Member Survey Response, Oct. 25, 2024.

Eleven months after NYLAG first promulgated its poster policy, a Jewish ABN member wrote to NYLAG management pleading with NYLAG to actually enforce its poster policy, including stating:

These signs demonstrate propaganda meant to demonize Jews and/or Zionists and Israel. I am unable to work in this environment, so I often work in areas of the office without so many signs. These signs are having the discriminatory effect of pushing Jewish people and/or Zionists out of these spaces. As a Jewish person, I should not have to work in such close proximity to signs that direct hatred towards me.

Email titled "Poster policy violations [...]," Mar. 21, 2025.

LEGAL ARGUMENT⁷

The ABN is the exclusive bargaining representative for NYLAG staff pursuant to Section 9(a) of the NLRA, 29 U.S.C. § 159(a), and as such it owes the Coalition members a duty of fair representation.

The NLRA gave “[e]mployees ... the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection,” 29 U.S.C. § 157, and empowered those unions to be “the exclusive representatives of all the employees in such unit,” 29 U.S.C. § 159(a).

The duty to represent all employees fairly was established by the Supreme Court in a series of cases where the union was alleged to have discriminated against some of its members in favor of others. See e.g., *Ford Motor Co. v. Huffman*, 345 U.S. 330, 336-338 (1953) (“Their statutory obligation to represent all members of an appropriate unit requires them to make an honest effort to serve the interests of all of those members, without hostility to any.”)

The National Labor Relations Board has consistently reiterated and reinforced this duty of fair representation, extending its application to NLRA provisions making it an unfair labor practice for a union “to restrain or coerce ... employees in the exercise of the rights” to form and participate in unions, Section 8(b)(1)(A); “to cause or attempt to cause an employer to discriminate against an employee in violation of” the prohibition against discrimination aimed at encouraging or discouraging membership in a union, Section 8(b)(2); and “to refuse to bargain collectively with an employer, 8(b)(3).

This doctrine of the duty of fair representation was derived from the Supreme Court's decision in three companion cases: *Steele v. Louisville & Nashville Railroad Co.*; *Tunstall v. Brotherhood of Locomotive Firemen & Enginemen*; and *Wallace Corporation v. N.L.R.B.* In *Steele* and *Tunstall*, both of which involved racial discrimination by a union which was statutory representative under the Railway Labor Act, the Court concluded that such a representative “cannot rightly refuse to perform the duty, which is inseparable from the power of representation conferred upon it, to represent the entire membership of the craft.” In *Wallace*, which did not involve race discrimination, the Court held that the same duty of fair representation was required of bargaining representatives selected under the National Labor Relations Act.

⁷ Separately, and annexed hereto as Exhibit A, the Coalition has filed with the United States Equal Employment Opportunity Commission a discrimination charge against the ABN alleging violations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-2(c); the New York State Human Rights Law, N.Y. Exec. Law § 296; and the New York City Human Rights Law, N.Y.C. Admin. Code § 8-107.

The duty of fair representation has become the touchstone of the Board's concern with invidious discrimination by unions. For example, it is well established that a labor organization's rejection of an employee's grievance solely because of his or her race breaches the duty of fair representation and violates Section 8(b)(1)(A), 8(b)(2), and 8(b)(3) of the Act. Similarly, we have held that a union's refusal to process grievances filed to protest an employer's segregated plant facilities constitutes a violation of Section 8(b)(1)(A).

Handy Andy, 228 NLRB 447, 455 (1977) (internal footnotes omitted); *see also Indep. Metal Workers, Locs. 1 & 2 (Hughes Tool Co.)*, 147 NLRB 1573, 1574 (1964) ("Local No. 1, by its failure to entertain in any fashion or to consider the grievance filed by an employee in the bargaining unit, Ivory Davis, and by its outright rejection of Davis' grievance for reasons of race, violated Section 8(b)(1)(A), 8(b)(2), and 8(b)(3) of the Act."); *Loc. 106, Glass Bottle Blowers*, 210 NLRB 943, 944 (1974) (union locals engaged in sex discrimination in membership and the processing of grievances violate Sections 8(b)(1)(A) and 2(6) and (7) of the NLRA).

Unions thus have a duty of fair representation to all of their members, i.e., a duty to "serve the interests of all members without hostility or discrimination toward any, to exercise its discretion with complete good faith and honesty, and to avoid arbitrary conduct," *Vaca v. Sipes*, 386 U.S. 171, 177 (1967) (emphasis added).

It is significant that the duty of fair representation was born of the particular need to protect members from discrimination by their own union in the enforcement of their union rights *vis a vis* their employers because of their race, ethnicity, religion, etc. *See e.g., Samaritan Med. Ctr. v. Nat'l Lab. Rels. Bd.*, 858 F.3d 617, 630 (1st Cir. 2017), *quoting Vaca*, 386 U.S. at 177 ("Indeed, the doctrine has its origins in 'a series of cases involving alleged racial discrimination by unions.'").

The elements of a duty of fair representation claim in these circumstances is well-established:

To plead a breach of a union's duty of fair representation, "the challenging members must establish two elements. First, they must prove that the union's actions or inactions 'are either arbitrary, discriminatory, or in bad faith.'" *Vaughn v. Air Line Pilots Ass'n Int'l*, 604 F.3d 703, 709 (2d Cir. 2010) (emphasis in original) (quoting *Air Lines Pilots Ass'n Int'l v. O'Neill*, 499 U.S. 65, 67 (1991)). "Second, the challenging members must 'demonstrate a causal connection between the union's wrongful conduct and their injuries.'" *Id.* (emphasis in original) (quoting *Spellacy v. Airline Pilots Ass'n Int'l*, 156 F.3d 120, 126 (2d Cir. 1998)).

Saunders v. New York Convention Ctr. Operating Corp., 2021 WL 4340793, at *9 (S.D.N.Y. Sept. 23, 2021).

A.

*The ABN's Opposition to the Poster Policy is Discriminatory
Against NYLAG's Jewish Employees for Whom Such Conduct Has
Created an Anti-Semitic, Discriminatory Toxic Work Environment*

Despite complaints from Jewish NYLAG employees in the ABN bargaining unit about an anti-Semitic environment in NYLAG's offices (driven by the ABN's own relentless anti-Israel advocacy), the ABN opposed – and opposes to this day – NYLAG's content-neutral efforts to remediate that toxic environment.

The ABN is choosing to support discrimination against Jewish NYLAG employees in the bargaining unit to whom it owes a duty of fair representation and who are enduring an anti-Semitic environment that NYLAG's policy is attempting to remediate.

The union cannot throw its members of one protected identity under the bus in favor of supporting other members' "right" to discriminate against or torment them. *See e.g., Loc. Union No. 12, United Rubber, Cork, Linoleum & Plastic Workers of Am., AFL-CIO v. N. L. R. B.*, 368 F.2d 12, 19 (5th Cir. 1966) (where union "actively opposed desegregation of shower and toilet facilities," it failed its "statutory obligation . . . 'to make an honest effort to serve the interests of all of those members, without hostility to any.'" quoting *Ford Motor Co. v. Huffman*, 345 U.S. 330, 337 (1953)); *Woods v. Graphic Commc'ns*, 925 F.2d 1195, 1203 (9th Cir. 1991) ("Racial discrimination in grievance processing constitutes a primary violation of the duty.")⁸

Yet that is exactly what the ABN is doing: choosing to discriminate against its many Jewish members and non-members in its bargaining unit who are experiencing a discriminatory toxic environment in fighting to allow that discriminatory toxic environment to continue unremedied.

B.

*The "Speech" Which the ABN is Defending
is Not Protected Concerted Action*

The ABN's efforts to undermine NYLAG's anti-discrimination practices violate the ABN's duty of fair representation to those Jewish ABN members and non-members employed by NYLAG who have complained that these postings have created a toxic work environment. The ABN's

⁸ Of course, the duty of fair representation is not limited to the faithful processing of members' grievances against their employer: "The duty of fair representation applies to all union activity and in all 'instances in which a union is acting in its representative role.'" *Agosto v. Corr. Officers Benev. Ass'n*, 107 F. Supp. 2d 294, 303 (S.D.N.Y. 2000) (quoting *Air Line Pilots Ass'n Int'l v. O'Neill*, 499 U.S. 65, 77 (1991)).

insistence that some of its members should be allowed to harass other ABN members is unrelated to any legitimate union objective.

The ABN's decision to oppose NYLAG's effort to remediate an anti-Semitic work environment is "unrelated to legitimate union objectives," *Amalgamated Ass'n of St., Elec. Ry. & Motor Coach Emp. of Am. v. Lockridge*, 403 U.S. 274, 301 (1971), such as protecting its members' right under the NLRA "to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection." 29 U.S.C. § 157.

Again, the "speech" at issue has nothing to do with improving working conditions for NYLAG employees. It is not protected conduct designed for the employees' "mutual aid or protection":

Whether an employee's activity falls within the ambit of the mutual aid or protection clause, in turn, "focuses on the goal of concerted activity; chiefly, whether the employee or employees involved are seeking to 'improve terms and conditions of employment or otherwise improve their lot as employees.'" *Fresh & Easy*, 361 NLRB at 153 (emphasis in original) (*quoting Eastex, Inc. v. NLRB*, 437 U.S. 556, 565 (1978)).

Home Depot USA, Inc., 373 NLRB No. 25, pg. 8 (Feb. 21, 2024).

In *Home Depot*, a store salesman who was subjected to racially discriminatory behavior from his supervisor and who discussed this conduct with his co-workers and complained about it to management, regularly marked his Home Depot apron with "BLM," the initials of the Black Lives Matter movement for racial justice and equality. After the store's Black History Month display was vandalized, the salesman and his co-workers specifically urged management to respond with "'a storewide conversation' about racism so that 'people of color [would] feel safe at this store,'" which Home Depot management rejected. *Home Depot*, at pg. 3.

At a meeting with the salesman to discuss the racially discriminatory behavior he experienced and witnessed, he was directed to cease marking his apron with "BLM." The following exchange occurred:

MANAGER: Okay. You don't think that there's any other way that you could show your support for people of color or [B]lack associates or anything like that without having the actual Black Lives Matter racial cause symbol on your apron? There's no other way that you could do that?

MORALES: There's plenty of other ways, but this is the best way.

MORALES: I said I think I'm leading a great example by refusing to take BLM from my apron. I think that is something that people need to understand. And me as a person of color, coming to you, having these meetings so that you guys can listen, and it doesn't seem like there's any resolution from what I can see. So that -- that's what I'm seeing. That's what I'm thinking about right now.

MANAGER: Sure, I get that but what you're telling me is that there's only one resolution from your perspective. The only resolution in your mind is to keep the BLM on your apron.

MORALES: It's the one that's going to make the biggest impact, yes.

MANAGER: Okay. As opposed to coming up with a different idea or trying to come a different way to show respect to everyone but to celebrate [B]lack leaders or associates of color? Like, there's no other option? That's the only option?

MORALES: And then have it taken down, ripped apart? Because that [the Black History Month display] was an option. That was an alternative, the poster that was put up, the cards. They were torn apart. And that was an alternative, so I'm really not seeing the alternative here.

Home Depot, at pgs. 5-6.

Rather than remove the “BLM” from his apron, the salesman quit.

The NLRB General Counsel framed the complaint against Home Depot squarely as one where an employer interfered with an employee’s effort to address and improve working conditions *at the store where the complainant was employed*:

Beginning about August 2020, Respondent's employee Antonio Morales engaged in concerted activities for the purposes of mutual aid and protection related to racial policies and practices at the New Brighton Facility; this included displaying the lettering “BLM” on [their] apron, writing emails, engaging in various conversations with coworkers, supervisors, and managers about subjects such as ongoing discrimination and harassment, and/or engaging in other BLM-related protected concerted activity.

Home Depot, at pg. 21 (NLRB Complaint ¶ 5(a))

The NLRB had no problem concluding that the Home Depot employee wore the BLM initials on his apron as a logical outgrowth of opposing the discrimination that he and his co-workers experienced at his Home Depot store, and thereby satisfied “the *goal* of concerted activity; chiefly, whether the employee or employees involved are seeking to ‘improve terms and conditions of employment or otherwise improve their lot as employees.’” *Fresh & Easy*, 361 NLRB at 153 (emphasis in original) (quoting *Eastex, Inc. v. NLRB*, 437 U.S. 556, 565 (1978)). *Home Depot*, at pg. 8.

The NLRA did not protect the salesman in *Home Depot* because his BLM markings sought a better world, but a better workplace; a workplace where he and his colleagues would no longer experience racially discriminatory behavior.

The NLRB in *Home Depot* explained why the administrative law judge below erred in finding that the BLM insignia only represented the kind of more generalized, societal concerns that are unprotected by the NLRA’s “mutual aid” protection:

In finding that the BLM marking was not displayed for the purpose of mutual aid or protection, the judge primarily relied on generalized evidence that “the BLM messaging originated, and is primarily used, to address the unjustified killings of [B]lack individuals by law enforcement and vigilantes. To the extent the message is being used for reasons beyond that, it operates as a political umbrella for societal concerns and relates to the workplace only in the sense that workplaces are part of society.” We reject that reasoning. Neither the origins of “BLM messaging,” nor its primary use, dictate how the BLM marking may be used or understood in a particular workplace context (or, indeed, in a broader setting). The judge erred by discounting the evidence discussed above establishing that, at least by the time that Morales refused to remove the BLM marking in February, a purpose for their display of the BLM marking--objectively speaking--was to further protest racial discrimination *at the Respondent's store* and the Respondent's failure to adequately address it.

Home Depot, at pg. 12 (emphasis added).

Here, unlike in *Home Depot*, there is no nexus between postings concerning the war in Israel and *any* term or condition of employment at NYLAG. There is no employment-based purpose in the “speech” that the ABN is trying to defend here. Instead, the ABN needs to defend its Jewish members’ and other employees’ right to a workplace that is not an anti-Semitic toxic environment.

The poster that the ABN's members insist on engaging in, and that the ABN insists on defending at the expense of many Jewish members of the NYLAG collective bargaining unit, is similar to the letter-writing campaign that the NLRB, and the First Circuit Court of Appeals, considered and rejected as a form of "mutual aid," in *Five Star Transportation, Inc.*, 349 NLRB 42, 44 (2007), *enfd.* 522 F.3d 46 (1st Cir. 2008)]. There, letters written by school bus drivers opposing the award of the student transportation contract to the company that ultimately won the contract and refused to hire those drivers were held to not represent concerted action for the purpose of mutual aid or protection where the letters "focused solely on general safety concerns and did not indicate that their concerns were related to the safety of the drivers as opposed to others." *Id.*, 349 NLRB at, 44. The NLRB noted that "merely raising safety or quality of care concerns on behalf of nonemployee third parties is not protected conduct under the Act." *Id.*

Here, the subject matter of the posters and displays in question have no relationship to NYLAG, or to working conditions at NYLAG, least of all in any "common concerns involving their terms and conditions of employment." *Id.*, at 45.

RELIEF REQUESTED

The Louis D. Brandeis Center Coalition to Combat Anti-Semitism, on behalf of its members who are NYLAG employees for whom the ABN is the exclusive bargaining agent, requests that the Board (1) declare that the ABN has violated its duty of fair representation owed to the Coalition's members pursuant to NLRA Sections 8(b)(1)(A), 8(b)(2), 8(b)(3), and 9(a), and (2) enjoin the ABN from further interference with NYLAG's efforts to comply with its obligation to ensure a non-discriminatory environment for its work force

Respectfully submitted,



Rory Lancman, Senior Counsel
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Exhibit A (EEOC Charge)

**UNITED STATES OF AMERICA
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

Louis D. Brandeis Center Coalition to Combat
Anti-Semitism,

Charging Party,

vs.

A Better NYLAG, chapter of the Association of
Legal Aid Attorneys, United Auto Workers Local
2325,

Respondent.

Charge of Discrimination

E.E.O.C. Case No. _____

Charging Party Louis D. Brandeis Center Coalition to Combat Anti-Semitism (“the Coalition”), by its attorneys, The Louis D. Brandeis Center for Human Rights Under Law, charges that Respondent A Better NYLAG, chapter of the Association of Legal Aid Attorneys, United Auto Workers Local 2325 (“the ABN”), has discriminated against the Charging Party’s members employed by the New York Legal Assistance Group (“NYLAG”) to whom the ABN owes a duty of fair representation, as follows:

CHARGE

Respondent the ABN has unlawfully discriminated against the Coalition’s Jewish members employed by NYLAG for whom the ABN is the exclusive bargaining agent (both ABN members and non-members) in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-2(c), the New York State Human Rights Law, N.Y. Exec. Law § 296, and the New York City Human Rights Law, N.Y.C. Admin. Code § 8-107, for the reasons stated in the Coalition’s contemporaneously filed complaint with the National Labor Relations Board, annexed hereto as Exhibit A and incorporated herein, to wit:

Within three-hundred days of the filing of this charge, the ABN (1) breached its duty of fair representation to the Coalition’s Jewish members and discriminated against them based on their religion, national origin and race (ethnicity) when, (2) with discriminatory animus,¹ the ABN opposed NYLAG’s efforts to protect its Jewish employees and the ABN’s members and non-members from a toxic work environment.

¹ See e.g., *McIntyre v. Longwood Cent. Sch. Dist.*, 380 F. App’x 44, 49 (2d Cir. 2010) (“[I]n order to establish a violation of Title VII or the ADEA by the [Union], McIntyre would have to show, at a minimum, that the union breached its duty of fair representation and that its actions were motivated by discriminatory animus.”); *Bledsoe v. New York City Transit Auth.*, 2024 WL 989845, at *2 (E.D.N.Y. Mar. 7, 2024), appeal dismissed (June 21, 2024) (“To make out a Title VII or ADA claim against the Union, Plaintiff must allege facts showing that it breached its duty

RELIEF REQUESTED

The Louis D. Brandeis Center Coalition to Combat Anti-Semitism, on behalf of its members who are NYLAG employees for whom the ABN is the exclusive bargaining agent and thus to whom the ABN owes a duty of fair representation (both members and non-members), requests that the EEOC find probable cause to believe that the ABN has violated Title VII by opposing NYLAG's good faith effort to protect Jewish employees from a toxic environment in the office; that such conduct discriminates against Jewish employees on the basis of their religion, national origin and race; that the EEOC should immediately proceed to seek injunctive relief and any other appropriate relief against such conduct in an appropriate court of law; and, in the absence of initiating such litigation, that EEOC issue a right to sue letter to the Charging Party authorizing it to seek such relief on its own behalf.

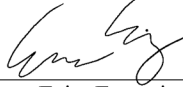
Dated: New York, New York
May 7, 2025

Respectfully submitted,



Rory Lancman, Senior Counsel
THE LOUIS D. BRANDEIS CENTER
FOR HUMAN RIGHTS UNDER LAW
Counsel for the Charging Party
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rlancman@brandeiscenter.com

*I swear or affirm that I have read the above charge
and that it is true to the best of my knowledge, information and belief.*



Emma Enig, Executive Director
THE LOUIS D. BRANDEIS CENTER
COALITION TO COMBAT ANTI-SEMITISM
Charging Party

May 6, 2025

of fair representation ('DFR') to Plaintiff, and that the Union's 'actions were motivated by discriminatory animus.' *McIntyre*, 380 F. App'x at 49.'").

EXHIBIT G

1

**UNITED STATES OF AMERICA
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

Louis D. Brandeis Center Coalition to Combat
Anti-Semitism,

Charging Party,

vs.

A Better NYLAG, chapter of the Association of
Legal Aid Attorneys, United Auto Workers Local
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Charge of Discrimination

E.E.O.C. Case No.

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CHARGE

Respondent the ABN has unlawfully discriminated against the Coalition’s Jewish members employed by NYLAG for whom the ABN is the exclusive bargaining agent (both ABN members and non-members) in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-2(c), the New York State Human Rights Law, N.Y. Exec. Law § 296, and the New York City Human Rights Law, N.Y.C. Admin. Code § 8-107, for the reasons stated in the Coalition’s contemporaneously filed complaint with the National Labor Relations Board, annexed hereto as Exhibit A and incorporated herein, to wit:

Within three-hundred days of the filing of this charge, the ABN (1) breached its duty of fair representation to the Coalition’s Jewish members and discriminated against them based on their religion, national origin and race (ethnicity) when, (2) with discriminatory animus,¹ the ABN opposed NYLAG’s efforts to protect its Jewish employees and the ABN’s members and non-members from a toxic work environment.

¹ See e.g., *McIntyre v. Longwood Cent. Sch. Dist.*, 380 F. App’x 44, 49 (2d Cir. 2010) (“[I]n order to establish a violation of Title VII or the ADEA by the [Union], McIntyre would have to show, at a minimum, that the union breached its duty of fair representation and that its actions were motivated by discriminatory animus.”); *Bledsoe v. New York City Transit Auth.*, 2024 WL 989845, at *2 (E.D.N.Y. Mar. 7, 2024), appeal dismissed (June 21, 2024) (“To make out a Title VII or ADA claim against the Union, Plaintiff must allege facts showing that it breached its duty

RELIEF REQUESTED

The Louis D. Brandeis Center Coalition to Combat Anti-Semitism, on behalf of its members who are NYLAG employees for whom the ABN is the exclusive bargaining agent and thus to whom the ABN owes a duty of fair representation (both members and non-members), requests that the EEOC find probable cause to believe that the ABN has violated Title VII by opposing NYLAG's good faith effort to protect Jewish employees from a toxic environment in the office; that such conduct discriminates against Jewish employees on the basis of their religion, national origin and race; that the EEOC should immediately proceed to seek injunctive relief and any other appropriate relief against such conduct in an appropriate court of law; and, in the absence of initiating such litigation, that EEOC issue a right to sue letter to the Charging Party authorizing it to seek such relief on its own behalf.

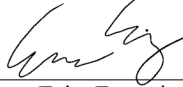
Dated: New York, New York
May 7, 2025

Respectfully submitted,



Rory Lancman, Senior Counsel
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FOR HUMAN RIGHTS UNDER LAW
Counsel for the Charging Party
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rlancman@brandeiscenter.com

*I swear or affirm that I have read the above charge
and that it is true to the best of my knowledge, information and belief.*



Emma Enig, Executive Director
THE LOUIS D. BRANDEIS CENTER
COALITION TO COMBAT ANTI-SEMITISM
Charging Party

May 6, 2025

of fair representation ('DFR') to Plaintiff, and that the Union's 'actions were motivated by discriminatory animus.' *McIntyre*, 380 F. App'x at 49.'").

Exhibit A (NLRB Charge)



May 6, 2025

BY E-FILING ONLY

John D. Doyle, Jr., Regional Director
National Labor Relations Board, Region 2
26 Federal Plaza
New York, New York 10278

Re: *A Better NYLAG*, Case No. _____

Dear Mr. Doyle,

The Louis D. Brandeis Center for Human Rights Under Law respectfully submits this position statement on behalf of the Charging Party, the Louis D. Brandeis Center Coalition to Combat Anti-Semitism (“the Coalition”). Charging Party’s members are employed by the New York Legal Assistance Group (“NYLAG”) and owed a duty of fair representation by their exclusive bargaining representative, A Better NYLAG (“the ABN”).¹ The Coalition has charged the ABN with violating its duty of fair representation pursuant to Sections 8(b)(1)(A), 8(b)(2), 8(b)(3), and 9(a) of the National Labor Relations Act (“NLRA”), by its active opposition to NYLAG’s effort to remedy an anti-Semitic working environment.²

INTRODUCTION

The October 7, 2023, terrorist attack in southern Israel precipitated an onslaught of anti-Israel advocacy in NYLAG’s offices that came to permeate the workplace. Many Jewish NYLAG employees complained that this advocacy had subjected them to anti-Semitic, discriminatory environment. In order to ensure a non-discriminatory work environment, NYLAG management promulgated a viewpoint-neutral policy prohibiting the display of “any posters or other postings regarding the Israel/Gaza conflict” in the office.

Rather than defend the right of these Jewish NYLAG employees in the ABN’s bargaining unit to be free from a toxic work environment – created in large part by the ABN’s own activities – the ABN went so far as to advocate against the very Jewish employees whom they purport to

¹ The ABN’s complete name is “A Better NYLAG, chapter of the Association of Legal Aid Attorneys, United Auto Workers Local 2325.”

² This position statement is based upon the facts known at this time. Charging Party reserves the right to amend or amplify this position statement and its underlying charge in the event further material facts are discovered.

represent. The ABN took actions to undermine NYLAG's efforts to protect Jewish employees. Specifically, the ABN filed an unfair labor practice charge against NYLAG with the National Labor Relations Board ("NLRB") accusing it of violating (1) and (5), and has continued to take actions opposing NYLAG's policy.³

PARTIES

The Coalition is a membership organization whose mission includes combating anti-Semitism in the workplace. Among its members are Jewish NYLAG employees to whom the ABN owes a duty of fair representation. The ABN was certified by the Board as the exclusive representative of all NYLAG employees in 2019.⁴ This includes Coalition members who are both ABN members and ABN non-members who are experiencing an unlawful anti-Semitic toxic work environment that NYLAG is obligated to remediate.⁵ For these Jewish NYLAG employees, Zionism and a deep connection to the Jewish state of Israel plays a central role in their Jewish identity, i.e., in their Jewish faith and their shared Jewish ancestry as the Jewish people. Celebrating the murder of Jews and advocating for the extinguishment of the Jewish state of Israel offends them not merely as decent human beings but, in particular, as Jews.

The ABN is a chapter of the Association of Legal Aid Attorneys, UAW Local 2325 ("ALAA"). The ABN is the exclusive bargaining representative for NYLAG's legal staff, including the Coalition's members, pursuant to a 2022-2025 collective bargaining agreement.⁶ Both the ABN and the ALAA are headquartered in New York City. NYLAG, although not a party to this proceeding, is a non-profit legal services provider in New York City.

STATUTE OF LIMITATIONS

Because the ABN's NLRB charge of an unfair labor practices, filed originally on June 20, 2024, and amended on August 16, 2024, is ongoing, it is a continuing violation of its duty of fair representation, satisfying the six-month statute of limitations imposed by 29 USCA § 160(b). Aside

³ The ABN's NLRB charge against NYLAG is designated Case 02-CA-345030.

⁴ Certification of Representative issued by the National Labor Relations Board on July 5, 2019 (02-RC-243013).

⁵ As the exclusive collective bargaining agent, the ABN owes a duty of fair representation to all of NYLAG's employees in the classifications covered by the collective bargaining agreement, which includes the Coalition members on whose behalf this complaint is filed. *See Steele v. Louisville & N.R. Co.*, 323 U.S. 192, 200 (1944) ("The labor organization chosen to be the representative of the craft or class of employees is thus chosen to represent all of its members, regardless of their union affiliations or want of them."); *Int'l Ass'n of Machinists v. St.*, 367 U.S. 740, 761 (1961) ("[A] union's status as exclusive bargaining representative carries with it the duty fairly and equitably to represent all employees of the craft or class, union and nonunion."); *Int'l Union of Bricklayers & Allied Craftsmen Loc. No. 5 v. Hudson Valley Dist. Council Bricklayers & Allied Craftsmen Joint Benefit Funds*, 858 F. Supp. 373, 374, n.1 (S.D.N.Y. 1994) ("A labor organization also owes a duty of fair representation to all employees within the collective bargaining unit, regardless of union membership.").

⁶ 29 U.S.C. § 159(a) ("Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment.")

from the application of any “continuing violation” doctrine to the Coalition’s claim, at least one concrete action opposing the NYLAG rule has occurred within the last six months, i.e., on November 7, 2024, when the ABN staged a protest in NYLAG offices and delivered a letter to NYLAG management opposing NYLAG’s efforts to support Jewish employees.

FACTS

After the October 7, 2023, Hamas terrorist attack in southern Israel that killed more than 1,200 people and resulted in the kidnapping of hundreds more, NYLAG’s workplace became engulfed in anti-Israel and anti-Semitic expression and advocacy, driven in large part by the ABN. This included vile expressions of anti-Israel hatred and anti-Semitism via resolutions, formal statements, social media posts, rallies, and in-office displays of posters, buttons, garments, etc. demonizing Israel, supporting the destruction of the Jewish state, lauding Hamas, minimizing the October 7th attacks, and/or promoting violence against Jews.

ABN members have harassed NYLAG’s Jewish employees from almost the moment Hamas attacked Israel on October 7, 2023. For example, less than a week after the October 7th attack, on October 12, 2023, NYLAG’s President and CEO sent an organization-wide email expressing sympathy and concern for Jewish employees fearful that an anti-Israel protest planned for the next day (a self-styled, “global day of rage”) posed safety concerns for the Jewish community. This e-mail followed a briefing from the New York Police Department “in direct response to *abhorrent and devastating* social media posts and threats about violence tomorrow.” (emphasis in original). NYLAG also offered its concerned employees the opportunity to work from home to avoid the protest and its effects.

The next day, October 13, 2023, still not one week after the terrorist attack, the ABN responded with an email of its own focusing on “the illegal Israeli occupation and war crimes against Palestinian,” blaming the NYPD’s supposed motivation to “turn out in force” at the protest on the NYPD being “frequent collaborators with the IDF,” and attacking NYLAG management.

Several Jewish NYLAG employees and ABN members objected to the ABN’s email. One such objection was sent on October 15, 2023, and included:

I do not know who you presume to represent, but this is certainly does not represent my view or the views of other union members I spoke to after you sent this out without advising or consulting us. At a time where tensions are extremely high, a “global day of rage” was planned on Friday. Your personal assessment of the threat or lack of threat notwithstanding, I personally was a part of text message threads where my fellow Jews discussed what precautions we needed to take to stay safe. I thank [NYLAG President and CEO] for her concern for our safety and comfort in a difficult and scary time for some of us.

Another Jewish NYLAG employee and ABN member emailed ABN leadership on October 16, 2023 (emphasis in original):

[ABN], your personal assessment as to the lack of threat on this global day of rage, are, at its very best, misguided. Thank god that recorded attacks were minimal, however, the calls for the annihilation of the Jewish People still rung out. [ABN], were you aware that my not-even two-year-old daughter couldn't go to her classes on Friday, despite the increase of police presence, for fear of her physical safety? That my husband couldn't wear a kippah to work on Friday, for fear of being attacked? To add a bit more helpful context, my family was in Israel when the terrorist attacks occurred. We were there for when the war broke out. We spent days going in and out of bomb shelters. There were decisions I had to make, as a mom of a young toddler, while 6.5 months pregnant with my second child, that no one should be in the position to make. *And we are the lucky ones.*

Email titled "Union Response to Management E-mail," Oct. 16, 2023.

Anti-Israel animus came to permeate the NYLAG workplace. As of the date of this Charge, ABN members, with the ABN's full support, encouragement, and defense, display posters, flyers, and buttons excusing, glorifying, and threatening violence and terrorism against Jews. One such button proclaims, "Resisting colonialism is not terrorism":



Another poster warns, “RESPECT EXISTENCE OR EXPECT RESISTANCE”:

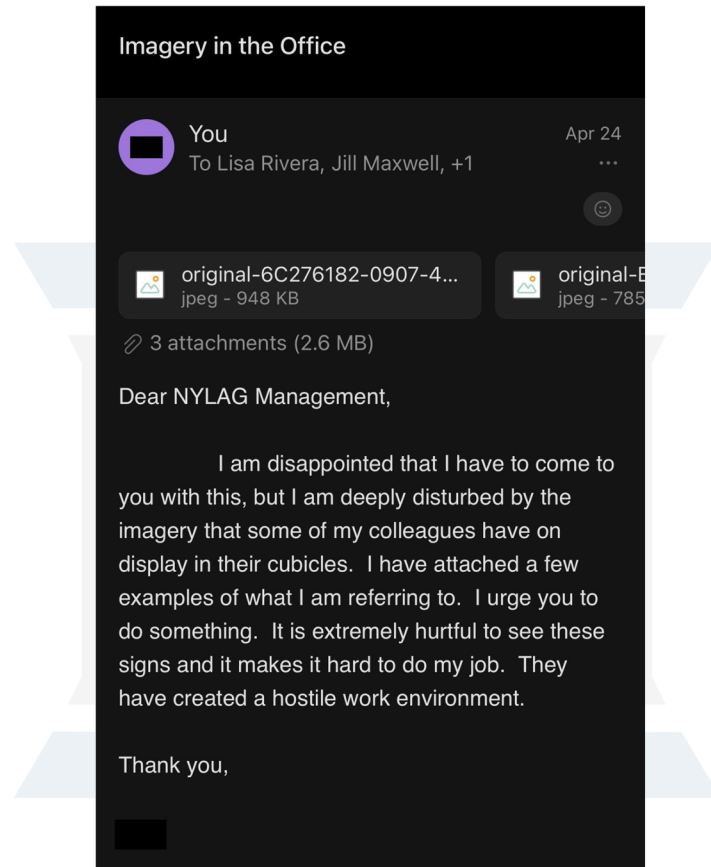


Yet another poster displays a figure with an outstretched arm over her head brandishing a missile, declaring “LONG LIVE THE RESISTANCE!”:



This activity created a toxic environment for NYLAG’s Jewish employees, including Coalition members. In emails and other communications, these Jewish employees and ABN members complained to NYLAG management that this activity created an anti-Semitic, discriminatory hostile environment in violation of federal, state, and local anti-discrimination laws, and implored NYLAG management to protect them.

For example, on April 24, 2024, a Jewish NYLAG employee and ABN member emailed NYLAG management (sender redacted):



Two weeks later, on May 7, 2024, this NYLAG employee and ABN member again emailed NYLAG management to seek protection from the anti-Semitic toxic environment that the posters so significantly contributed to, including posters with images of a Palestinian state whose

boundaries cover all of Israel, and calls to “ABOLISH THE SETTLER STATE” and for INTIFADA NOW”:

As I wrote in my initial email, the imagery in the office relating to what is going on in the Middle East has created a hostile work environment. There are additional hateful images since my last email (including the first one below). Rather than discuss them all, I will focus on those that I believe are legally actionable in that they violate my right to not work in a hostile environment.



These three images call for a destruction of the Jewish State of Israel. After the massacre, rape, and kidnapping of nearly 1500 Jews in Israel by Hamas, an organization that has murdered countless Jews and ordered for the murder of Jews in Israel and around the world, the rhetoric in these images is not vague and open to interpretation. They are rallying cries for murdering Jews. As a Jew, I feel threatened when I see these and depressed that they surround my workplace.

Email titled “Imagery in Office,” May 7, 2024.

Acting to remedy this anti-Semitic toxic working environment, NYLAG's general counsel announced on May 10, 2024, a policy prohibiting the display of "any posters or other postings regarding the Israel/Gaza conflict" in the office:

Dear Colleagues,

We understand that the continued conflict in the Middle East is extremely distressing to many of our staff and clients, and that many are deeply impacted by the Israel/Gaza conflict in various ways. It is with this in mind, and to ensure a safe and welcoming environment for everyone, that effective immediately, we will not allow any posters or other postings regarding the Israel/Gaza conflict to be displayed anywhere in NYLAG's offices.

One of our core values here at NYLAG is that we strive to create a welcoming and inclusive work environment. We are implementing this policy to ensure that all of our staff and clients feel safe and welcome, regardless of religion, race, or ethnicity.

If you have a posting up that falls within these guidelines, please take it down immediately, and no later than the close of business of Tuesday, May 21. If you are out of the office and cannot take down a poster, feel free to email me and I can take it down for you. Also, feel free to let me know if you have any questions about this policy.

We appreciate everyone's cooperation with this policy.

NYLAG's action was consistent with Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-2(c), the New York State Human Rights Law, N.Y. Exec. Law § 296, and the New York City Human Rights Law, N.Y.C. Admin. Code § 8-107, each of which prohibits an anti-Semitic hostile environment in the workplace. Many Jewish NYLAG employees complained to NYLAG management that the proliferation of anti-Israel posters, pins, buttons, and flyers in the office, particularly in the context of the October 7, 2023, terrorist attacks in Israel and the continued holding, and periodic execution, of Israeli hostages by the Hamas terrorist organization in Gaza, created a toxic working environment for them.

The ABN's anti-Israel crusade at NYLAG has never abated, and the ABN has embraced the posters' violent anti-Semitic rhetoric. For example, one poster used by the ABN as an exemplar of the policy's purported injustice proclaims, "INTIFADA NOW," an exhortation to terrorist attacks on Jews:



ABN "Statement on NYLAG Silencing Workers' Speech," June 10, 2024.

In fact, the speech conveyed by those posters and imagery has absolutely nothing to do with working conditions at NYLAG; nothing to do with wages, benefits, job security, retirement, workload, discipline, promotion, opportunity for advancement, unequal treatment of employees, or anything that would conceivably improve any aspect of NYLAG's workplace.

ABN's support for advocacy in this context – including a poster demanding INTIFADA NOW – frightened many Jewish NYLAG employees. NYLAG's rule prohibiting the display of "any posters or other postings regarding the Israel/Gaza conflict" in the office is an attempt to protect those Jewish employees – ABN's members and non-members who are owed a duty of fair representation – from an anti-Semitic work environment.

NYLAG's actions are far from sufficient to remedy the anti-Semitic environment that exists in its workplace, but its poster policy is a good faith effort to do so. The ABN had a duty to all of its members to support – and certainly not to oppose —good faith efforts to ensure an inclusive, non-discriminatory work environment.

Yet rather than stand with its Jewish employees who are subjected to these expressions of support for the murder of Jews and the destruction of the Jewish state, the ABN responded to NYLAG's rule with a statement accusing management of "flagrantly violating the National Labor Relations Act, which protects our right to protest unfair working conditions," and promised to file "an Unfair Labor Practice charge with the National Labor Relations Board."

That NLRB Charge was filed on June 20, 2024 (and amended on August 16, 2024), alleging a violation of the ABN members' right to engage in "concerted activities for the purpose of collective bargaining or other mutual aid or protection," 29 U.S.C. § 157. The Charge reads as follows:

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Since on or about May 10, 2024, a date within the last six months, the above-named employer has violated the Act by issuing an unlawful and overbroad workplace policy regarding postings in union-represented employees' cubicles, and by suppressing the protected concerted speech of union members. Since a date within the last six months, the above-named Employer has violated the Act by refusing to furnish the information requested by Association of Legal Aid Attorneys, UAW, Local 2325 (AFL-CIO), the collective bargaining representative of the Employer's employees.

A Better NYLAG vs. New York Legal Assistance Group, N.L.R.B. 02-CA-345030 (June 20, 2024; amended Aug. 16, 2024).

While the ABN presses ahead with its NLRB charge, the ABN has continued to take action to oppose NYLAG's rule protecting the ABN's Jewish members experiencing a toxic work environment. On September 17, 2024, the ABN conducted a "lunchtime picket" outside NYLAG's office to protest NYLAG's rule. On October 21, 2024, the ABN protested the NYLAG policy in the office, and documented doing so on its Instagram account, by "wearing their keffiyehs and flying flags in solidarity with Palestinians." On November 7, 2024, the ABN delivered a letter to NYLAG management and organized a protest in NYLAG's offices against NYLAG's rule.

NYLAG management has tried to explain to the ABN that its policy is necessary to fulfill its "obligation to all our staff to maintain a safe and inclusive work environment," including the Jewish NYLAG employees to whom the ABN owes a duty of fair representation:

Dear Executive Board Members,

We have reviewed the email and all of the statements [opposing the policy]. I also understand that you discussed the Union meeting and

poster policy more broadly at the monthly Union-Management meeting this past Friday.

While we consider, and have considered, the perspectives you have uplifted, we also expressed to you that this fails to consider the complete picture. We have also heard from our colleagues, including fellow members of the collective bargaining unit, who feel harmed by some of the displays. We have meaningfully engaged with staff members who represent a variety of viewpoints across the organization. We have an obligation to all our staff to maintain a safe and inclusive work environment, and do not discount anyone's perspective. As we have said, the poster policy seeks to respect all staff's right to come to work without being forced to engage in conversations, instead letting people select how and when they want to engage. Furthermore, our clients deserve to come into an environment that is safe and welcoming.

This policy is rooted in our obligations and responsibilities to all who work at and use NYLAG's spaces. We seek to maintain a workplace where our staff can work together, so that we can fulfill our mission here in New York. The reasons for creating the policy have not changed; thus, the policy remains in place, and we will enforce it.

Best,

Randal

Randal S. Jeffrey
General Counsel
Pronouns: He, Him, His

Email from NYLAG General Counsel to ABN Executive Board, Sept. 9, 2024.

The ABN's advocacy against NYLAG's anti-discrimination efforts has further exacerbated the environment in the office, as described by a Jewish ABN member in a letter to the ABN executive board after the ABN announced its intention to hold a demonstration against the policy:

ABN Board,

With the post this morning on the ABN official Instagram account reposting UAW for Palestine, threatening union activity or

demonstration on October 7, I am no longer able to ignore the blatant antisemitism of this bargaining unit.

Rather than accede to what you know to be an entirely legal and permissible rule that employees may not place posters related to the current war in the region that was put in place in order to avoid disruption and distraction in the office, you have escalated the issue to an intolerable level. Most recently, you held a picket outside of the office where speakers employed blatantly antisemitic [sic] tropes to decry NYLAG management's policy, including that the policy originated from, and is supported by a Zionist cabal on the board of directors. That is just what is posted online on your Instagram account. You are now threatening to take some action on the most traumatizing day for Jews and Israelis in recent memory.

You have gone way past the point of making this office a hostile work environment. Please consider this an official complaint of a violation of UAW Ethical Practice Codes preamble, section 1, and section 5, namely discrimination based on national origin and religion, vilifying other union members, acting in a manner against and injurious to other union members by creating an impermissible hostile working environment based on national origin and religion.

I was on the executive board of my former bargaining unit at Northeast New Jersey Legal Services UAW NOLSW 2320 for 7 years, serving as vice president and president of the bargaining unit. As best as I could, I strove to represent the interests of all members and to make all members comfortable, and successful, at work even if I may have disagreed with their point of view. You are intentionally seeking to harm members of the unit for your own personal political purposes which have absolutely nothing to do with working conditions of the bargaining unit members. It is not the way to run a union - solidarity is a two-way street.

I hope that you will take this complaint seriously and return to working to advance the interests of all union members, and that there will be no need for further action. I can assure you that I am not the only member that feels this way.

-- XXXX

Email titled "ABN antisemitism," Sept. 24, 2024.

On October 25, 2024, a NYLAG employee and ABN member responded to an ABN online survey by explicitly complaining that the ABN's opposition to the NYLAG poster policy violated the ABN's duty of fair representation, "especially [to] those who are Jewish with Zionist views":

How do you feel about your ability to express yourself and your views in the workplace?

The posters display that NYLAG were/are inappropriate for a diverse work setting. Some of the posters have displayed violence and were implicitly or explicitly antisemitic. The union is not upholding its duty of fair representation to all its members, especially those who are Jewish with Zionist views. Zionism is the right of the Jewish people, who have indigenous rights in Israel, to self determination, just like any other people. If I express this view to the union, I fear retaliation. The union has created a hostile work environment. It is difficult for me to work around these posters and attitudes. In 2023, in the U.S., Jewish people were the victims of more hate crimes than any other group. (Relative to their small numbers). I studied peace and conflict resolution. I believe in coexistence and peace and I hope the Union takes these concerns, statistics, and concerns of Jewish members, and our allies, seriously. I am very open to respectful dialogue and I hope we can resolve this issue. I have much empathy for the Palestinian people and I wish that this empathy was shown to Jewish and Israeli people, who are also suffering.

NYLAG Employee/ABN Member Survey Response, Oct. 25, 2024.

Eleven months after NYLAG first promulgated its poster policy, a Jewish ABN member wrote to NYLAG management pleading with NYLAG to actually enforce its poster policy, including stating:

These signs demonstrate propaganda meant to demonize Jews and/or Zionists and Israel. I am unable to work in this environment, so I often work in areas of the office without so many signs. These signs are having the discriminatory effect of pushing Jewish people and/or Zionists out of these spaces. As a Jewish person, I should not have to work in such close proximity to signs that direct hatred towards me.

Email titled "Poster policy violations [...]," Mar. 21, 2025.

LEGAL ARGUMENT⁷

The ABN is the exclusive bargaining representative for NYLAG staff pursuant to Section 9(a) of the NLRA, 29 U.S.C. § 159(a), and as such it owes the Coalition members a duty of fair representation.

The NLRA gave “[e]mployees ... the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection,” 29 U.S.C. § 157, and empowered those unions to be “the exclusive representatives of all the employees in such unit,” 29 U.S.C. § 159(a).

The duty to represent all employees fairly was established by the Supreme Court in a series of cases where the union was alleged to have discriminated against some of its members in favor of others. See e.g., *Ford Motor Co. v. Huffman*, 345 U.S. 330, 336-338 (1953) (“Their statutory obligation to represent all members of an appropriate unit requires them to make an honest effort to serve the interests of all of those members, without hostility to any.”)

The National Labor Relations Board has consistently reiterated and reinforced this duty of fair representation, extending its application to NLRA provisions making it an unfair labor practice for a union “to restrain or coerce ... employees in the exercise of the rights” to form and participate in unions, Section 8(b)(1)(A); “to cause or attempt to cause an employer to discriminate against an employee in violation of” the prohibition against discrimination aimed at encouraging or discouraging membership in a union, Section 8(b)(2); and “to refuse to bargain collectively with an employer, 8(b)(3).

This doctrine of the duty of fair representation was derived from the Supreme Court's decision in three companion cases: *Steele v. Louisville & Nashville Railroad Co.*; *Tunstall v. Brotherhood of Locomotive Firemen & Enginemen*; and *Wallace Corporation v. N.L.R.B.* In *Steele* and *Tunstall*, both of which involved racial discrimination by a union which was statutory representative under the Railway Labor Act, the Court concluded that such a representative “cannot rightly refuse to perform the duty, which is inseparable from the power of representation conferred upon it, to represent the entire membership of the craft.” In *Wallace*, which did not involve race discrimination, the Court held that the same duty of fair representation was required of bargaining representatives selected under the National Labor Relations Act.

⁷ Separately, and annexed hereto as Exhibit A, the Coalition has filed with the United States Equal Employment Opportunity Commission a discrimination charge against the ABN alleging violations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-2(c); the New York State Human Rights Law, N.Y. Exec. Law § 296; and the New York City Human Rights Law, N.Y.C. Admin. Code § 8-107.

The duty of fair representation has become the touchstone of the Board's concern with invidious discrimination by unions. For example, it is well established that a labor organization's rejection of an employee's grievance solely because of his or her race breaches the duty of fair representation and violates Section 8(b)(1)(A), 8(b)(2), and 8(b)(3) of the Act. Similarly, we have held that a union's refusal to process grievances filed to protest an employer's segregated plant facilities constitutes a violation of Section 8(b)(1)(A).

Handy Andy, 228 NLRB 447, 455 (1977) (internal footnotes omitted); *see also Indep. Metal Workers, Locs. 1 & 2 (Hughes Tool Co.)*, 147 NLRB 1573, 1574 (1964) ("Local No. 1, by its failure to entertain in any fashion or to consider the grievance filed by an employee in the bargaining unit, Ivory Davis, and by its outright rejection of Davis' grievance for reasons of race, violated Section 8(b)(1)(A), 8(b)(2), and 8(b)(3) of the Act."); *Loc. 106, Glass Bottle Blowers*, 210 NLRB 943, 944 (1974) (union locals engaged in sex discrimination in membership and the processing of grievances violate Sections 8(b)(1)(A) and 2(6) and (7) of the NLRA).

Unions thus have a duty of fair representation to all of their members, i.e., a duty to "serve the interests of all members without hostility or discrimination toward any, to exercise its discretion with complete good faith and honesty, and to avoid arbitrary conduct," *Vaca v. Sipes*, 386 U.S. 171, 177 (1967) (emphasis added).

It is significant that the duty of fair representation was born of the particular need to protect members from discrimination by their own union in the enforcement of their union rights *vis a vis* their employers because of their race, ethnicity, religion, etc. *See e.g., Samaritan Med. Ctr. v. Nat'l Lab. Rels. Bd.*, 858 F.3d 617, 630 (1st Cir. 2017), *quoting Vaca*, 386 U.S. at 177 ("Indeed, the doctrine has its origins in 'a series of cases involving alleged racial discrimination by unions.'").

The elements of a duty of fair representation claim in these circumstances is well-established:

To plead a breach of a union's duty of fair representation, "the challenging members must establish two elements. First, they must prove that the union's actions or inactions 'are either arbitrary, discriminatory, or in bad faith.'" *Vaughn v. Air Line Pilots Ass'n Int'l*, 604 F.3d 703, 709 (2d. Cir. 2010) (emphasis in original) (quoting *Air Lines Pilots Ass'n Int'l v. O'Neill*, 499 U.S. 65, 67 (1991)). "Second, the challenging members must 'demonstrate a causal connection between the union's wrongful conduct and their injuries.'" *Id.* (emphasis in original) (quoting *Spellacy v. Airline Pilots Ass'n Int'l*, 156 F.3d 120, 126 (2d Cir. 1998)).

Saunders v. New York Convention Ctr. Operating Corp., 2021 WL 4340793, at *9 (S.D.N.Y. Sept. 23, 2021).

A.

*The ABN's Opposition to the Poster Policy is Discriminatory
Against NYLAG's Jewish Employees for Whom Such Conduct Has
Created an Anti-Semitic, Discriminatory Toxic Work Environment*

Despite complaints from Jewish NYLAG employees in the ABN bargaining unit about an anti-Semitic environment in NYLAG's offices (driven by the ABN's own relentless anti-Israel advocacy), the ABN opposed – and opposes to this day – NYLAG's content-neutral efforts to remediate that toxic environment.

The ABN is choosing to support discrimination against Jewish NYLAG employees in the bargaining unit to whom it owes a duty of fair representation and who are enduring an anti-Semitic environment that NYLAG's policy is attempting to remediate.

The union cannot throw its members of one protected identity under the bus in favor of supporting other members' "right" to discriminate against or torment them. *See e.g., Loc. Union No. 12, United Rubber, Cork, Linoleum & Plastic Workers of Am., AFL-CIO v. N. L. R. B.*, 368 F.2d 12, 19 (5th Cir. 1966) (where union "actively opposed desegregation of shower and toilet facilities," it failed its "statutory obligation . . . 'to make an honest effort to serve the interests of all of those members, without hostility to any.'" quoting *Ford Motor Co. v. Huffman*, 345 U.S. 330, 337 (1953)); *Woods v. Graphic Commc'ns*, 925 F.2d 1195, 1203 (9th Cir. 1991) ("Racial discrimination in grievance processing constitutes a primary violation of the duty.")⁸

Yet that is exactly what the ABN is doing: choosing to discriminate against its many Jewish members and non-members in its bargaining unit who are experiencing a discriminatory toxic environment in fighting to allow that discriminatory toxic environment to continue unremedied.

B.

*The "Speech" Which the ABN is Defending
is Not Protected Concerted Action*

The ABN's efforts to undermine NYLAG's anti-discrimination practices violate the ABN's duty of fair representation to those Jewish ABN members and non-members employed by NYLAG who have complained that these postings have created a toxic work environment. The ABN's

⁸ Of course, the duty of fair representation is not limited to the faithful processing of members' grievances against their employer: "The duty of fair representation applies to all union activity and in all 'instances in which a union is acting in its representative role.'" *Agosto v. Corr. Officers Benev. Ass'n*, 107 F. Supp. 2d 294, 303 (S.D.N.Y. 2000) (quoting *Air Line Pilots Ass'n Int'l v. O'Neill*, 499 U.S. 65, 77 (1991)).

insistence that some of its members should be allowed to harass other ABN members is unrelated to any legitimate union objective.

The ABN's decision to oppose NYLAG's effort to remediate an anti-Semitic work environment is "unrelated to legitimate union objectives," *Amalgamated Ass'n of St., Elec. Ry. & Motor Coach Emp. of Am. v. Lockridge*, 403 U.S. 274, 301 (1971), such as protecting its members' right under the NLRA "to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection." 29 U.S.C. § 157.

Again, the "speech" at issue has nothing to do with improving working conditions for NYLAG employees. It is not protected conduct designed for the employees' "mutual aid or protection":

Whether an employee's activity falls within the ambit of the mutual aid or protection clause, in turn, "focuses on the goal of concerted activity; chiefly, whether the employee or employees involved are seeking to 'improve terms and conditions of employment or otherwise improve their lot as employees.'" *Fresh & Easy*, 361 NLRB at 153 (emphasis in original) (*quoting Eastex, Inc. v. NLRB*, 437 U.S. 556, 565 (1978)).

Home Depot USA, Inc., 373 NLRB No. 25, pg. 8 (Feb. 21, 2024).

In *Home Depot*, a store salesman who was subjected to racially discriminatory behavior from his supervisor and who discussed this conduct with his co-workers and complained about it to management, regularly marked his Home Depot apron with "BLM," the initials of the Black Lives Matter movement for racial justice and equality. After the store's Black History Month display was vandalized, the salesman and his co-workers specifically urged management to respond with "'a storewide conversation' about racism so that 'people of color [would] feel safe at this store,'" which Home Depot management rejected. *Home Depot*, at pg. 3.

At a meeting with the salesman to discuss the racially discriminatory behavior he experienced and witnessed, he was directed to cease marking his apron with "BLM." The following exchange occurred:

MANAGER: Okay. You don't think that there's any other way that you could show your support for people of color or [B]lack associates or anything like that without having the actual Black Lives Matter racial cause symbol on your apron? There's no other way that you could do that?

MORALES: There's plenty of other ways, but this is the best way.

MORALES: I said I think I'm leading a great example by refusing to take BLM from my apron. I think that is something that people need to understand. And me as a person of color, coming to you, having these meetings so that you guys can listen, and it doesn't seem like there's any resolution from what I can see. So that -- that's what I'm seeing. That's what I'm thinking about right now.

MANAGER: Sure, I get that but what you're telling me is that there's only one resolution from your perspective. The only resolution in your mind is to keep the BLM on your apron.

MORALES: It's the one that's going to make the biggest impact, yes.

MANAGER: Okay. As opposed to coming up with a different idea or trying to come a different way to show respect to everyone but to celebrate [B]lack leaders or associates of color? Like, there's no other option? That's the only option?

MORALES: And then have it taken down, ripped apart? Because that [the Black History Month display] was an option. That was an alternative, the poster that was put up, the cards. They were torn apart. And that was an alternative, so I'm really not seeing the alternative here.

Home Depot, at pgs. 5-6.

Rather than remove the “BLM” from his apron, the salesman quit.

The NLRB General Counsel framed the complaint against Home Depot squarely as one where an employer interfered with an employee’s effort to address and improve working conditions *at the store where the complainant was employed*:

Beginning about August 2020, Respondent's employee Antonio Morales engaged in concerted activities for the purposes of mutual aid and protection related to racial policies and practices at the New Brighton Facility; this included displaying the lettering “BLM” on [their] apron, writing emails, engaging in various conversations with coworkers, supervisors, and managers about subjects such as ongoing discrimination and harassment, and/or engaging in other BLM-related protected concerted activity.

Home Depot, at pg. 21 (NLRB Complaint ¶ 5(a))

The NLRB had no problem concluding that the Home Depot employee wore the BLM initials on his apron as a logical outgrowth of opposing the discrimination that he and his co-workers experienced at his Home Depot store, and thereby satisfied “the *goal* of concerted activity; chiefly, whether the employee or employees involved are seeking to ‘improve terms and conditions of employment or otherwise improve their lot as employees.’” *Fresh & Easy*, 361 NLRB at 153 (emphasis in original) (quoting *Eastex, Inc. v. NLRB*, 437 U.S. 556, 565 (1978)). *Home Depot*, at pg. 8.

The NLRA did not protect the salesman in *Home Depot* because his BLM markings sought a better world, but a better workplace; a workplace where he and his colleagues would no longer experience racially discriminatory behavior.

The NLRB in *Home Depot* explained why the administrative law judge below erred in finding that the BLM insignia only represented the kind of more generalized, societal concerns that are unprotected by the NLRA’s “mutual aid” protection:

In finding that the BLM marking was not displayed for the purpose of mutual aid or protection, the judge primarily relied on generalized evidence that “the BLM messaging originated, and is primarily used, to address the unjustified killings of [B]lack individuals by law enforcement and vigilantes. To the extent the message is being used for reasons beyond that, it operates as a political umbrella for societal concerns and relates to the workplace only in the sense that workplaces are part of society.” We reject that reasoning. Neither the origins of “BLM messaging,” nor its primary use, dictate how the BLM marking may be used or understood in a particular workplace context (or, indeed, in a broader setting). The judge erred by discounting the evidence discussed above establishing that, at least by the time that Morales refused to remove the BLM marking in February, a purpose for their display of the BLM marking--objectively speaking--was to further protest racial discrimination *at the Respondent's store* and the Respondent's failure to adequately address it.

Home Depot, at pg. 12 (emphasis added).

Here, unlike in *Home Depot*, there is no nexus between postings concerning the war in Israel and *any* term or condition of employment at NYLAG. There is no employment-based purpose in the “speech” that the ABN is trying to defend here. Instead, the ABN needs to defend its Jewish members’ and other employees’ right to a workplace that is not an anti-Semitic toxic environment.

The poster that the ABN's members insist on engaging in, and that the ABN insists on defending at the expense of many Jewish members of the NYLAG collective bargaining unit, is similar to the letter-writing campaign that the NLRB, and the First Circuit Court of Appeals, considered and rejected as a form of "mutual aid," in *Five Star Transportation, Inc.*, 349 NLRB 42, 44 (2007), *enfd.* 522 F.3d 46 (1st Cir. 2008)]. There, letters written by school bus drivers opposing the award of the student transportation contract to the company that ultimately won the contract and refused to hire those drivers were held to not represent concerted action for the purpose of mutual aid or protection where the letters "focused solely on general safety concerns and did not indicate that their concerns were related to the safety of the drivers as opposed to others." *Id.*, 349 NLRB at, 44. The NLRB noted that "merely raising safety or quality of care concerns on behalf of nonemployee third parties is not protected conduct under the Act." *Id.*

Here, the subject matter of the posters and displays in question have no relationship to NYLAG, or to working conditions at NYLAG, least of all in any "common concerns involving their terms and conditions of employment." *Id.*, at 45.

RELIEF REQUESTED

The Louis D. Brandeis Center Coalition to Combat Anti-Semitism, on behalf of its members who are NYLAG employees for whom the ABN is the exclusive bargaining agent, requests that the Board (1) declare that the ABN has violated its duty of fair representation owed to the Coalition's members pursuant to NLRA Sections 8(b)(1)(A), 8(b)(2), 8(b)(3), and 9(a), and (2) enjoin the ABN from further interference with NYLAG's efforts to comply with its obligation to ensure a non-discriminatory environment for its work force

Respectfully submitted,



Rory Lancman, Senior Counsel
THE LOUIS D. BRANDEIS CENTER
FOR HUMAN RIGHTS UNDER LAW
Counsel for the Charging Party
1330 6th Avenue, 23rd Floor
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Chairman ALLEN. Thank you, Ms. Mann. I now recognize Mr. Rubinstein for your testimony.

**STATEMENT OF MR. DAVID RUBINSTEIN, PH.D. CANDIDATE,
DEPARTMENT OF HISTORY, CORNELL UNIVERSITY, ITHACA,
NEW YORK**

Mr. RUBINSTEIN: Good morning. My name is David Rubinstein, and I am a Ph.D. Candidate at Cornell University. In fall 2023, a

bare majority of grad students voted to install the Cornell Grad Student Union, CGSU as our official bargaining agent. CGSU is affiliated with the United Electrical Workers, UE, a union that seeks the destruction of Israel.

When I objected to campus celebrations of Hamas terror after October 7th, a union organizer emailed my whole department calling me an apartheid apologist. When Jewish Ph.D. students were targeted in their offices, CGSU claimed Cornell needed its consent to discipline the culprits.

When two grad students were suspended for leading a disruptive encampment calling for intifada revolution, CGSU demanded their reinstatement. When contract negotiations began, CGSU demanded that all Ph.D. students be forced to pay union dues. I and others lobbied the university to reject this violation of free speech and association.

Cornell promised to protect our rights. President Mike Kotlikoff stated that forced association would be “Deeply unfair to our students, and incompatible with our commitment to academic freedom.” This commitment turned out to be meaningless. When the union threatened to strike, Cornell reneged on its promises and agreed to mandatory dues.

The sole exception included what Federal law largely provided already, that religious objectors in a narrowly defined group with ethical and moral objections could pay a charity instead. Despite this, Cornell assured us that assertions of religious and ethical objections would not be challenged, yet when I and others submitted objection letters, CGSU subjected us to invasive and burdensome questioning.

Cornell then caved again and agreed that students must allow the union to “evaluate” whether to exempt them from forced dues. Cornell’s Jewish Ph.D. students must now beg the union for permission not to fund its pro-Hamas, and pro-BDS activism. When CGSU and UE refused to process my objection and demanded relative personal information, Cornell and the union left me no choice but to file discrimination charges at the Equal Opportunity Commission, with free legal aid from the National Right to Work Legal Defense Foundation.

CGSU then belatedly recognized my objection, but other students’ objections are still being stonewalled, while the students receive zero support from Cornell. GCSU has since denied the existence of even narrow exemptions from forced dues. This summer, the union began targeting student objectors, claiming we would be fired if we refused to pay them.

Cornell initially protested, but then settled with the union, despite zero change in its behavior. I know multiple students currently being threatened with termination for not paying CGSU, and Cornell refuses to act to end this harassment. Nearly 2 years after October 7th, the situation is only getting worse. At Cornell, the union uses its power to shield offenders from the consequences for their conduct.

Recently, CGSU has rallied to support a self-declared Hamas backer with a long record of harassing behavior, including pushing past police to shut down a campus career fair. Though Cornell belatedly expelled him, the university reversed course after union

intervention. When his visa was finally revoked after urging the destruction of America, CGSU backed his lawsuit.

CGSU never misses a chance to protect bullies, while threatening to fire those who refuse to fund them. It seeks cover by calling this “protected activity,” under the National Labor Relations Act. I am a registered Democrat. Protecting students from antisemitism and forced association should not be a partisan issue. It is wrong to make support of any ideological organization a condition of earning a Ph.D.

As the steward of taxpayer dollars, Congress should hold Cornell accountable to its obligations under the Civil Rights Act. When Cornell allows CGSU and UE to create a hostile environment, it must face consequences. Finally, Congress should clarify that Ph.D. students are students, not workers subject to forced dues.

This was settled law until 2016 when the National Labor Relations Board erroneously classified us as employees. Congress should promptly fill vacancies on the NLRB so this can be rectified.

By ensuring degree students are rightly defined as students, Congress can end the intimidation and harassment I and others have experienced from CGSU and UE. The payment of union dues should be strictly voluntary. Thank for your invitation to testify.

[The prepared statement of Mr. Rubinstein follows:]

Unmasking Union Antisemitism

David Rubinstein
Cornell University

United States House of Representatives
Committee on Education and Workforce
Subcommittee on Health, Employment, Labor, and Pensions

September 9, 2025

Chairman Allen, Ranking Member DeSaulnier, and Members of the Subcommittee:

My name is David Rubinstein and I am a doctoral candidate in history at Cornell University.

I came to Cornell to pursue a PhD as a student. Until recently, I viewed campus activism as a distraction from my research.

This all changed in fall 2023. That September, the Cornell Graduate Student Union (CGSU) filed for an election to install itself as graduate students' "exclusive bargaining agent." CGSU chose to affiliate with the United Electrical Workers (UE), a union that seeks the destruction of Israel – where I have family members living.

Soon afterwards came October 7. When I voiced concern about celebrations of Hamas terrorism on campus, a union organizer emailed my entire department calling me an "apartheid apologist" whose words should not be dignified (p. 8). When a Cornell professor described atrocities inflicted on Israeli civilians as "energizing" and "exhilarating", another union organizer organized a petition to support him (p. 12). Despite mounting harassment of Jewish students including online death threats, CGSU leaders claimed complaints of antisemitism were the concoction of wealthy donors, and the union purged many Jewish members from its email list.

That November, CGSU won its unionization election, and decided that bullying Jewish students was "protected union activity." An Israeli-American doctoral candidate was forced to seek help from police, while another PhD student's cubicle was repeatedly littered with pictures of himself with an X drawn across his face. Instead of defending the Jewish graduate students it purports to represent, CGSU backed the assailants and stated that Cornell needed its consent to discipline them (p. 13).

When Cornell belatedly objected to pro-Hamas building occupations that impeded teaching and research, CGSU claimed that "changes to our working conditions must go through a bargaining process" (p. 17.) And when Cornell brought disciplinary charges against two graduate students who led a disruptive encampment calling for "intifada revolution", CGSU accused Cornell of "ableism, xenophobia, and Islamophobia", and organized a protest to demand their reinstatement (p. 20).

When contract negotiations began, CGSU demanded that all PhD students be forced to pay union dues. I and others lobbied the university to reject this contractual provision, that runs counter to free speech and association. We circulated petitions, published op-eds, and met with Cornell administrators (p. 21).

Cornell promised to protect our rights. President Michael Kotlikoff stated publicly that forced association would be “contrary to our university’s core values” (p. 25). He added that mandatory payments would be “deeply unfair to our students [and] incompatible with our commitment to academic freedom” (p. 26). When I emailed President Kotlikoff directly, he replied that Cornell “will continue to defend the fundamental principle that graduate students should have the right to choose whether or not to affiliate with the union” (p. 28).

This commitment turned out to be meaningless. When the union threatened to strike, Cornell reneged on its promises and agreed to force PhD students to pay dues (pp. 29-30). The sole exception included what federal law largely provided already – that religious objectors and a narrowly defined group with ethical and moral objections could pay their forced dues to a charity instead of the union.

Despite this capitulation, Cornell assured us that students’ assertion of their religious, moral, and ethical objections would not be challenged. When I wrote President Kotlikoff to voice dismay about draft contract language, he responded that “this is most definitely not a union shop agreement” – implying that students could freely choose whether to support the union (p. 31). Though all evidence suggested otherwise, the Dean of the Graduate School similarly claimed that “the union will not challenge the religious, moral or ethical objections” (p. 33).

Despite such reassurances, the university simultaneously refused to insist on contractual protections for student objectors. Before the contract was ratified, Cornell was informed of the UE’s pattern of rejecting religious objections at other universities (p. 34). Inexplicably, university administrators chose to ignore concerns that CGSU and UE would similarly challenge charitable contribution elections at Cornell.

That is exactly what followed. When I and others submitted clear religious objection letters, the unions refused to process them – despite the letters providing all the information they needed to know (pp. 35-36). Instead, UE subjected us to an invasive and burdensome application process designed to frustrate and deter our clearly communicated need for accommodation (p. 37).

After the contract was ratified, Cornell promised that religiously objecting would be easy – requiring no more than checking a box (pp. 38-40). University officials stated the contract “does not contemplate, or permit, the Union to institute an application and approval process” for religious objectors (p. 45). Yet when CGSU and UE proceeded to do just that, Cornell caved again and agreed that students must allow the union to “evaluate” whether to exempt them from forced dues payments (p. 47).

As it stands today, Cornell’s Jewish Ph.D. students must now beg unions engaged in antisemitic activity for permission not to fund their pro-Hamas and pro-BDS activism. When CGSU and the UE refused to process my objection and sent me an invasive questionnaire insisting that I

disclose irrelevant personal information, Cornell left me no other option but to file discrimination charges at the Equal Employment Opportunity Commission with free legal aid from the National Right to Work Legal Defense Foundation (pp. 49-54).

After legal action was filed, CGSU belatedly recognized my objection. Yet other students' objections are still being stonewalled by the union – while the students receive no support from Cornell. When objectors implored Cornell to exercise its independent obligations under Title VII and grant accommodations, their emails were ignored by university bureaucrats (p. 55).

CGSU has since proceeded to deny the existence of even narrow exemptions from forced dues payments. This summer the union launched a campaign targeting student objectors, claiming we would be fired from our positions if we do not pay them. Using contact information supplied by Cornell, the union claimed we must leave our PhD programs if we refuse to fund UE (p. 56).

Initially, Cornell administrators pledged to withhold dues from CGSU until the union ceased threatening students (pp. 57-60). Yet six weeks later, university leadership capitulated yet again. Despite no change in the union's behavior, Cornell resumed payments to CGSU – and even consented in writing to its use of dilatory questionnaires (p. 62). As I speak, I am aware of multiple students being threatened with termination for not paying CGSU (p. 64) – and Cornell refuses to act to end this harassment, presumably because it signed a collective bargaining agreement with the union allowing this behavior.

Today, Cornell still claims to protect its students from involuntary association since we may religiously object to funding the union. Such claims are meaningless since the university has granted the union absolute authority to deny, obstruct, or ignore our objections, which it has consistently done.

Nearly two years after October 7, the situation is not dying down – it is only getting worse. At Cornell, the union uses its power to shield people engaged in hateful antisemitic conduct from the consequences for their conduct. Recently, CGSU has organized rallies in support of a self-declared Hamas backer with a long record of harassing behavior (pp. 65-73). When he and other union members forced their way past a police barricade to shut down a campus career fair, CGSU absurdly claimed that employers pose “the actual threats to health and safety” (p. 74). Though Cornell belatedly expelled him, the university reversed course after union intervention (p. 75-77).

When this individual's visa was finally revoked after urging the destruction of America, CGSU supported his lawsuit against the administration and defended his conduct (p. 78-80). CGSU never misses an opportunity to protect people engaged in antisemitic conduct, while threatening to fire those who refuse to fund them. And the union seeks cover for its antisemitic actions by calling them “protected concerted activity” under the National Labor Relations Act.

I am a registered Democrat. Protecting students from forced association and union antisemitism should not be a partisan issue – it is wrong to make support of any ideological organization a condition of earning a PhD. As the steward of taxpayer dollars, Congress should hold Cornell accountable to its obligations under Title VI and Title VII of the Civil Rights Act. When the

university allows CGSU and UE to create a hostile environment for Jewish students, it must face consequences.

Most importantly, Congress should clarify that PhD students are students – not workers subject to forced union dues. This was settled law until 2016, when the National Labor Relations Board erroneously classified us as employees. Congress should promptly fill vacancies on the NLRB so this can be rectified. By ensuring degree seekers are rightly defined as students, Congress can end the harassment and intimidation I and others have experienced from CGSU and UE. And – especially at universities supposedly committed to intellectual freedom – the payment of union dues should be strictly voluntary.

Thank you for your attention to this matter.

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6/5/25, 6:49 PM

Cornell Mail - Teach-In on Gaza + Petition



Teach-In on Gaza + Petition

Jean-Michel Mutore

Wed, Oct 25, 2023 at 6:07 AM

Reply-To: Graduate History Association

To: Graduate History Association

Note: Clicking "reply" to this message will send it to the entire GHA listserv.

Thank you, Claire, for sharing the information about these events as well as the link to the petition. There is no need to dignify David's ahistorical, Nakba denialist, apartheid apologia with a polite response.

I would also like to inform everyone about another teach-in that is taking place **today at 3pm in front of Sibley Hall**:

"Dr. Paul Kohlby is going to deliver a mini teach-in on land dispossession, agrarian change, armed resistance, and other related themes in the context of Palestine. Kohlby has worked extensively on land sovereignty in rural Palestine. The teach-in will be on **Wednesday 3-4:30pm outside Sibley Hall**."

Kohlby's teach-in will directly follow **a student demonstration of Palestinian solidarity outside Day Hall today at 2pm**. I'm attaching a flyer for this demonstration to this email.

I hope to see you all at some of these events.

Take care,
JM

6/5/25, 6:49 PM

Cornell Mail - Teach-In on Gaza + Petition



El El mar, oct. 24, 2023 a la(s) 9:11 p.m., Claire Cororaton escribió:

Note: Clicking "reply" to this message will send it to the entire GHA listserv.

Dear David,

Thank you for your comments on the petition. I appreciate hearing from you, as someone who is more intimately connected with these issues.

I'm not Muslim nor Jewish (I'm Catholic), nor am I from the Middle East (I'm Filipino), but I shared the petition as someone who is part of communities where people have also expressed hesitancy and fear in speaking out. I sent it out to the department listserv in case people are interested in signing it. I leave it to folks to read the petition, and your comments, and decide whether they want to sign.

I just found out about another teach-In, and so in the spirit of open conversation, I would like to share the information with everyone.

<https://mail.google.com/mail/u/3/?ik=c1c7b663&view=pt&search=all&permmsgid=msg-f:1780721681237657332&dsqt=1&simpl=msg-f:1780721681237657332>

6/5/25, 6:49 PM

Cornell Mail - Teach-In on Gaza + Petition

Below are details and links for both teach-ins.

"Understanding Events in Israel – Palestine"

Thursday, October 26, 5-6:30 PM,

Goldwin Smith Hall, Room G22

<https://as.cornell.edu/news/oct-26-panel-focuses-israel-palestine-conflict>

Hosted by Near Eastern Studies; Sponsored by Jewish Studies Program, Co+Pos (Critical Ottoman and Post-Ottoman Studies), Comparative Muslim Societies, Peace and Conflict Studies, the Department of Government, the College of Arts & Sciences and the Mario Einaudi Center for International Studies.

"Gaza, Settler Colonialism, and the Global War Against Indigenous People."

Friday, October 27 at 12:30PM

Goldwin Smith Hall, G64

<https://cals.cornell.edu/gaza-settler-colonialism-and-global-war-against-indigenous-people>

Facilitated by Professor Eric Cheyfitz, Ernest I. White Professor of American Studies and Humane Letters, American Indian and Indigenous Studies Program

Hosted by the American Indian and Indigenous Studies Program

Best wishes,
Claire

On Tue, Oct 24, 2023 at 12:59 PM David Rubinstein wrote:

Note: Clicking "reply" to this message will send it to the entire GHA listserv.

Claire,

As a Jew and fellow History Ph.D. Candidate, I am compelled to respond to this frightening and dangerous petition posed to the humanities graduate student body.

Jews are indigenous to Israel, having continuously lived there for 3800 years. Israelis have no other homeland, and if one were to perform land acknowledgements Jews would be the Native Americans.

None of this negates the legitimacy of Palestinians' aspirations for self-determination. But to promote dehumanizing rhetoric painting Israeli Jews as settler colonialists does nothing to advance peace. Additionally, projecting "whiteness" to Jews entails erasing the inconvenience of the myriad of Jewish identities -- all of which are seen in Israel's population.

This petition does little more than emotionally alleviate American guilt. Cornell sits on the stolen, un-decolonized land of the Cayuga Nation. While writing from the comfort of a genuinely settler-colonial country, its authors make no effort to return land to its own native tribes. Instead, they project North American realities onto a context of which they know nothing, and where they will never need to live with the consequences of their words.

As historians, we have a duty to be exacting with our words. The term genocide designates the deliberate mass murder of members of a particular national or ethnic group, with the aim of destroying that group. If Israel genuinely sought to exterminate the people of Gaza, it would be capable of doing so in 10 minutes. Instead, the IDF has gone to great lengths to avoid civilian casualties, while Hamas uses its own population as human shields. Needless to say, every civilian death is a tragedy. But that does not make Israel guilty of genocide by any reasonable standard.

Likewise, there has been no Israeli occupation of Gaza since 2005, when Israel unilaterally withdrew. Or do you consider that the Jewish state -- alone of all countries in the world -- has no legitimate right to exist in any boundaries at all?

As this petition notes, as educators we have the responsibility to honor the unbiased reality of world events. That reality is that Hamas does not want peace between Israelis and Palestinians. It has rejected every offer of a two-state solution, which could have ended the conflict decades ago. Rather, it seeks the destruction of Israel and the murder of all seven million Jews living there. By failing to note this, one whitewashes the reality of a racist, antisemitic, and homophobic terror group that holds its own people hostage to its goal of carrying out another Holocaust. Gazans deserve far better from their supporters in the West.

While advocating the boycott of a state defending its citizens -- as any country would -- this petition strikingly fails to call for the release of the 220 human lives -- Israelis, Americans, and citizens of other countries -- held hostage by Hamas, some as young as nine months old. Nor does it condemn the mass murder, rape, and torture of Israeli civilians in the worst massacre of Jews since the Holocaust. Both the Geneva Convention and ICC Statute explicitly

<https://mail.google.com/mail/u/3/?ik=c1c7b663&view=pt&search=all&permmsgid=msg-f:1780721681237657332&dsqt=1&simpl=msg-f:1780721681237657332>

6/5/25, 6:49 PM

Cornell Mail - Teach-In on Gaza + Petition

define hostage-taking as a war crime. But it seems that Jewish lives do not bear the same weight for these self-proclaimed champions of social justice.

Similarly, while accusing Cornell of complicity in anti-Muslim sentiment, the petition's authors make no mention of the dramatic increase in anti-Semitic hate crimes over the last weeks. I have personally heard from Jewish students at Cornell who feel afraid and unsafe in the current campus climate. In this context, your silence speaks volumes. One cannot claim to cultivate a community of belonging while demonizing Israel as the Jew among nations and denying the Jewish people the right to self-determination.

The past weeks have been difficult for those who have family and loved ones in the region – Jews, Arabs, Israelis, and Palestinians alike. A fair observer would recognize that Hamas could instantly end the bloodletting by releasing all hostages and laying down its weapons. Then, one can begin charting a political path forward.

Israelis and Palestinians both deserve better than to be used as metaphorical props in service of ideological fantasies that will forever remain dreams in the United States.

David

On Tue, Oct 24, 2023 at 2:54AM Claire Cororaton wrote:

Note: Clicking "reply" to this message will send it to the entire GHA listserv.

Hi all,

On Friday, October 27 at 12:30 pm in Goldwin Smith G64, The American Indian and Indigenous Studies Program (AIISP) will be sponsoring a teach-in titled "**Gaza, Settler Colonialism, and the Global War Against Indigenous People.**" Ithaca community welcome.

<https://cals.cornell.edu/gaza-settler-colonialism-and-global-war-against-indigenous-people>

Additionally, I realize that there are a number of petitions going around but here is another one coming from Humanities graduate students: <https://docs.google.com/forms/d/e/1FAIpQLSe2OsBP3lpMcgUKTbLTZ9bMZ0ho0uTYM8pkCsToHgCMaDUTMw/viewform>

Please share these widely with your networks.

Best,
Claire

--
Ph.D. Candidate, History
Cornell University

This message has been sent through the Graduate History Association e-list.

--
David Rubinstein
Ph.D. Candidate, History
Cornell University

This message has been sent through the Graduate History Association e-list.

This message has been sent through the Graduate History Association e-list.

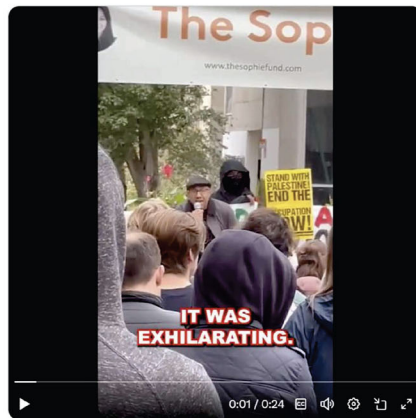
This message has been sent through the Graduate History Association e-list.



Sam Aberman
@samaberman

Cornell University Professor Russell Rickford speaking about Hamas terrorist attacks. Shameful @Cornell.

[Translate with DeepL](#)



6:45 PM · Oct 15, 2023 · 13.7M Views



Sam Aberman
@samaberman

Cornell University Professor Russell Rickford speaking about Hamas terrorist attacks. Shameful @Cornell.

[Translate with DeepL](#)



6:45 PM · Oct 15, 2023 · 13.7M Views

URGENT ACTION NEEDED TODAY (OCT 19): Statement in Support of Russell Rickford

1 message

Jacob Walters

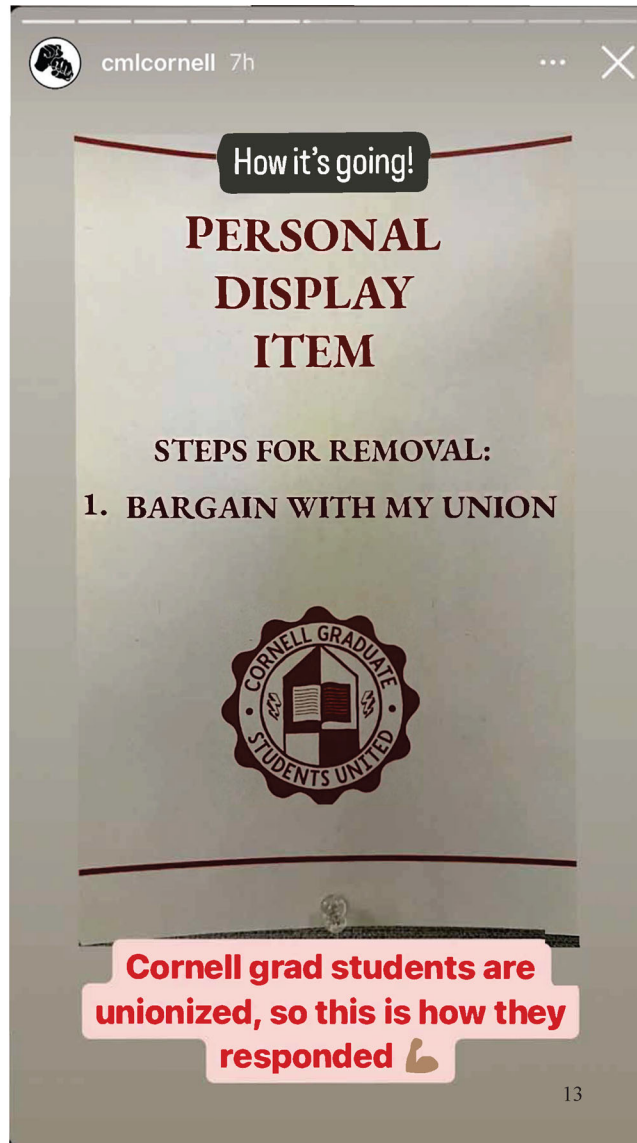
Thu, Oct 19, 2023 at 11:12 AM

Hi all,

In light of recent events, there has been a very strong backlash against Professor Russell Rickford. As he is a professor in our department, I think it is important for us as graduate students (current and former) to show support for him. Please take a moment to read and sign this petition and share to your networks.

<https://forms.gle/Zu7epWooQNM7eyVaA>

Thanks for your support,
Jake



Statement on disruption of library and academic spaces

Feb. 8, 2024

Earlier today, a group of students disrupted university business by holding a demonstration inside library and academic spaces. Cornell University Police were called to the site and worked to quickly remove the students and to gather identification from students to refer for disciplinary action. While Cornell values and protects students' right to free expression, including the right to protest, those protests must comply with our time, place, and manner guidelines to ensure the ability of our faculty and students to teach and learn without disruption.

The initial library space was cleared in a little over 10 minutes, but the students then went on to other libraries, where again the police were called to intervene. Identified students have been referred to the Office of Student Conduct and Community Standards for disciplinary action.

Disruptions of this type are not permissible. The university must and will continue to take action when activity is in violation of our policies.

Joel M. Malina
Vice President for University Relations

Statement on disruption in Duffield Hall

Feb. 22, 2024

Earlier today, a group of students held a demonstration in academic spaces including Duffield Hall, where amplified sound was used and university business was disrupted. Individuals were referred to the Office of Student Conduct and Community Standards for conduct action. Sanctions will be imposed where there are violations of policy; repeat violations will result in more significant sanctions. Cornell values and protects students' right to protest, however, all protests must comply with Cornell's time, place, and manner guidelines to ensure the ability of our faculty and students to teach and learn without disruption. As previously stated, these types of disruptions are not permissible, and the university will continue to take action when our policies are violated.

Rebecca Valli
Senior Director of Media Relations

Statement on disruption in Klarman Hall

March 6, 2024

We are disappointed that again today there was a disruptive protest held using amplified sound in Klarman Hall, in violation of our policies. Although the protestors were only there for a very short period of time before they dispersed, this type of disruption will not be tolerated at Cornell. Participants were referred for disciplinary action and violators will be sanctioned. Repeat violators will be subject to increasingly severe sanctions.

While Cornell values the right to free expression, including the right to protest, we cannot and will not tolerate disruptions to the work of our university. Our students and faculty must be able to teach and to learn.

The university will continue to take disciplinary action when activity is in violation of our policies.

Joel M. Malina
Vice President for University Relations

Statement on student and employee arrests at Day Hall

March 21, 2024

This afternoon, student and employee demonstrators engaged in peaceful expressive activity inside and outside of Day Hall, Cornell's main administrative building. The demonstrators demanded that Cornell Trustees vote during their meetings today and tomorrow to divest from ten named companies.

Cornell Trustees Stephen Robinson and Martin Scheinman came to Day Hall and listened to the group's demands. The Trustees explained that while the demands would not be met, they were willing to share the demonstrators' concerns with their fellow board members. Consistent with other recent Day Hall sit-ins, the Trustees told demonstrators that while they were permitted to be in the public lobby of Day Hall during workday hours, remaining after hours would lead to arrest and referral to the Office of Student Conduct and Community Standards (OSCCS) for students, and to Human Resources for employees.

Demonstrators remained in Day Hall despite repeated warnings from campus staff and Cornell Police that the building was closed. Twenty-two students were referred to OSCCS for violating the Student Code of Conduct and two employees were referred to Human Resources for violating university policy. All 24 were charged with trespassing and referred to the Ithaca City Court.

Cornell values and protects our community members' right to free expression. Citing campus community members is only used as a last resort when they refuse to comply with policies or to demonstrate a willingness to engage constructively about their concerns. Protests must comply with time, place, and manner guidelines, and the university cannot permit expressive activity by campus community members that violates campus policies. Trespassing after-hours in buildings that are closed to the public poses a public safety risk that cannot be tolerated.

Joel M. Malina
Vice President for University Relations

Protecting the rights of our community to teach and learn without disruption

March 27, 2024

This letter first appeared in The Cornell Daily Sun on March 26, 2024.

In light of ongoing protests by the Coalition of Mutual Liberation — a group that has stated its intention to repeatedly disrupt the activities of the University — *The Cornell Daily Sun* has published several [letters](#) from our faculty colleagues that support the rights of these students, staff and faculty to violate expressive activity policies at Cornell, both the Interim Expressive Activity Policy and pre-existing policies, particularly rules preventing the disruption of classroom teaching, studying in the library and other university activities.

While we understand and respect the passion underlying this support, and deeply respect the faculty who have written, we feel compelled to publicly express a different position. By calling for the administration of Cornell to ignore disruptive protests and disregard enforcement of rules that govern expressive conduct, our colleagues neglect our collective responsibility to protect the rights of all community members to teach and learn in a non-disruptive environment. Protecting these rights is not just required by federal law: It is also our obligation, consistent with our core values, to foster a community that is welcoming and caring, [“where students, faculty and staff with different perspectives, abilities and experiences can learn, innovate and work in an environment of respect.”](#) Disruptive protests by some trample on the rights of others to enjoy that environment of respectful learning and work.

We can and should have a robust campus discussion about what “disruptive” means: how much is tolerated in support of free expression and where the line is drawn. But the notion that some protestors can violate the rights of others because they [“have disrupted business as usual to protest the University’s conduct amid the horrifying, ongoing assault on Palestinian populations,”](#) or because [“... the purpose of protest is precisely to disrupt”](#) and [“a non-disruptive protest is no protest at all,”](#) is one that privileges some in our community with more rights than others. We would ask our colleagues: If the rules governing expressive activity are not content-neutral, who makes the decision about which causes are sufficient to accept disruption of the rights of others? And in all cases, how much infringement on the rights of others is acceptable?

If we are to foster a community of belonging, we need to respect and balance everyone’s rights. That is not always easy, and it does not mean that disruptive protests should be met with sanctions that are so severe that they chill free expression by subjecting protestors to draconian punishments. But it does mean that actions that infringe on the rights of others must have consequences. We have stated and are moving forward with our plan to convene a group of faculty, staff and students that includes members of our shared governance bodies, to consider how we can continue to evolve thoughtful principles of conduct that value and respect the rights of our community to freely and vigorously express their views, while also establishing the points at which that expressive activity infringes on the rights of others.

Martha E. Pollack
President

Michael I. Kotlikoff
Provost

8/28/25, 8:16 PM

Cornell Mail - CGSU-UE Community Petition: Retract the Interim Expressive Activity Policy

Cornell

CGSU-UE Community Petition: Retract the Interim Expressive Activity Policy

1 message

CGSU Communications <info+cornell-graduate-students-united-info@email.actionnetwork.org>
 Reply-To: cgsu.communications@gmail.com

Tue, Apr 23, 2024 at 10:00 AM



Dear CGSU-UE Members,

As a union, we are deeply dedicated to our fellow workers being able to freely express themselves on campus and have academic freedom while performing teaching and research duties. These themes are present in the entirety of our bargaining proposals, and especially in our [Academic Freedom Article](#).

Since January, Provost Michael Kotlikoff has seen fit to make changes to our working conditions in the form of unilateral policy changes, such as the [Interim Expressive Activity Policy](#), without bargaining with our union. This policy has already been used to threaten undergraduates, graduate workers, faculty, and staff with discipline simply for exercising their right to free speech on campus and professional judgment in the classroom.

Now that we have a union, changes to our working conditions must go through a bargaining process. If administrators believe they can make changes to our working conditions without bargaining with us, this risks every subject of bargaining, from workplace health and safety improvements to non-discrimination protections. In light of this unacceptable behavior, we are demanding Cornell administrators immediately retract the Interim Expressive Activity Policy and bargain with CGSU-UE over this and other changes which are detrimental to working conditions.

We are launching a community petition to show Cornell that members of this campus demand the Interim Expressive Activity Policy be retracted immediately.

[SIGN HERE](#)

Please share this petition with Cornell undergraduate students, graduate workers, faculty, and staff that may be interested.

<https://mail.google.com/mail/u/3/?ik=1c1c7b663&view=pt&search=all&permthid=thread-f:1797134311687951591&simpl=msg-f:1797134311687951591>

8/28/25, 8:16 PM

Cornell Mail - CGSU-UE Community Petition: Retract the Interim Expressive Activity Policy

Solidarity,

CGSU-UE Bargaining Committee

Sent via [ActionNetwork.org](https://actionnetwork.org). To update your email address, change your name or address, or to stop receiving emails from Cornell Graduate Students United, please [click here](#).

8/29/25, 1:44 PM

Cornell Mail - CGSU-UE: Update on Suspended Graduate Workers

Cornell

CGSU-UE: Update on Suspended Graduate Workers

1 message

CGSU Communications <info+cornell-graduate-students-united-info@email.actionnetwork.org>

Tue, Apr 30, 2024 at 6:32 PM

Reply-To: cgsu.communications@gmail.com



Dear CGSU-UE Members,

On Friday, two undergraduate students and two graduate workers, Bianca Waked and Momodou Taal, were arbitrarily suspended for their participation in a peaceful protest on the Arts Quad. Bianca Waked's and Momodou Taal's suspensions constitute a change in their working conditions. The National Labor Relations Law (NLRA) mandates that Cornell University cannot implement these changes without bargaining with CGSU-UE.

Today, we issued a demand to bargain with Cornell administration over the disciplinary suspensions of Bianca and Momodou. The National Labor Relations Law mandates for Cornell administration to immediately rescind the suspensions, reinstate Bianca and Momodou to their previous status, and bargain any changes in their working conditions with CGSU-UE.

Should the University proceed with these suspensions without complying with its obligations under the NLRA to bargain with CGSU-UE, **Cornell administration will be violating Federal Law. We demand that Cornell administration follow the law!**

Bianca and Momodou are international graduate workers and the suspensions have affected their visa statuses, which can result in deportation. Reinstatement of Bianca's and Momodou's statuses would allow them to remain in the country.

CGSU-UE strongly condemns these suspensions, as well as the continued threats of discipline, suspension, and arrest made by Cornell Administration and CUPD against students, staff, faculty, and graduate workers protesting in the Arts Quad Liberated Zone. The continued enforcement of the IEAP threatens the free expression that is essential to healthy educational and research environments.

<https://mail.google.com/mail/u/3/?iksc1c1c7b663&view=pt&search=all&permthid=thread-f:1797800688714187156&simpl=msg-f:1797800688714187156>

8/29/25, 1:44 PM

Cornell Mail - CGSU-UE: Update on Suspended Graduate Workers

Sign our community petition to show Cornell administration that members of this campus stand united to demand that the illegal Interim Expressive Activity Policy be retracted immediately.

We also want to stress that **the subjective enforcement of the IEAP against Momodou and Bianca reek of ableism, xenophobia, and Islamophobia**. CGSU-UE has written [strong articles](#) addressing discipline and discharge and non-discrimination - including on the grounds of disability - for this reason! Cornell administration's continued stonewalling of our union in order to target marginalized graduate workers is unacceptable and breaks federal law.

To additionally highlight and contextualize the danger of the IEAP and these suspensions to the Cornell community, CGSU-UE has invited members of the media to a press conference held tomorrow on the Arts Quad. Both graduate workers and faculty will be speaking about how free expression is necessary to a healthy educational and research environment, and how Cornell's ill-considered, illegally enforced, and arbitrary policy eliminates that healthy environment.

Solidarity,

CGSU-UE Bargaining Committee

Sent via [ActionNetwork.org](#). To update your email address, change your name or address, or to stop receiving emails from Cornell Graduate Students United, please [click here](#).



Cornell United Against Union Shop

"Any person, any study... if you swear a loyalty oath to the union!"

Cornell grad students, ask yourselves the following:

- Do you know [what union shop means](#) or how it will affect you?
- Do you know why the [Cornell graduate student union is demanding union shop](#)?
- Do you know your union dues necessarily [contribute to political activity](#)?
- Have you ever heard of [UE](#) or know [why they receive the majority of your dues](#)?
- If union shop is so important, why did [the union only mention it after the election](#)?

If you can't answer these questions, you are not alone. See [who we are](#) and learn more about our concerns with CGSU-UE's [union shop](#) proposal. You should also check out [our letter to grad students in the Cornell Daily Sun](#) and the related letter to the editor [Union Shop isn't Academic Freedom](#).

What can we do about this?

If you are concerned by the union shop proposal, please join us in ensuring the union remains accountable to all graduate students and tell Cornell administrators not to sacrifice our academic freedom for their own convenience.

[Read and sign the letter below](#) (you can sign anonymously):

We are writing on behalf of graduate students who are not members of CGSU, as well as CGSU members disappointed with the organization's conduct, in order to ask that you do not grant them union shop or agency shop. We believe that it is unjust and unethical to require graduate students to be members of or pay fees to an organization that opposes our values.

Public sector union shops have already been completely banned on First Amendment grounds. As a private university, however, Cornell has the unilateral power to reject a union shop clause in our contract. As a consequence of certifying CGSU as our representative, it is now illegal for any graduate student to negotiate with the administration about this issue. As a result our only recourse is to make our position clear and demand protection for our freedom not to join the union.

There are many reasons that we object to the CGSU. In particular, we object to the pressure tactics employed by the CGSU to push students to vote in favor of unionizing. We object to the lack of anonymous voting within the union. We object to the union's false claims to represent the interests of all graduate students. We object to the union's lack of transparency.

Many of us have concerns with CGSU's sudden and unexplained decision to affiliate with UE. We are concerned that UE is financially irresponsible and unable to support graduate student workers. We suspect that UE is interested in Cornell for monetary gain instead of helping us improve working conditions. They stand to make around \$1.5 million annually off the backs of Cornell's graduate students, compared with their usual annual income of around \$5 million.

We are also concerned with various radical political positions of UE, which do not represent the student body and could even harm some students' research. This type of radicalization threatens Cornell's free and open environment, where all can voice their opinions in public dialogue, or choose to remain silent. Adopting a union shop policy would necessitate that graduate students support the political stances of UE, which are not representative of the views of all or even most of the students. This seems to us to be at odds with Cornell's strict policy preventing any employee, in their official capacity, from supporting any political cause or candidate.



We are interested in peace among the graduate student body. We want to focus on our research and not divisive politics. UE, on the other hand, is interested in aggressive political advocacy. Granting this union power over the student body will be detrimental to the long-term success of the graduate school.

We believe it is self-evidently immoral and unjust to require graduate students to pay money to an organization involved in radical political activism which we do not support. Some of us are so deeply opposed that we would rather leave Cornell than be required to fund UE. CGSU must prove themselves capable of protecting and representing us if they want us to give them money.

Please remember as you negotiate with CGSU: They do not represent the whole student body.

Signed,

1. Bailey Gong (food science department)
2. Baran Zadeoglu (Mathematics)
3. Benjamin Gregory (Physics)
4. Briana Frank (Johnson Graduate School of Business)
5. Caroline Thompson (Biomedical Engineering)
6. Chad Pennington (physics department)
7. Cyrus Habas (Molecular Biology and Genetics)
8. Daniel Sabey (Economics)
9. Danielle Markovich (Applied and Engineering Physics)
- ⑩ 10. Derek A. Berman (Geological Sciences)
11. Elliot McGinnity Schneider (Plant Pathology & Plant Microbe Biology)
12. Louie Gold (Ecology & Evolutionary Biology)
13. Gonzalo Gonzalez (Computer Science)
14. Grace Genszler (Mechanical and Aerospace Engineering)
15. Isaac Broudy (math department)
16. Jason Manning (Engineering)
17. Jena Tools (Humanities)
18. Keri D'Angelo (Cornell Bowers CIS)
19. Majo Flor Ágreda (Sociology)
20. Mark Dalthorp (math department)
21. Michael Kaemingk (Physics)
22. Peihong Liu (Nolan)
23. Russell Burgett
24. Shira Mingelgrin (statistics department)
25. Tomer Markovich (molecular biology and genetics)
26. Virginia McGhee (chemistry and chemical biology)
- ⑩ 27. Willow Groundwater-Schuldt (German Studies)
28. Yael Eisenberg (math department)

29. Zhenzhong Xing (ECE)
30. Anonymous (Arts and Sciences)
31. Anonymous (Biomedical engineering)
32. Anonymous (Business)
33. Anonymous (Business)
34. Anonymous (CALS)
35. Anonymous (CAM)
36. Anonymous (center for applied mathematics)
37. Anonymous (Chemical Engineering)
38. Anonymous (College of Agriculture and Life Sciences)
39. Anonymous (College of arts and sciences)
40. Anonymous (college of arts and sciences)
41. Anonymous (College of Business)
42. Anonymous (Communication)
43. Anonymous (Computer Science Department)
44. Anonymous (Computer Science)
45. Anonymous (Computer Science)
- ① 46. Anonymous (Ecology & Evolutionary Biology)
47. Anonymous (Electrical and Computer Engineering)
48. Anonymous (Engineering)
49. Anonymous (Johnson)
50. Anonymous (law)
51. Anonymous (Law)
52. Anonymous (Materials Science and Engineering)
53. Anonymous (math department)
54. Anonymous (math department)
55. Anonymous (math department)
56. Anonymous (math department)
57. Anonymous (mathematics department)
58. Anonymous (MBA)
59. Anonymous (mechanical and aerospace engineering)
60. Anonymous (mechanical and aerospace engineering)
61. Anonymous (Mechanical and Aerospace Engineering)
62. Anonymous (Mechanical and Aerospace Engineering)
- ① 63. Anonymous (Microbiology)
64. Anonymous (Physics)

- 65. Anonymous (Plant Sciences)
- 66. Anonymous (Psychology)
- 67. Anonymous (SIPS, Horticulture)
- 68. Anonymous (SIPS, Horticulture)
- 69. Anonymous (Social Sciences)
- 70. Anonymous, Humanities
- 71. Anonymous, Humanities (or Arts and Sciences)
- 72. Anonymous

CGSU-UE negotiations

Jan. 23, 2025

Dear Cornellians,

For the past several months, Cornell has engaged in productive contract negotiations with CGSU-UE, the union representing graduate students holding assistantship appointments at Cornell. As voted upon by graduate students last fall, Cornell Graduate Students United (CGSU) is a local chapter of UE, the nationwide United Electrical, Radio, and Machine Workers of America.

This week, our negotiating teams engaged on the key question of “union security.” CGSU-UE is demanding a “union shop” arrangement, under which **union membership would be required, as a condition of employment, of all graduate student workers.** In Wednesday’s negotiating session, Cornell made clear that it would not accept such an arrangement, which would be contrary to our university’s core values and would have grave consequences for many of our current and future graduate students. Unfortunately, union negotiators have chosen to respond to this considered position with hyperbolic rhetoric, likening the university and its bargaining team to union-busting fascists, racists, and Nazis. We would like to make clear to the entire community what is at stake here, and why the university has taken this position and is unwilling to agree to the union’s proposal as written.

The CGSU-UE has stated that a union shop is important to its membership and necessary to ensure the security of the union. We respectfully disagree on both counts.

Many graduate students and faculty have shared their concerns about CGSU-UE activities and the impact of a union shop arrangement, and asked that Cornell not agree to a

collective bargaining agreement that would effectively compel graduate student workers to choose between joining UE and leaving their degree program. While representing the rights of Cornell graduate student workers, CGSU-UE also represents, advances, and supports UE's political action on a range of consequential domestic and international issues including, most recently, the U.S. election and U.S. military aid to Israel. Accepting a union shop provision would mean requiring every one of our graduate student workers to affiliate with, and financially support, this advocacy. Typically, union dues support both representational activities and political advocacy.

Cornell's proposal allows graduate students to make their own decision. For those students who elect to become members of the union, Cornell has offered to promptly carry out union dues deductions from graduate student workers' stipends, beginning with the first full pay period following receipt of the student's written authorization. This would facilitate the union's ability to collect dues for those students who wish to authorize this deduction from their stipends on their behalf. Students who chose not to become members of the union would not be required to do so.

We want to be clear that Cornell is not opposing unionization of graduate student workers, and we are open to considering proposals other than the union shop that has been proposed. However, if the university were to agree to the union shop stipulation the CGSU-UE is now demanding, **students who decline to join the union could be dismissed from their appointments and prohibited from holding future appointments. These students would no longer have a viable path to a degree at Cornell. Under the proposed union shop agreement, there is no option for students to remain graduate assistants if they object to joining the union.** This would be deeply unfair to our students, incompatible with our commitment to academic freedom, and detrimental to our future ability to attract the most promising students to Cornell.

We look forward to continued productive conversations at the bargaining table and a

8/29/25, 2:10 PM

CGSU-UE negotiations | University Statements | Cornell University

contract in the best interests of all graduate students.

Sincerely,

Michael I. Kotlikoff
Interim President

Kavita Bala
Provost

8/29/25, 2:11 PM

Cornell Mail - Thank you



Thank you

Office of the President <president@cornell.edu>
To: David Philippe Rubinstein, Office of the Provost <provost@cornell.edu>

Mon, Feb 3, 2025 at 10:49 AM

Dear David,

Thank you for your email. We will continue to defend the fundamental principle that graduate students should have the right to choose whether or not to affiliate with the union.

Sincerely,

Michael Kotlikoff

Michael Kotlikoff, V.M.D., Ph.D., Sc.D. (h.c.)

*Interim President and Professor of Molecular Physiology**Cornell University*

From: David Rubinstein
Sent: Wednesday, January 29, 2025 11:38 AM
To: Office of the President <president@cornell.edu>; Kavita Bala <kavitabala@cornell.edu>
Subject: Thank you

Dear President Kotlikoff and Provost Bala,

I am a History Ph.D. Candidate and want to thank you for your recent statement opposing a union shop. I have family in Israel and have been on the receiving end of antisemitic rhetoric from members of CGSU's bargaining committee. I do not want to be forced to contribute to their cause and appreciate you taking a principled stand.

Best,

David Rubinstein

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<https://mail.google.com/mail/u/3/?ik=c1c7b663&view=pt&search=all&permmsgid=msg-f:1823051866897860318&dsqt=1&simpl=msg-f:1823051866897860318>

March 25, 2025

ARTICLE X UNION SECURITY

A. Membership

1. Subject to applicable law, all Graduate Student Workers of the University covered by this Agreement who are members of the Union in good standing on the effective date of this Agreement or who become members of the Union in good standing following the effective date of this Agreement shall as a condition of employment remain members of the Union in good standing insofar as the payment of periodic dues and initiation fees ("Membership Dues"), uniformly required, is concerned, or in lieu of such membership, pay to the Union an agency fee ("Agency Fees").
2. Subject to applicable law, all present Graduate Student Workers who are not members of the Union and individuals hired after the effective date of this Agreement shall as a condition of employment, beginning on the thirtieth (30th) day following the effective date of this agreement or the thirtieth (30th) day following employment, whichever is later, become and remain members of the Union in good standing insofar as the payment of periodic Membership Dues, uniformly required, is concerned, or in lieu of such membership, pay to the Union Agency Fees. The amount of such agency fee shall be established by the Union in accordance with applicable law, but in no event shall such fee exceed full union dues.
3. This Article shall only apply to the status of Graduate Student Workers covered by this Agreement. This Article will not affect a graduate student's status as a student.

B. Check-Off Authorization

1. The University shall provide the Union payroll deduction for Membership Dues or Agency Fees for Graduate Student Workers who authorize the deductions in the amount designated in writing by the financial officer of UE Local 300. The deductions shall be made provided the deduction request is submitted to Cornell's payroll office on a form authorized by the Union. The deductions shall be made from Graduate Student Workers' paychecks for each pay period. The authorizations may be submitted to the payroll office at any time, and the deductions will commence on the following payday as practicable. Cornell will remit the amounts deducted to the financial officer of UE Local 300 on a monthly basis, no later than the fifth (5th) of each month. Cornell will include with each remittance an editable spreadsheet that lists each Graduate Student Workers name, Empl ID, NetID, the pay period, the check date, the amount of the deduction and rate of pay (consistent with Section 1 of the Agreement's Bargaining Unit Information Article).
2. The University shall provide to the Union the University email address for each Graduate Student Worker prior to the Graduate Student Worker's receipt of their

March 25, 2025

first paycheck so that the Union shall be able to communicate with each Graduate Student Worker about the process of complying with this Article.

C. Indemnity

The University assumes no obligation, financial or otherwise, as a result of complying with the terms of this Article, and the Union agrees that it will indemnify and hold the University harmless from any claim, action, omission, or proceeding by any Graduate Student Worker arising from deductions made by the University under this Article. Once the funds are transmitted to the Union, their disposition thereafter shall be the sole and exclusive obligation and responsibility of the Union.

D. Payment in Lieu of Membership Dues / Agency Fees

If a Graduate Student Worker has a sincerely held religious belief, as defined by the U.S. Equal Employment Opportunity Commission (EEOC), that prohibits them from joining and maintaining membership in a union, they may elect to pay the amount equivalent to initiation fees and monthly dues to charity in lieu of payments to the Union by advising the Union in writing of their religious objection and making monthly donations in an amount equivalent to union service fees to one or more of the following charities: American Heart Association, American Cancer Society, or the United Way. The Graduate Student Worker must show proof to the Union of having made the contributions to charity in the amount of membership dues on a monthly basis.

8/29/25, 2:13 PM

Cornell Mail - Union Shop Agreement



Union Shop Agreement

Office of the President <president@cornell.edu>

Fri, Apr 4, 2025 at 2:10 PM

 To: David Philippe Rubinstein, "Kathryn J. Boor" <kjb4@cornell.edu>, Kavita Bala
 <kavitabala@cornell.edu>, Arts and Sciences Dean's Office <as_dean@cornell.edu>

Dear David,

Thank you for reaching out with your concerns about the Union Security article in the tentative agreement.

If the tentative agreement is ratified, the university and the union will be legally bound by the terms of the contract. This includes ensuring students have the right to opt out of joining and/or financially supporting the union. This is most definitely not a union shop agreement.

Thank you again for reaching out. I wish you all the best in your doctoral program.

Sincerely,

Mike Kotlikoff

Michael Kotlikoff, V.M.D., Ph.D., Sc.D. (h.c.)

*President and Professor of Molecular Physiology**Cornell University*

From: David Rubinstein
Sent: Thursday, March 20, 2025 11:53 AM
To: Kathryn J. Boor <kjb4@cornell.edu>; Kavita Bala <kavitabala@cornell.edu>; Office of the President
 <president@cornell.edu>; Arts and Sciences Dean's Office <as_dean@cornell.edu>
Subject: Union Shop Agreement

Dear President Kotlikoff, Provost Bala, and Deans Boor and Loewen,

I was shocked and disappointed to learn the university has consented to CGSU's demand for a union shop.

<https://mail.google.com/mail/u/3/?ik=c1c1c7b663&view=pt&search=all&permmsgid=msg-f:1828496583431963899&dsqt=1&simpl=msg-f:1828496583431963899>

8/29/25, 2:13 PM

Cornell Mail - Union Shop Agreement

Graduate students should not be forced to subsidize an antisemitic group that seeks to disrupt our research, ban defense fellowships, and harm our job prospects. President Kotlikoff has rightly stated that union shop contradicts the university's core values. It is inexplicable that the university has backed out of such a seemingly strong commitment.

Assurances regarding a religious exemption are meaningless if the union has ultimate authority to determine whether or not to grant them. As you are likely aware, UE denied all such requests after being granted a union shop at MIT. That resulted in successful legal action by affected graduate students.

I am Jewish, have family in Israel, and have been on the receiving end of antisemitic rhetoric from members of CGSU's bargaining committee. It is obscene to suggest that antisemites should be able to determine the sincerity of my Jewish faith.

I strongly urge you to reconsider granting CGSU-UE such coercive authority. Many of my fellow graduate students feel similarly, and we will do whatever is necessary to defend our rights.

Sincerely,

David Rubinstein

--

David Rubinstein

Ph.D. Candidate, History

Cornell University

8/29/25, 2:14 PM

Cornell Mail - Union Shop Agreement



Union Shop Agreement

Kathryn J. Boor <kjb4@cornell.edu>
 To: David Philippe Rubinstein

Thu, Mar 20, 2025 at 3:35 PM

Dear David,

Messaging regarding the tentative contract agreements that were reached yesterday has been very confusing. In fact, our tentative agreement enables 3 options for students.

The article provides for three options students can choose from:

1. *Join the union, and pay dues to the union; or*
2. *Not join the union, and pay an agency fee to the union, which is an amount that is to be paid for representational activity by the union, but does not include union membership dues; or*
3. *Assert a religious, moral or ethical objection, and as a result not join the union, and not pay any dues or fees to the union, but instead make an equivalent charitable contribution.*

Under either option 2 or 3, the student would not join the union.

Under option 3, the student would not join the union, and would provide no financial support to the union.

My understanding is that the union will not challenge the religious, moral or ethical objections, and that setting up a monthly charitable donation on your credit card (for example), and keeping access to your monthly statements will meet the terms of #3.

You should receive a confirming message from the President's office in the next day or two.

Sincerely,
 Kathryn

[Quoted text hidden]

8/29/25, 2:18 PM

Cornell Mail - Union Shop Agreement



Union Shop Agreement

David Rubinstein
To: "Kathryn J. Boor" <kjb4@cornell.edu>

Tue, Mar 25, 2025 at 8:01 PM

Dear Kathryn,

I am following up on our previous exchange regarding negotiations between the university and CGSU.

After today's tentative contract agreement, CGSU released the attached email.

In the union security section, CGSU misleadingly states that all bargaining unit members will be required to financially support the union - omitting the existence of a religious exemption. I have attached a screenshot of that section.

Given the union's troubling misrepresentation of contract provisions, I am concerned that CGSU will seek to challenge my right to exercise an objection (and donate to charity instead.) UE rejected all religious exemption requests at MIT, forcing students to take legal action. I very much hope to avoid that outcome.

I would like to request a short meeting with Cornell's legal representatives to discuss the practicalities of ensuring my objection will be respected. I think it would be beneficial to iron out these details before any contract is ratified to avoid issues thereafter. If other students have similar concerns, we could meet as a group.

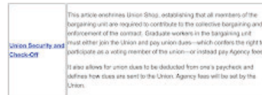
Finally, I think the university should inform graduate students of our rights on this matter.

Let me know what you think and thanks again for your time.

Sincerely,
David

[Quoted text hidden]

2 attachments



Screenshot 2025-03-25 at 6.54.46 PM.png
105K

Cornell Mail - Bargaining Update #27_ We Recommend Ratification on our Tentative Agreement on April 8-10.pdf
662K

June 2, 2025

Andrew Dinkelaker, General Secretary-Treasurer
Religious Objections
United Electrical, Radio & Machine Workers of America (UE)
4 Smithfield Street, 9th Floor
Pittsburgh, PA 15222 By U.S. Mail and e-mail
objections@ueunion.org
and
communications@cornellgradunion.org

and

Christine Lovely, Vice President and Chief Human Resources Officer
130 Day Hall
Cornell University
Ithaca, NY 14853 By U.S. Mail and e-mail
vp_of_hr@cornell.edu

and

Kathryn Boor, Dean of the Graduate School and Vice Provost for Graduate
Education
350 Caldwell Hall
Cornell University
Ithaca, NY 14853 By U.S. Mail and e-mail
kjb4@cornell.edu

Dear UE and Cornell administrators:

In accordance with Article X (D) of the Cornell-UE collective bargaining agreement, I am writing to inform you of my need for a religious accommodation to the requirement that I pay dues or otherwise support the UE unions.

I am Jewish. Israel is inherently connected to Jewish religious practice, featuring in holidays and prayer services for over two millennia. Every Shabbat, Jews recite prayers such as Musaf, which includes “G-d of our ancestors, who

restores their descendants to their land... lead us in joy back to our land and plant us within our borders." Every Passover Seder since the 5th century BCE concludes with "next year in Jerusalem", symbolizing the Jewish people's connection to Israel and desire to return. Holidays such as Sukkot revolve around the harvest calendar of the Land of Israel, while others (such as Hanukah) commemorate events that took place there. My religious commitment to Israel's existence is in direct opposition to UE's support for BDS. BDS supports the eradication of the Jewish homeland, whose existence is a core tenant of my faith. I cannot support this.

Being Jewish is central to who I am. I attend synagogue services each Shabbat, participate in a weekly Torah class, and am on the leadership board of a Jewish organization at Cornell. My wife and I are members of a local synagogue and volunteer for our Jewish Federation. I also have extensive family ties in Israel.

For all these reasons I require a religious accommodation. I await your prompt response.

Sincerely,

David Rubinstein

[REDACTED]
[REDACTED]

8/29/25, 2:27 PM

Cornell Mail - David Rubinstein Religious/Moral/Ethical Objection



David Rubinstein Religious/Moral/Ethical Objection

Objections Processing <objections@ueunion.org>

Tue, Jun 3, 2025 at 9:32 AM

To: David Rubinstein

Cc: communications@cornellgradunion.org, CGSU Data <CGSU.data@gmail.com>

Good morning David,

Requests to be a religious objector are evaluated on a case-by-case basis by the UE national union. Please send a written request specifying your objection, with details regarding the nature of your religious belief and why you assert it prevents you from paying union dues/fees, including answers to the following questions:

1. Please describe your religious belief in detail and why you assert it prevents you from paying union dues/fees.
2. Are you a member of a particular religious denomination or faith group? If so, has this group historically held conscientious objections to joining or financially supporting labor organizations? Please describe.
3. Do you observe any specific religious tenets and practices which relate to your objection to paying union dues/fees?
4. Do you attend religious services? If so, please include the name and address of the organization sponsoring the services you attend and the name of the faith leader(s).
5. How long have you held your religious belief?

Please include your name, address, telephone number, and email address, and send your request via email to objections@ueunion.org or mail to:

Religious Objections
United Electrical, Radio & Machine Workers of America (UE)
[4 Smithfield Street, 9th Floor](#)
[Pittsburgh, PA 15222](#)

The UE national union will review your religious objection upon receipt and may have follow-up questions. After the review is completed, you will receive a written response.

On Mon, Jun 2, 2025 at 4:25 PM David Rubinstein wrote:

Dear Mr. Dinkelaker, Ms. Lovely, and Dean Boor,

Please see attached.

Thank you,
David Rubinstein

--

David Rubinstein
Ph.D. Candidate, History
Cornell University

--

Jordan Romanus
Membership Coordinator
United Electrical, Radio & Machine Workers of America (UE)
[4 Smithfield Street, 9th Floor](#)
[Pittsburgh, PA 15222](#)

<https://mail.google.com/mail/u/3/?ikc=1c1c7b663&view=pt&search=all&permmsgid=msg-f:1833914962281370312&dsqt=1&simpl=msg-f:1833914962281370312>

9/4/25, 11:04 AM

Cornell Mail - Update on Union Contract Implementation



Update on Union Contract Implementation

The Graduate School <graduateunionupdate@gradschool.cornell.edu>
 Reply-To: graduateunionupdate@cornell.edu

Fri, Apr 18, 2025 at 11:25 AM



Graduate School

Dear doctoral students,

I am writing to share information about the processes that will be used to implement the Union Security article in the collective bargaining agreement and in response to questions we have received on this topic from a number of graduate students. The implementation process for the newly-ratified collective bargaining agreement is now underway, but none of the parts of the Union Security article have been implemented yet.

The Union Security article states that students may choose between three options: join the union and pay dues, elect to not join the union and pay an agency fee, or make a charitable contribution in lieu of dues or an agency fee, based upon the student's religious objection, which includes moral or ethical objection. Students will need to complete a form to elect their choice among these options, and they will not be auto-enrolled in any option until that process is complete.

The university's labor management committee and the implementation phase of the agreement are described in the [tentative agreement package](#), on page 8. Section 3 provides that on ratification, the labor management committee will oversee the implementation of the agreement, a gradual process that could last until July 1. Members of the labor management committee include Laurie Johnston, senior director of Staff and Labor Relations; Mimi Townsend, project manager for Staff and Labor Relations; and Jason Kahabka, associate dean in the Graduate School.

The labor management committee is holding its first meeting with the union on Monday, April 21, at which point the topic of the implementation of the union security language will be discussed. After that meeting, we anticipate that we will have more information to share about the timing of implementation and how students can signal their choice with respect to union membership and payment of dues, fees, or a charitable contribution.

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9/4/25, 11:04 AM

Cornell Mail - Update on Union Contract Implementation

Sincerely,
Kathryn J. Boor
Dean of the Graduate School and Vice Provost for Graduate Education

Cornell University Graduate School | Cornell University 350 Caldwell Hall | Ithaca, NY 14853 US

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9/4/25, 11:06 AM

Cornell Mail - Update on Union Contract Implementation

Cornell

Update on Union Contract Implementation

The Graduate School <graduateunionupdate@gradschool.cornell.edu>
 Reply-To: graduateunionupdate@cornell.edu

Wed, Apr 23, 2025 at 2:33 PM



Graduate School

Last week, we provided a message to our community about the Union Security article in the CGSU-UE contract. The message explained that this contract article allows students to choose between three options: join the union and pay dues, elect to not join the union and pay an agency fee, or make a charitable contribution in lieu of dues or an agency fee, based upon the student's religious objection, which includes moral or ethical objection.

We also emphasized that students will need to complete a form to elect their choice among these options. Consistent with New York state law and university practice, deductions from wages must be authorized in advance by the recipient of the wages. No one will be auto-enrolled in an option.

On Monday, April 21, the university's labor management committee met with representatives of CGSU-UE and discussed the contract implementation. The University reported that the ratification bonus will be paid in the April 30 check, parental leave has been increased to 12 weeks, graduate student workers are now eligible for a OmniRide bus pass from the Transportation Office and the time off provisions in the contract are now in effect.

We asked the union for information on their roll-out of the dues deductions, agency fees and provisions for charitable contributions in the contract. The union reported that this process is still being developed. We mentioned that students have brought their questions about this process to us and they asked that graduate student workers reach out to the union directly at communications@cornellgradunion.org.

Cornell University Graduate School | Cornell University 350 Caldwell Hall | Ithaca, NY 14853 US

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<https://mail.google.com/mail/u/3/?ik=1c1c7b663&view=pt&search=all&permmsgid=msg-f:183023068895651330&simpl=msg-f:183023068895651330>

Laurie Margaret Johnston

From: Jenna Marvin <jm2449@cornell.edu>
Sent: Wednesday, May 14, 2025 1:00 PM
To: Laurie Margaret Johnston
Cc: Ben Keller; Emmy Marra; Jason Kahabka; Mimi Townsend; cgsu-bc@googlegroups.com; bc@cornellgradunion.org
Subject: Re: CGSU-UE Local 300/ Union Security Clause/ Charitable Contribution Option

Hi Laurie,

As Ben noted above, all objectors who demonstrate a sincerely held religious belief will be granted a reasonable accommodation to pay the equivalent of dues to a charity in accordance with the CBA and applicable law. Stipulating that religious objectors register their objection in writing via a standardized form is not a violation of the CBA or applicable law. We do not believe it is necessary to devote a Labor Management Committee meeting to this matter.

We will follow up on the second agenda point related to dues infrastructure about setting up a meeting.

Best,
 Jenna

Jenna Marvin
 PhD student, Cornell University
 History of Art & Visual Studies
 (she/her/hers)

On Wed, May 14, 2025 at 10:43 AM Laurie Margaret Johnston <lmj6@cornell.edu> wrote:

Hi Ben:

Would you and your team be willing to schedule a labor-management committee meeting? Our agenda items would be to address

1. the charitable giving option we have been discussing and the form we proposed last week, and
2. implementing the dues/ agency fees process with Payroll and Human Resources Information Systems (HRIS).

We believe that it will take about 30 days to implement the process. For instance, if CGSU-UE wanted the dues deduction process to begin on July 1, the University would need information from CGSU-UE by June 1.

Please let me know some dates and times that work for your team, or if you prefer, I can propose some dates and times, either by Zoom or in person. Thanks. Laurie

From: Laurie Margaret Johnston
Sent: Thursday, May 8, 2025 12:20 PM
To: Ben Keller <bdk54@cornell.edu>; Emmy Marra <eam432@cornell.edu>; Jenna Marvin <jm2449@cornell.edu>
Cc: Jason Kahabka <jek15@cornell.edu>; Mimi Townsend <mt879@cornell.edu>; cgsu-bc@googlegroups.com;
bc@cornellgradunion.org
Subject: RE: CGSU-UE Local 300/ Union Security Clause/ Charitable Contribution Option

Hi Ben: thanks for your response. My concern is that the questions posed by the UE seem geared to the statutory exemption in the Section 19 of National Labor Relations Act for religious objectors. The language in our Union Security clause is broader than the statutory exemption as we incorporated the EEOC definition ([EEOC Regulations, Sec. 1605.1](#)) which recognizes sincerely held religious, ethical and moral beliefs, and is clear that no particular religious group needs to espouse the individual's sincere religious, ethical, or moral belief. Therefore, the questions directed toward "religious" services, "religious" denominations and belief in "religious" tenets and practices are too narrow to encompass the definition adopted by CGSU-UE and the University in our agreement.

We do think this is an issue that can be addressed through our implementation discussions, and we would still like to meet and address this issue in our labor-management committee. If you prefer that we to speak to someone in the UE national office, such as in the counsel's office at the UE, please provide me with the contact information and I will ask Paul or Yoni to give them a call.

At labor-management, we would like to discuss a process that incorporates the language of our Union Security clause and are open to some form that confirms that the unit member holds a sincerely held religious, moral or ethical belief, as defined by the EEOC. I have drafted the attached form that addresses the requirements of our negotiated option of payment in lieu of membership dues/ agency fees to charity. Given that this clause is unique to our agreement, we think that a process unique to the language is appropriate.

Please let me know how you would like to proceed. I look forward to hearing from you. Thanks. Laurie

From: Ben Keller <bdk54@cornell.edu>
Sent: Tuesday, May 6, 2025 12:30 PM

To: Laurie Margaret Johnston <lmj6@cornell.edu>; Emmy Marra <eam432@cornell.edu>; Jenna Marvin <jm2449@cornell.edu>
 Cc: Jason Kahabka <jek15@cornell.edu>; Mimi Townsend <mt879@cornell.edu>; cgsu-bc@googlegroups.com; bc@cornellgradunion.org
 Subject: Re: CGSU-UE Local 300/ Union Security Clause/ Charitable Contribution Option

Hi Laurie,

Religious objections to paying union dues are evaluated by the UE National Union. The questions you referenced are used to help the Union determine whether the objector has a sincerely held religious belief as defined by the EEOC and Title VII of the Civil Rights Act of 1964, and therefore qualifies for a reasonable accommodation. All objectors who demonstrate a sincerely held religious belief will be granted a reasonable accommodation to pay the equivalent of dues to a charity in accordance with the CBA and applicable law.

Thanks,
 Ben

From: Laurie Margaret Johnston <lmj6@cornell.edu>
 Sent: Monday, April 28, 2025 2:04 PM
 To: Ben Keller <bdk54@cornell.edu>; Emmy Marra <eam432@cornell.edu>; Jenna Marvin <jm2449@cornell.edu>
 Cc: Jason Kahabka <jek15@cornell.edu>; Mimi Townsend <mt879@cornell.edu>
 Subject: CGSU-UE Local 300/ Union Security Clause/ Charitable Contribution Option

Dear Ben, Emma and Jenna:

I am writing to you to request a meeting to confirm the process that graduate student workers will use to advise the Union of their election to make a charitable donation in lieu of payments to the Union under our Collective Bargaining Agreement.

Paragraph D of the Union Security clause provides:

If a Graduate Student Worker has a **sincerely held religious belief, as defined by the U.S. Equal Employment Opportunity Commission (EEOC)**, that prohibits them from joining and maintaining membership in a union, they **may elect** to pay the amount equivalent to initiation fees and monthly dues to charity in lieu of payments to the Union **by advising the Union in writing** of their religious objection and making monthly donations in an amount

equivalent to union service fees to one or more of the following charities: American Heart Association, American Cancer Society, or the United Way. The Graduate Student Worker must show proof to the Union of having made the contributions to charity in the amount of membership dues on a monthly basis. (Emphasis supplied)

During negotiations, the Parties agreed to use the definition of “sincerely held religious belief defined by the U.S. Equal Employment Opportunity Commission (EEOC).” As recognized at the bargaining table, this was in part because the EEOC’s definition also covers “moral or ethical beliefs....” See EEOC Regulations, Sec. 1605.1. . The Parties also agreed to bargained-for language that a graduate student worker “may elect” this option and must only “advise the Union in writing of their religious objection.” During a discussion while bargaining this section, Paul Salvatore and Valentina Luketa, with Yoni Grossman-Boder and Jawuanna McAllister present, discussed how this article would be administered, and Valentina represented that the UE “would not look under the hood” once a graduate student worker elected to make a payment to charity in lieu of payments to the Union. Valentina further stated that the Union would not want to take on the potential risks associated with that vetting process.

As the Parties have begun to implement the Agreement, we learned that certain graduate student workers who elected to make a charitable contribution in lieu of payments to the Union have been told that they have to submit an application for approval by the national UE office in Pittsburgh. We understand that the graduate student workers are required to provide the following information:

Requests to be a religious objector are evaluated on a case-by-case basis by the UE national union. Please send a written request specifying your objection, with details regarding the nature of your religious belief and why you assert it prevents you from paying union dues/fees, including answers to the following questions:

1. *Please describe your religious belief in detail and why you assert it prevents you from paying union dues/fees.*
2. *Are you a member of a particular religious denomination or faith group? If so, has this group historically held conscientious objections to joining or financially supporting labor organizations? Please describe.*
3. *Do you observe any specific religious tenets and practices which relate to your objection to paying union dues/fees?*
4. *Do you attend religious services? If so, please include the name and address of the organization sponsoring the services you attend and the name of the faith leader(s).*
5. *How long have you held your religious belief?*

Please include your name, address, telephone number, and email address, and send your request via email to objections@ueunion.org or mail to:

*Religious Objections
United Electrical, Radio & Machine Workers of America (UE)
4 Smithfield Street, 9th Floor
Pittsburgh, PA 15222*

The UE national union will review your religious objection upon receipt and may have follow-up questions. After the review is completed, you will receive a written response.

This process does not reflect our negotiated language allowing a graduate student worker to “elect” to pay a charity upon “advising” the Union, in writing, of their sincerely held religious belief (including moral or ethical beliefs). The questions instead seem tailored to the religious exemption in the National Labor Relations Act, Section 19, which is distinct from the compromise the Parties struck here. The process fails in three specific ways:

First, question one requires the graduate student worker to “describe [their] religious belief in detail,” along with other requirements. However, the Agreement simply requires a graduate student worker to “advise the Union in writing of their religious objection,” prohibiting the Union from further requiring a detailed description of their beliefs.

Second, questions two through five appear potentially related to the narrow religious exemption found in Section 19 of the National Labor Relations Act. However, the Parties here agreed to permit graduate student workers to elect to pay an equivalent amount to charity in lieu of payments to the Union so long as they had a sincerely held religious belief, as defined by the EEOC. Notably, the EEOC’s definition covers “moral or ethical beliefs as to what is right and wrong...” and goes on to explain that “[t]he fact that no religious group espouses such beliefs or the fact that the religious group to which the individual professes to belong may not accept such belief will not determine whether the belief is a religious belief” held by the graduate student worker. Questions two through five are therefore inconsistent with the Parties’ Agreement.

Finally, the questionnaire asserts that the UE national office will evaluate “requests” on a case-by-case basis. The Parties’ Agreement does not contemplate, or permit, the Union to institute an application and approval process. Instead, the Agreement allows any graduate student worker to “elect” to pay the amount equivalent to service fees in lieu of payments to the Union upon advising the Union of their objection in writing.

In short, this process is a far cry from the Parties’ Agreement and Valentina’s representation that the union would not question a graduate student worker’s sincerely held religious (including moral or ethical) beliefs.

Contrary to the procedure implemented by the Union, the Parties’ Agreement states that all a graduate student worker must do in order to elect to make a payment to charity in lieu of a payment to the Union is: (1) hold a “sincerely held religious belief” as defined by the EEOC, which includes moral or ethical beliefs, and (2) “advise the Union in writing of their religious objection....” No more is required. The graduate student worker also must, of course, make the donations to one of the defined charities.

This procedure enshrined in the Union Security Article was one of the key compromises that allowed the Parties to break the logjam in bargaining and reach a “win-win” Agreement that both sides are rightfully proud of.

I understand that there are many complexities to work through when implementing any Agreement for the first time, particularly one for such a large and diverse unit. I trust that through discussions we can work together to implement a procedure consistent with the Parties' Agreement.

Therefore, I would like to schedule a labor management meeting so we can discuss a process consistent with our negotiated contract language. Please let me know some dates and times you are available to meet. Thanks.
Laurie

Laurie M. Johnston

Sr. Director, Staff and Labor Relations

Division of Human Resources

Cornell University

391 Pine Tree Road

Ithaca, NY 14850

(o) 607-255-6866

(c) 607-279-8670

GRIEVANCE SETTLEMENT - Grievance 2025 019

WHEREAS, on June 12, 2025, Cornell Graduate Students United – United Electrical Local 300 (the “Union”) filed a grievance (the “Grievance”) against Cornell University (the “University”) alleging that the University was violating the Union Security Article of the Parties’ Collective Bargaining Agreement (“CBA”);

WHEREAS, the Union’s Grievance was filed in response to allegations from the University that the Union failed to implement the charitable contribution option in accordance with the CBA’s Union Security Article (“University’s Claim”);

NOW, THEREFORE, in order to fully resolve the Union’s Grievance and the University’s Claims, the Parties agree that:

1. The University will deduct and remit to the Union all authorized Initiation Fees, Membership Dues and Agency Fees (collectively, “Dues and Fees”) pursuant to the Union Security article of the CBA, beginning with the July 31, 2025, payroll.
2. The Parties agree that the Union Security Article of the CBA provides Graduate Student Workers with the right to elect to make a charitable contribution in lieu of Membership Dues or Agency Fees, provided they hold a sincerely held religious belief, as defined by the U.S. Equal Employment Opportunity Commission (EEOC) and Title VII of the Civil Rights Act, which may include moral or ethical beliefs, that prohibits them from joining and maintaining membership in the Union. Eligible Graduate Student Workers must advise the Union in writing of their religious objection, consistent with Section 4 below, in order to elect this option.
3. The Parties agree that Graduate Student Workers may advise the Union of their religious objection by email or mail at the following addresses:

Email: objections@ueunion.org

Mail:

Religious Objections
United Electrical, Radio & Machine Workers of America (UE)
4 Smithfield Street, 9th Floor
Pittsburgh, PA 15222

4. The Parties agree that eligible Graduate Student Workers are neither prohibited from using nor required to use any particular form to elect payment of a charitable contribution in lieu of Membership Dues or Agency Fees provided the election advises the Union of their religious objection and, in order to comply with the EEOC Guidelines on Religious Discrimination, if the Union has an objective basis for questioning the belief, provides sufficient information for the Union to evaluate whether the objection meets the EEOC definition.

5. Any eligible Graduate Student Worker with a sincerely held religious belief who elected and authorized the payment of Membership Dues or Agency Fees is eligible to elect to make payments to charity in lieu of payments to the Union consistent with the requirements of Section D (Payment in Lieu of Membership Dues / Agency Fees) of the Union Security Article.
6. The Union's June 12, 2025, Grievance shall be withdrawn with prejudice upon the execution of this Agreement.

CORNELL UNIVERSITY

By: Lauren M. Ghanel

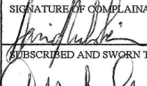
Date: 7/23/2025

CORNELL GRADUATE STUDENTS UNITED-
UNITED ELECTRICAL LOCAL 300

By: Jim Mani

Date: July 23, 2025

EEOC Form 5 (06/22)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: EEOC Agency(ies) Charge No(s):	
New York State Division of Human Rights and EEOC State or local Agency, if any			
Name (Indicate Mr., Ms., Mrs., Miss, Mx., Dr., Hon., Rev., etc.) Mr. David Rubinstein c/o Alexander Ioannidis		Home Phone 703-321-8510	Year of Birth
Street Address, City State and ZIP Code 8001 Braddock Road, Suite 600 Springfield, VA 22160			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name Cornell Graduate Students Union-UE Local 300 a/w United Electrical Workers		No. Employees, Members Unknown # of Employees; Appx 1,400 Members	Phone No.
Street Address, City State and ZIP Code 909 Tioga Street Ithaca, NY 14850 communications@cornellgradunion.org			
Name		No. Employees, Members	Phone No.
Street Address, City, State and ZIP Code			
DISCRIMINATION BASED ON Religion		DATE(S) DISCRIMINATION TOOK PLACE Earliest 6/3/2025 Latest Continuing	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): See Attached			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements NYs - Onondaga County	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
Date 06/18/2025  Charging Party Signature		SIGNATURE OF COMPLAINANT  SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year) 06/18/25	

ANGELA K. EPOLITO
 Notary Public, State of New York
 Qualified in Onond. Co. No. D1EP5214045
 My Commission Expires February 22, 2026

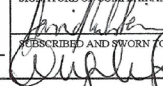
1. I am a PhD graduate student and instructor of history at Cornell University (“Cornell”), placed within a bargaining unit represented by United Electrical, Radio & Machine Workers of America (“UE”) and its affiliate, CGSU-Local 300 (“CGSU”).
2. I am Jewish and believe that Israel is the biblical and historical homeland of the Jewish people. My sincerely held religious beliefs require me not to join or fund organizations, including the UE and CGSU, that oppose the existence of Israel as a Jewish nation. Nor does my faith allow me to take actions that undermine the Jewish state’s security, prosperity, and independence. Both nationwide and on the Cornell campus, the UE, CGSU, and their other campus affiliates have been at the forefront of demonizing Israel, seeking its destruction, and supporting Hamas’s violent and barbaric terrorism against Israel and its inhabitants. These stances are profoundly antisemitic, evidencing an obsessive hatred for the Jewish religion, the Jewish people, and their nation-state of Israel.
3. In 2025, Cornell entered into a collective-bargaining agreement with the UE and the CGSU (collectively “unions”), which essentially required all covered employees, including me, to pay money to these unions as a condition of employment.
4. On June 2, 2025, I sent a detailed letter to UE General Secretary-Treasurer Andrew Dinkelaker, to CGSU, and to Cornell, stating my religious beliefs, observances, and practices, and explaining my religious objections to affiliating with the unions or paying them any money. As noted in the letter, my religious objections were based on the unions’ history of antisemitism and their anti-Israel stances and activities, all of which violate my sincerely held religious beliefs, observances, and practices.
5. The unions had no objective or bona-fide reasons to doubt the basis for my accommodation request or to question my sincerely held religious beliefs, observances, and practices. But, on or about June 3, 2025, the UE issued a response that ignored the substance of the letter that I had sent. My letter clearly communicated that my religious beliefs, observances, and practices were in direct conflict with the unions’ positions. In effect, the UE’s response rejected my clearly-communicated need for an accommodation.
6. Instead of granting my requested accommodation, the UE demanded—in bad faith—that I complete a “questionnaire” consisting solely of dilatory questions that were immaterial to accommodating my religious beliefs, observances, and practices. This “questionnaire” also demanded that I repeat information I had already provided in my original accommodation letter. The UE’s demand that I complete this bad-faith questionnaire and comply with dilatory demands to provide immaterial information, after I provided the information necessary for my accommodation, is designed to avoid the unions’ affirmative duty to accommodate me, restrain my need for accommodation, and discriminate against my sincerely held religious beliefs, observances, and practices as a Jewish person.

7. Neither union made a good-faith attempt to accommodate my religious beliefs, observances and practices after I communicated them in my letter and put them on notice of my need for an accommodation. Through the questionnaire, the unions frustrated, deterred, unnecessarily complicated, obstructed, and restrained me, and others, from seeking and securing an accommodation.

8. The unions' use of often-unnecessary questionnaires—after religious objectors have already provided sufficient information to support an accommodation—is part of a nationwide pattern and practice to avoid their affirmative legal duties to accommodate religious objectors. The questionnaires unnecessarily impede and deter religious objectors from seeking religious accommodations. The UE and its affiliates have engaged in similar unlawful conduct against religious objectors at other campuses, including MIT and Stanford.

9. By these acts, both unions avoided my need for a religious accommodation, failed to comply with their affirmative legal duties to accommodate me, and discriminated against my religious beliefs, observances, and practices in violation of Title VII of the Civil Rights Act of 1964, as amended, and under parallel state laws.

EEOC Form 5 (6/6/22)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: _____ Agency(ies) Charge No(s): _____	
		EEOC	
New York State Division of Human Rights _____ and EEOC State or local Agency, if any			
Name (Indicate Mr., Ms., Mrs., Miss, Mx., Dr., Hon., Rev., etc.) Mr. David Rubinstein c/o Alexander Ioannidis		Home Phone 703-321-8510	Year of Birth
Street Address, City State and ZIP Code 8001 Braddock Road, Suite 600 Springfield, VA 22160			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name United Electrical, Radio & Machine Workers of America		No. Employees, Members Thousands	Phone No. 412-471-8919
Street Address, City State and ZIP Code 4 Smithfield Street, 9th Floor Pittsburgh, PA 15222		gst@ueunion.org objections@ueunion.org	
Name 		No. Employees, Members 	Phone No.
Street Address, City, State and ZIP Code 			
DISCRIMINATION BASED ON Religion		DATE(S) DISCRIMINATION TOOK PLACE Earliest 6/3/2025 Latest Continuing	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): See Attached			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements NY State, Onondaga County	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
Charging Party Signature 		SIGNATURE OF COMPLAINANT 	
Date 06/18/2025		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year) 06/18/2025	

ANGELA K. EPOLITO
 Notary Public, State of New York
 Qualified in Onondaga Co. No. 01EP0214945
 My Commission Expires February 2, 2024

1. I am a PhD graduate student and instructor of history at Cornell University (“Cornell”), placed within a bargaining unit represented by United Electrical, Radio & Machine Workers of America (“UE”) and its affiliate, CGSU-Local 300 (“CGSU”).
2. I am Jewish and believe that Israel is the biblical and historical homeland of the Jewish people. My sincerely held religious beliefs require me not to join or fund organizations, including the UE and CGSU, that oppose the existence of Israel as a Jewish nation. Nor does my faith allow me to take actions that undermine the Jewish state’s security, prosperity, and independence. Both nationwide and on the Cornell campus, the UE, CGSU, and their other campus affiliates have been at the forefront of demonizing Israel, seeking its destruction, and supporting Hamas’s violent and barbaric terrorism against Israel and its inhabitants. These stances are profoundly antisemitic, evidencing an obsessive hatred for the Jewish religion, the Jewish people, and their nation-state of Israel.
3. In 2025, Cornell entered into a collective-bargaining agreement with the UE and the CGSU (collectively “unions”), which essentially required all covered employees, including me, to pay money to these unions as a condition of employment.
4. On June 2, 2025, I sent a detailed letter to UE General Secretary-Treasurer Andrew Dinkelaker, to CGSU, and to Cornell, stating my religious beliefs, observances, and practices, and explaining my religious objections to affiliating with the unions or paying them any money. As noted in the letter, my religious objections were based on the unions’ history of antisemitism and their anti-Israel stances and activities, all of which violate my sincerely held religious beliefs, observances, and practices.
5. The unions had no objective or bona-fide reasons to doubt the basis for my accommodation request or to question my sincerely held religious beliefs, observances, and practices. But, on or about June 3, 2025, the UE issued a response that ignored the substance of the letter that I had sent. My letter clearly communicated that my religious beliefs, observances, and practices were in direct conflict with the unions’ positions. In effect, the UE’s response rejected my clearly-communicated need for an accommodation.
6. Instead of granting my requested accommodation, the UE demanded—in bad faith—that I complete a “questionnaire” consisting solely of dilatory questions that were immaterial to accommodating my religious beliefs, observances, and practices. This “questionnaire” also demanded that I repeat information I had already provided in my original accommodation letter. The UE’s demand that I complete this bad-faith questionnaire and comply with dilatory demands to provide immaterial information, after I provided the information necessary for my accommodation, is designed to avoid the unions’ affirmative duty to accommodate me, restrain my need for accommodation, and discriminate against my sincerely held religious beliefs, observances, and practices as a Jewish person.

7. Neither union made a good-faith attempt to accommodate my religious beliefs, observances and practices after I communicated them in my letter and put them on notice of my need for an accommodation. Through the questionnaire, the unions frustrated, deterred, unnecessarily complicated, obstructed, and restrained me, and others, from seeking and securing an accommodation.

8. The unions' use of often-unnecessary questionnaires—after religious objectors have already provided sufficient information to support an accommodation—is part of a nationwide pattern and practice to avoid their affirmative legal duties to accommodate religious objectors. The questionnaires unnecessarily impede and deter religious objectors from seeking religious accommodations. The UE and its affiliates have engaged in similar unlawful conduct against religious objectors at other campuses, including MIT and Stanford.

9. By these acts, both unions avoided my need for a religious accommodation, failed to comply with their affirmative legal duties to accommodate me, and discriminated against my religious beliefs, observances, and practices in violation of Title VII of the Civil Rights Act of 1964, as amended, and under parallel state laws.

From: [REDACTED]
Subject: Graduate Student Union - Religious Objection
Date: July 16, 2025 at 11:41
To: Laurie Margaret Johnston lmj6@cornell.edu, Caroline Vazquez Wolkoff graduateunionupdate@gradschool.cornell.edu
Cc: Kathryn Jean Boor kjb4@cornell.edu, Office of the President president@cornell.edu, Office of the Provost provost@cornell.edu,
Jason Kahabka, Shannon K. Buffum, Merry Riley Buckley,
Objections Processing objections@ueunion.org, communications@cornellgradunion.org

Dear all,

In the recent email concerning grad students and the union security clause options it says, "Since the Step 3 grievance meeting, we understand that charitable contribution elections from some graduate student workers that had previously been denied or not processed have been granted in response to objection letters from graduate student workers." However, this has not been the case for me.

On June 23rd, I submitted an accommodation request to Cornell and the union. My letter has been reattached here for convenience. Later that day, UE responded, saying I needed to fill out their questionnaire. I replied soon after asking the union to please re-read my letter, as it contains all the necessary information. The union has not processed my letter and they have not granted me an accommodation.

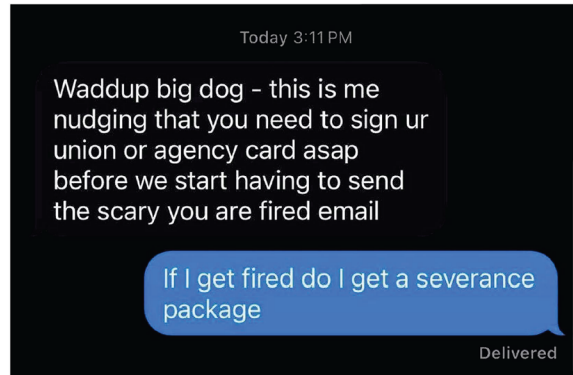
In light of the union's lack of a response, I am now asking Cornell to exercise its own independent obligation under Title VII to please grant my accommodation, regardless of the union's position.

Best,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]_ObjectionLetter
.pdf





Hello! This Finn from the anthropology department. I'm just sending the CGSU-UE links for the membership card and the agency fee (non-membership card) elections. Feel free to message or call me if you have any questions or concerns about memberships, dues, or anything else union related! If you are on a TA/RA/ GRA/GA in the Fall you will need to make an election, as it is a condition of employment per our Collective Bargaining Agreement with Cornell.

Membership card link: https://crm.broadstripes.com/ctf/x0o6kh?link_id=1&can_id=d6d3eaa79f54ae21898cead30bc9a5d1&source=email-constitution-ratification-vote-opens-june-2-62-at-9-am-town-hall-today-6-pm-2&email_referrer=email_2754207&email_subject=deadline-approaching-to-sign-your-union-card&&

Agency fee/non-membership card link: https://crm.broadstripes.com/ctf/eyqilb?link_id=2&can_id=d6d3eaa79f54ae21898cead30bc9a5d1&source=email-constitution-ratification-vote-opens-june-2-62-at-9-am-town-hall-

From: Laurie Margaret Johnston <lmj5@cornell.edu>
Sent: Monday, June 2, 2025 2:46:11 PM
Subject: CGSU-UE Blocking University's Proper Implementation of Union Security Clause

Dear Arnav, Jenna and Maggie, as Union members of the Labor Management Committee (LMC):

Our LMC is empowered to oversee the implementation of the Collective Bargaining Agreement. (Labor Management Committee Article, Section 3). As you know from our collective bargaining negotiations and subsequent LMC discussions, the Union Security Article is one of the most important in our contract. It mandates that Graduate Student Workers can make one of three choices:

1. Join the Union and pay **union dues** on a monthly basis;
2. Do not join the Union and pay the Union an **agency fee**, which will be an amount set by the Union in accordance with applicable law up to the equivalent of union dues; or
3. If they have a sincerely held religious belief (which includes moral and ethical beliefs) that prevents them from joining and maintaining membership in CGSU-UE, **they may elect to make monthly donations in an amount equivalent to union service fees to certain designated charities.**

Unfortunately, as outlined in detail below, the Union is preventing the University from properly implementing the Union Security Article's charitable contribution option. Indeed, the Union has not taken the steps required to provide Graduate Student Workers with the ability to exercise their right to elect the charitable contribution option despite representing it has done so at the LMC. Therefore, because of the Union's actions, at this time, the University cannot properly implement the Union Security Article. Namely, as all Unit Members have not been given the opportunity to freely elect the charitable contribution option, the University is not now in a position to collect and remit membership dues, initiation fees, and agency fees.

As background, during our recent LMC meeting on May 29, 2025, you assured us that all requests for the charitable giving option under our Union Security clause would be granted consistent with law and our contract. We shared the University's concerns with the process proposed by the Union, as we explained in our [emails on dated April 28, May 8 and May 14](#). The Union took the position that the charitable giving option was an internal union matter. We disagree given the plain language of the Union Security clause; indeed, it is a contractual matter as negotiated by the Parties in the Union Security Article of the CBA.

To be clear, our Union Security clause provides the following option for eligible Unit Members in lieu of paying Union membership dues or agency fees:

D. Payment in Lieu of Membership Dues / Agency Fees

If a Graduate Student Worker has a sincerely held religious belief, as defined by the U.S. Equal

Employment Opportunity Commission (EEOC), that prohibits them from joining and maintaining membership in a union, they may elect to pay the amount equivalent to initiation fees and monthly dues to charity in lieu of payments to the Union by advising the Union in writing of their religious objection and making monthly donations in an amount equivalent to union service fees to one or more of the following charities: American Heart Association, American Cancer Society, or the United Way. The Graduate Student Worker must show proof to the Union of having made the contributions to charity in the amount of membership dues on a monthly basis.

Based on assurances from the union at the May 29 meeting that all requests to make a charitable contribution in lieu of dues or fees would be granted consistent with law and our contract, we moved to other agenda items at that time.

But soon after that meeting, we independently learned that CGSU-UE sent an email to the bargaining unit regarding the collection of dues or agency fees. This message purported to unilaterally implement a dues collection regime at odds with the Parties' negotiated Union Security article. The Union's email **does not** mention the negotiated option for a charitable contribution in lieu of union dues / agency fees and incorrectly states that all members of the bargaining unit have to pay the union when the parties specifically negotiated an option for eligible Graduate Student Workers to elect charitable deductions in lieu of union dues or agency fees.

The Union's email states:

Dear CGSU-UE Members,

On **May 30**, we will turn in our first batch of membership cards to Cornell. Cornell has indicated to us that it will require 30 days to begin collecting dues from all members who have signed membership cards and agency fee cards. Dues and agency fees allow us to start building funds for the future, including potential arbitration to enforce our contract. **Since all GAs, TAs, GRAs, and RAs are covered by our contract, everyone must pay their fair share for its enforcement.**

If you are covered by our contract, you can either [become a member of CGSU-UE Local 300 and pay dues](#) or, if you choose not to become a member, [pay an agency fee to the Union](#). Only union members are eligible to attend general membership meetings and vote on all union matters, including our upcoming constitution ratification and e-board elections. Graduate workers eligible for membership include those employed by the University to provide research or instructional services. Specific exclusions are listed at the end of the CGSU-UE Local 300 Membership and Dues FAQ.

[SIGN YOUR UNION CARD HERE](#)

If you have already signed a membership card or agency card, no further action is needed. If you have any questions, please contact us at communications@cornellgradunion.org.

In solidarity,
CGSU-UE Interim Grievance Committee

We also subsequently learned that the Union doubled down on its messaging by sending a misleading text to at least some Unit Members' personal cell phones on May 30, 2025. The text

informs Unit Members they “need to make an election” between a “membership card and [] agency fee” because it is a “condition of employment per our Collective Bargaining Agreement with Cornell.” The information in the Union’s text is simply misleading.

For the sake of clarity, the Parties’ Agreement does *not* merely enshrine a unit member’s right under *Beck* to object to mandatory union membership, which Maggie seemed to imply in her email on May 30, 2025. Nor does the Parties’ Agreement merely track the narrow religious protections in Section 19 of the National Labor Relations Act. Instead, the Parties agreed to a different, broader formulation – permitting Graduate Student Workers to elect to pay an equivalent amount to charity in lieu of payments to the Union so long as they have a sincerely held religious belief, as defined by the EEOC. Notably, the EEOC’s definition covers “moral or ethical beliefs as to what is right and wrong...” and *does not* require that a specific religious group espouse the individual’s religious, moral or ethical belief. See [EEOC Regulations, Sec. 1605.1](#).

Frankly, the University is shocked and dismayed at the Union’s decision to provide clearly erroneous and misleading information to its bargaining unit members.

Through the LMC over the last several weeks, we have tried to engage in meaningful discussions with the Union on this very important topic: that is, the right for Graduate Student Workers with eligible religious objections (including moral or ethical objections) to elect to make monthly donations to designated charity rather than payments to the Union. We have sent the Union thoughtful correspondence ([April 28](#), [May 8](#) and [May 14](#)) asking the Union to engage with the University to address this charitable contribution option. We even proposed a sample form, attached to this email, that captures the Collective Bargaining Agreement’s language regarding the charitable contribution option. We requested additional LMC meetings to discuss this issue – which you refused. We tried to engage in a discussion at the May 29 labor management meeting only to be stone-walled (*e.g.*, “we will not talk about this anymore;” “this is an internal union matter”).

It is now very clear that – despite agreeing to the charitable contribution option in bargaining and including it in the now ratified Collective Bargaining Agreement – the Union is unilaterally implementing a dues and fees collection regime that is blatantly at odds with the Parties’ Agreement by omitting *the contractual right* for Graduate Students with religious (including moral or ethical) objections to elect to make charitable contributions, and is actively obstructing every attempt by the University to implement a proper procedure through the LMC.

Despite best efforts by the University, the Union has prevented the University from properly implementing the Union Security Article, and is preventing Graduate Student Workers with religious, moral or ethical objections from exercising their rights under the Collective Bargaining Agreement. As I previously offered, if the Union wishes to stop blocking the proper implementation of the Union Security clause, the University is prepared to meet to see if resolution of this dispute is possible. If so, please contact me at your earliest convenience. Thanks. Laurie

Laurie M. Johnston
Sr. Director, Staff and Labor Relations
Division of Human Resources

Cornell University
391 Pine Tree Road
Ithaca, NY 14850
(o) 607-255-6866
(c) 607-279-8670

From: Bargaining Committee CGSU-UE Local 300 <bc@cornellgradunion.org>
Sent: Wednesday, July 16, 2025 8:00 AM
To: Laurie Margaret Johnston <lmj6@cornell.edu>; Sean Patrick Moeller <moeller@cornell.edu>
Cc: Jenna Marvin <jm2449@cornell.edu>; mark.meinster@ueunion.org; CGSU-UE Local 300 Stewards <grievances@cornellgradunion.org>
Subject: Re: University Response to Settle the Grievance 2025_019

Dear Laurie and Sean,

The Union accepts your July 9 resolution proposal (attached) to begin dues collection on July 31.

Best,
Jenna

GRIEVANCE SETTLEMENT - Grievance 2025 019

WHEREAS, on June 12, 2025, Cornell Graduate Students United – United Electrical Local 300 (the “Union”) filed a grievance (the “Grievance”) against Cornell University (the “University”) alleging that the University was violating the Union Security Article of the Parties’ Collective Bargaining Agreement (“CBA”);

WHEREAS, the Union’s Grievance was filed in response to allegations from the University that the Union failed to implement the charitable contribution option in accordance with the CBA’s Union Security Article (“University’s Claim”);

NOW, THEREFORE, in order to fully resolve the Union’s Grievance and the University’s Claims, the Parties agree that:

1. The University will deduct and remit to the Union all authorized Initiation Fees, Membership Dues and Agency Fees (collectively, “Dues and Fees”) pursuant to the Union Security article of the CBA, beginning with the July 31, 2025, payroll.
2. The Parties agree that the Union Security Article of the CBA provides Graduate Student Workers with the right to elect to make a charitable contribution in lieu of Membership Dues or Agency Fees, provided they hold a sincerely held religious belief, as defined by the U.S. Equal Employment Opportunity Commission (EEOC) and Title VII of the Civil Rights Act, which may include moral or ethical beliefs, that prohibits them from joining and maintaining membership in the Union. Eligible Graduate Student Workers must advise the Union in writing of their religious objection, consistent with Section 4 below, in order to elect this option.
3. The Parties agree that Graduate Student Workers may advise the Union of their religious objection by email or mail at the following addresses:

Email: objections@ueunion.org

Mail:

Religious Objections
United Electrical, Radio & Machine Workers of America (UE)
4 Smithfield Street, 9th Floor
Pittsburgh, PA 15222

4. The Parties agree that eligible Graduate Student Workers are neither prohibited from using nor required to use any particular form to elect payment of a charitable contribution in lieu of Membership Dues or Agency Fees provided the election advises the Union of their religious objection and, in order to comply with the EEOC Guidelines on Religious Discrimination, if the Union has an objective basis for questioning the belief, provides sufficient information for the Union to evaluate whether the objection meets the EEOC definition.

5. Any eligible Graduate Student Worker with a sincerely held religious belief who elected and authorized the payment of Membership Dues or Agency Fees is eligible to elect to make payments to charity in lieu of payments to the Union consistent with the requirements of Section D (Payment in Lieu of Membership Dues / Agency Fees) of the Union Security Article.
6. The Union's June 12, 2025, Grievance shall be withdrawn with prejudice upon the execution of this Agreement.

CORNELL UNIVERSITY

CORNELL GRADUATE STUDENTS UNITED—
UNITED ELECTRICAL LOCAL 300

By: _____

By: _____

Date: _____, 2025

Date: _____, 2025

Thursday, Jul 31 • 8:18 PM
RCS chat with [redacted]

Hey [redacted], this is Joe from Biomedical Engineering, texting about CGSU-UE. I wanted to follow up on my call and voicemail! I was reaching out because it looks like you still haven't paid dues or agency fees yet. Paying dues or paying agency fees is a condition of employment. The easiest way to do this is to sign up for payroll deduction of dues or agency fees, so please sign a card as soon as you can!

 CGSU-UE Local 300 Ayer para mí ▾

 Parece que este mensaje está en inglés
Traducir al español 

Dear [redacted]

You are receiving this email because you are a graduate worker eligible to join the union but have not yet signed a card. **Under our new contract, if you are employed as an RA, TA, GA, or GRA for the Fall semester you are required to either join CGSU-UE Local 300 and pay union dues, or to pay an equivalent non-member agency fee. Paying dues or agency fees is a condition of current and future employment in any research or teaching position as a graduate student. These dues help us run our union, enforce our contract, and contribute to our future strike fund.**

Cornell Graduate Students United Demands University Bargain with Union Over Pro-Palestine International Student's Suspension

 cornellsun.com/article/2024/10/cornell-graduate-students-united-demands-university-bargain-with-union-over-pro-palestine-international-students-suspension

By Gabriel Munoz Oct 2, 2024 11:45 pm · Updated Oct 3, 2024 10:45 am



READING TIME: ABOUT 5 MINUTES

Approximately 180 Cornell Graduate Students United members and supporters gathered in front of Bailey Hall at noon on Wednesday to protest for the University to bargain with CGSU over international graduate student Momodou Taal's suspension.

CGSU — the graduate student union [established](#) in November 2023 — is demanding the University bargain Taal's suspension under a [Memorandum of Agreement](#) reached in July 2024. CGSU successfully bargained for the MOA following [advocating](#) for Taal and Bianca Waked grad who were temporarily [suspended](#) for organizing a pro-Palestine [encampment](#) last spring.

The agreement gives CGSU the right to bargain over the effects of academic discipline of graduate students as long as it affects their working conditions.

The union is arguing Taal's suspension is included within the terms of the MOA since he was an instructor for "What is Blackness? Race and Processes of Racialization," a First-Year Writing Seminar under the Africana Studies and Research Center.



Participants in the Cornell Graduate Students United rally hold signs as they brave the rain outside Bailey Hall. (Stephan Menasche/Sun Staff Photographer)

The University suspended Taal for his [involvement](#) in a career fair disruption in Statler Hall on Sept. 18 attended by defense contractors L3Harris and Boeing. If Taal is withdrawn from the University, he will be in violation of his [F-1 visa status](#), likely leading to his deportation. According to a report by Cornell University Police Department Lieutenant Scott Grantz '99, Taal and other protesters entered Statler Hall after explicitly being told that they were not permitted to do so by officers and participated in "unreasonably loud" chants.

Interim University President Michael Kotlikoff [claimed](#) protesters pushed through police at the ground-floor and second-floor entrances.

Sun reporters on the scene did not witness violence against law enforcement.

According to BSU leadership's recollection of a Monday meeting with Interim President Michael Kotlikoff and Vice President of Student and Campus Life Ryan Lombardi, the administrators [said](#) they are using interim measures instead of the MOA to manage the case since they are "prioritizing the safety and the health of the community."

CGSU is among several campus organizations [arguing](#) for the University to rescind the suspension.

Jawuanna McAllister grad, a member of the CGSU-UE Bargaining Committee, told The Sun the union hoped the University would respond to their request to bargain.

"We know that Cornell has a pattern of unjustly disciplining workers without due process," McAllister said. "And so what we need is for Cornell to, right now, hold up their fair end of the bargain with this Memorandum of Agreement, and actually bargain with us over the things that affect our employment."

A masked speaker delivered a speech written by Taal, who is currently [barred](#) from campus due to his suspension. Taal's speech alleged that the University was infringing on his freedom of speech rights.

"My actions fell squarely within the ground of free speech and people protest. I have not engaged in any form of violence, nor have I called for such action," the speaker read from Taal's speech. "Instead, my advocacy has been rooted in the principles of social justice and equality, principles that are fundamental to the Africana studies."

At around 12:35 p.m., protesters marched from Bailey Hall to Day Hall to continue demonstrating.



The CGSU rally parades from Bailey Hall to Day Hall. (Ming DeMers/Sun Photography Editor)

Outside Day Hall, Alderperson Kayla Matos (D-First Ward) addressed the crowd supporting Taal.

Matos is an [advocate](#) for just cause legislation — an effort to end employment at will practices in Ithaca. Employment at will laws allow for employers to fire employees without any notice or reasoning. She said graduate students should be included in just cause legislation, which would only allow employers to fire workers without notice for “egregious misconduct.”

“What you are fighting for is something that matters to your elected officials and the entire Ithaca community,” Matos said. “It matters to us because every worker should be entitled to due process and just cause protections — you are not alone here.”



Alderperson Kayla Matos (D-First Ward) addresses protesters outside of Day Hall. (Ming DeMers/Sun Photography Editor)

Prof. Risa Lieberwitz, industrial and labor relations, the president of the Cornell University Chapter of the American Association of University Professors, said the organization stood in solidarity with CGSU and asked the University to bargain with the union.

“We must have each other’s backs, we must be in alliance collectively, we must be in alliance individually, we must come together,” Lieberwitz said. “We are against the infringement on our academic freedom and our freedom of speech.”



Prof. Risa Lieberwitz, industrial and labor relations, stands at the CGSU rally outside Day Hall.
(Ming DeMers/Sun Photography Editor)

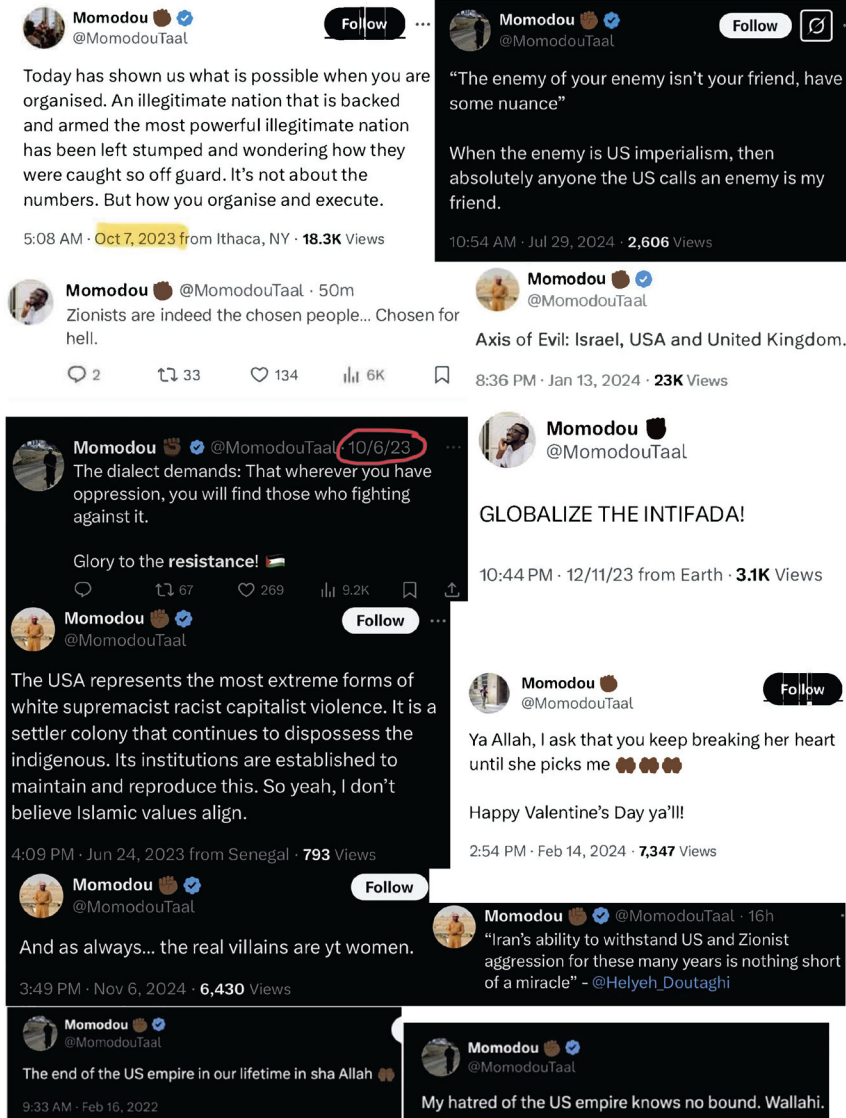
A University spokesperson sent a statement claiming that the administration has cooperated with the Union over the course of the past few months.

"Cornell University and the CGSU-UE have met regularly since April to negotiate a first collective bargaining agreement. Bargaining sessions have been productive and led to tentative agreements on several articles," the statement read. "Cornell continues to negotiate in good faith to ensure a contract that supports the needs of graduate workers."

Correction, Oct. 3, 10:44 a.m.: A previous version of this article incorrectly transcribed a few words from Prof. Risa Lieberwitz, industrial and labor relations.

Gabriel Munoz

Gabriel Muñoz is a member of the class of 2026 at the College of Arts and Sciences. He serves as city editor for the 143rd editorial board. He previously served as city editor for the 142nd Editorial Board and news editor for the 141st Editorial Board. He can be contacted at gmunoz@cornellsun.com.





Momodou
@MomodouTaal

Follow

We are actually living in a fucking alternative reality. Zionists living comfortably in the US and Zionist-Jewish students at Ivy League institutions are claiming to be unsafe, scared and somehow everyone is calling for their genocide? Whilst in 4K, we are witnessing a genocide of the Palestinian people, and many of these same folks who claim to feel scared are cheering on the actions of the IOF, BFFR. Every single Zionist is a sick sick individual. And there can be no path forward except for the complete eradication of Zionism; materially and mentally.

10:02 PM · 12/11/23 from Earth · 11K Views



Momodou
@MomodouTaal

I never dealt with Zionists up close before moving to the States. But I now know them to be a moral less, soulless, cowardly, inhumane bunch. A group characterised by "a death of heart" that only allows a rendering of their suffering as legible. Never have I wanted to see the end of zionism as I do now.

Dan Cohen @dancohen3000 · Nov 11, 2023
Have your views shifted on Israel and Zionism over the last month? If so, how?

6:25 PM · Nov 11, 2023 · 8,275 Views



Momodou
@MomodouTaal

Follow

My hatred for US imperialism and the global system it reproduces knows no bounds. At this point; any movement, nation, people who are working to decrease the impact and effects of US imperialism on the world has my support. And that is a position I'm not moving from. Idc idc.

7:21 AM · Jun 9, 2024 · 6,990 Views



Momodou
@MomodouTaal

Follow

If you think tighter gun control is the answer within the racist white supremacist settler colonial project that is the USA. You need to get off the symbolic crack pipe. These acts of violence are not coincidental but a feature of. It's irresponsible.

12:06 PM · May 15, 2022



Momodou
@MomodouTaal

Follow

ABOLISH THE WHITE WOMAN INDUSTRIAL COMPLEX x.com/JamieBolton/st...

You're unable to view this Post because this account owner limits who can view their Posts. [Learn more](#)

7:10 AM · Mar 8, 2021



Momodou
@MomodouTaal

Follow

And they wonder why folks chant "Death to America"

5:23 PM · Jun 21, 2025 · 240.1K Views



Momodou
@MomodouTaal

Follow

Student Visa issued. We going to America baby! Alhamdulillah! Let's get this PhD

9:11 AM · Aug 5, 2022

cornellsun.com



Protesters Praise Mideast Militants in Divestment Rally

By [Kate Sanders](#)

Feb 3, 2024 6:12 pm · Updated Feb 3, 2024 11:13 pm



READING TIME: ABOUT 5 MINUTES

About 70 demonstrators gathered outside of Day Hall on Friday afternoon to protest the Student Assembly's 16-4 rejection of Resolution 51, which called on Cornell to end partnerships with and suspected investments in arms companies — such as Boeing and Raytheon — that provide weapons to Israel.

“We don’t take our cue from some bullsh*t Student Assembly at Cornell,” said Momodou Taal, grad, who led chants throughout the event. “We take our cue from the armed resistance in Palestine. We are in solidarity with the armed resistance in Palestine from the river to the sea,” he continued, garnering some cheers from the crowd.

At time of publication, Taal did not respond to repeated requests to elaborate on his remarks. Taal has previously described himself as the liaison representative for Cornell’s Coalition for Mutual Liberation, an activist collective that organized Friday’s protest.

Taal’s statement was not the only apparent praise of militant groups at the event. At one point, the crowd chanted, “Yemen, Yemen, make us proud. Turn another ship around.” Yemen’s Houthi rebels, a group the Biden administration recently labeled a terrorist organization, have fired at Red Sea ships, including commercial vessels and a U.S. warship.

Cornell’s Media Relations Office did not respond to a request for comment on how, if at all, it would respond to instances of students expressing support for militant groups.





cornell_gsu

...

	CGSU-UE: Myth vs. Fact		
The administration claims that its disciplinary measures are enacted for the health and safety of the community.		Sriram is a beloved and active member of the Cornell community, especially within the School of Integrative Plant Sciences (SIPS).	
"Masked students forcefully and violently <u>entered and disrupted</u> an ILR Career Fair at the Statler Hotel..." -Cornell Interim President Kotlikoff		The actual threats to health and safety include Boeing and L3Harris, which actively arm a genocide and war.	

8/29/25, 5:31 PM

Local 300-CGSU Fights Suspension, Prevents Deportation of Member | UE



The Union for Everyone | Members Run This Union

Local 300-CGSU Fights Suspension, Prevents Deportation of Member



Momodou Taal speaking at a peaceful protest demanding a ceasefire in Gaza.

October 11, 2024

Ithaca, New York

BY MARGUERITE PACHECO, UE LOCAL 300-CGSU

UE Local 300-Cornell Graduate Students United (CGSU-UE), which represents graduate workers at Cornell University, are currently fighting against the unjust discipline of one of our members. On September 23, Cornell's administration suspended international graduate worker Momodou Taal, citing his alleged participation in protest activity. This suspension fired Taal from his job and de-enrolled him as a student. He would have had to leave the country immediately once the University notified the Department of Homeland Security (DHS) of their choice to de-enroll him. Cornell said that they would not give Taal their customary grace period of twenty-one days before reporting to DHS.

<https://www.uunion.org/ue-news/2024/local-300-cgsu-fights-suspension-prevents-deportation-of-member>

8/29/25, 5:31 PM

Local 300-CGSU Fights Suspension, Prevents Deportation of Member | UE

This came after a tumultuous spring semester during which three graduate workers were suspended for protesting against repressive policies and the University's refusal to honor their divest guidelines (<https://news.cornell.edu/stories/2016/02/trustees-approve-new-standard-consider-divestment>), which require a review to "divest its endowment assets from a company ... when the company's actions or inactions [constitute] apartheid, genocide, human trafficking, slavery or systemic cruelty to children." After membership picketed a bargaining session for hours, CGSU-UE secured a Memorandum of Agreement (https://drive.google.com/file/d/1wi72Qj1fLU1I5wbERVJMU2LpgLAFtIOW/view?usp=drive_link) with Cornell in July that gave the Union the right to bargain over the effects of discipline of a worker. Importantly, the list of effects enumerated in this MOA includes de-enrollment!

"I believe that my presence as a Black Muslim and an advocate for Palestine places an extra target on my back," said Taal. "The university wishes to make an example out of me by subverting due process as a means to intimidate others."

Pursuant to the MOA, CGSU-UE issued a demand to bargain with Cornell Administration over the effects of Taal's recent suspension. Cornell not only refused to bargain, but disagreed that suspension and being banned from his job site constitutes discipline.

This particularly egregious instance of unfair discipline highlights the very fights that are currently playing out at the bargaining table. We are bargaining our first contract after having won our election last November, and the big articles (https://docs.google.com/spreadsheets/d/162fHHIBNkKPdk0KS8o5WrE2SM6tUYg5peN_u4nDI3M/edit?gid=521772788#gid=521772788) that Cornell refuses to move on are nondiscrimination, discipline and discharge, appointment security (which enumerates due process for performance evaluations), and academic freedom. We want just cause protections for all forms of discipline — including the "non-appointment related" discipline that Taal is receiving. We need nondiscrimination protections on a campus whose leadership openly stated that they would invite the KKK to campus if requested. We want due process in our evaluations to protect against discriminatory progress reviews. And on a university campus, we want strong academic freedom protections because our work is academic — we are teaching about controversial subjects — and we must be protected as workers while doing this labor!

In response, CGSU-UE has launched both a solidarity petition and a solidarity statement for other unions to sign on to, held a press conference, and engaged with local elected officials.

Most importantly, we held two mass actions. On October 2 we held a rally with over 300 workers and marched to the administrative building that houses the Cornell bosses who are

8/29/25, 5:31 PM

Local 300-CGSU Fights Suspension, Prevents Deportation of Member | UE

disrespecting our members. At this rally, people marched, chanted, and heard speeches from graduate workers including Momodou Taal, elected officials, and university faculty who are against academic repression. Then, on October 9, CGSU-UE held an open bargaining session and packed the bargaining room with over 110 union members, and over fifteen sibling unions who joined virtually. The disciplined graduate workers, sibling unions, and CGSU-UE bargaining committee members gave statements demanding just cause and nondiscrimination protections. At around 3 PM, word came through that Cornell had taken de-enrollment, and thus deportation, off of the table and agreed to bargain over the remaining effects of Taal's discipline! CGSU-UE met with Cornell on Friday October 11 for effects bargaining.

This is a huge success for unions in higher education, and a testament to the strength of CGSU-UE members!

Our sibling unions, both in UE and other graduate worker shops, are joining us in fighting against academic bosses who are trying to maintain unilateral disciplinary power via "academic" discipline. This is a long fight, and together we are standing firm for just cause protections against bosses who will tank workers' rights to appease a political donor class.

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Defend Momodou Taal — CORNELL GRADUATE STUDENTS UNITED - UE LOCAL 300



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DEFEND MOMODOU TAAL

March 23, 2025 – Federal agents are currently on the campus of Cornell University in Ithaca, NY attempting to detain UE Local 300–Cornell Graduate Students United member Momodou Taal. Taal is **an international graduate worker and visa holder** who was terminated from his employment and threatened with deportation by Cornell administrators last September without just cause.

Taal's termination from Cornell last fall represents a disturbing pattern of university administrators' acquiescence to pressures from the federal government to repress dissent and free speech on university campuses. At Cornell, like dozens of other universities, this manifests through the use of "interim" disciplinary measures that arbitrarily target marginalized workers. These disciplinary measures serve as a warning to others: those who express views that run contrary to universities' financial interests will be punished – without due process or just cause.

Workers across the country mobilized to prevent Taal's deportation and demand just cause protections for graduate workers, with the understanding that Cornell's unjust discipline was part of a broader pattern to unilaterally silence constitutionally-protected speech. **Taal was never found responsible for any charge because his charges were never actually investigated. And yet, Taal was nearly deported by Cornell University's own hand.**

<https://cgsu.org/defend-momodou-taal>



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speaking out on any issue. While the current attacks on universities are primarily targeting pro-Palestinian activists, recent cuts in funding to federal agencies and universities make clear that suppression of free speech will not stop there.

If the federal government is allowed to come for Taal, they will be further emboldened to come for anyone else who threatens their agenda, **including those who speak up for sane climate policies, women's rights, LGBTQ+ rights, racial justice, a fair economy, and workers' rights.**

As unions representing tens of thousands of higher education workers, we demand that Immigration and Customs Enforcement (ICE) immediately cease its persecution of Momodou Taal. We call on all workers in higher education to close ranks to defend our right to teach, research, and speak up on any issue without being targeted by the government.

Taal recently sued President Trump, challenging the constitutionality of his executive orders targeting students for exercising their First and Fifth Amendment rights. A court hearing on the lawsuit is scheduled for 2pm on Tuesday, March 25th in Syracuse, NY. We encourage supporters to attend the hearing to stand up for free speech and due process. Please contact bc@cornellgradunion.org for additional details.

Signatories

United Electrical, Radio & Machine Workers of America (UE)

UE Local 300 – Cornell Graduate Students United Bargaining Committee

UE Local 1043 – Stanford Graduate Workers Union Executive Board

UE Local 1103 – Graduate Students United at the University of Chicago Executive Board

UE Local 1105 – University of Minnesota Graduate Labor Union Executive Board

UE Local 1122 – Northwestern University Graduate Workers Executive Board



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[UE Local 150 – The Workers Union at the University of North Carolina-Chapel Hill](#)

[UE Local 150 – The Workers Union at North Carolina State University](#)

[UE Local 197 – Teachers and Researchers United at Johns Hopkins University
Elected Custodians](#)

[UE Local 256 – Massachusetts Institute of Technology Graduate Student Union](#)

[UE Local 261 – Graduate Organized Laborers of Dartmouth](#)

[UE Local 896 – Campaign to Organize Graduate Students at the University of Iowa](#)

[UAW Local 4811 – Academic Workers at the University of California Santa Cruz](#)

[UAW Local 2710 – Student Workers of Columbia](#)

[UAW Local 2110 – Graduate Student Organizing Committee at New York University](#)

[Local 33-UNITE HERE – The Union of Graduate Teachers and Researchers at Yale
Executive Board](#)

[UE Local 696 – The Unionized Workers of Planned Parenthood of Western
Pennsylvania](#)

[UE Local 667 – Unionized Workers of the East End Food Co-Op](#)

[UE Local 1186 – The Union for Co-Op Workers](#)

[SEIU Local 925 – Washington State Public Sector Workers Retiree Chapter](#)

[ACT-UAW Local 7902 – The Union for NYU Adjuncts, New School Part-Time Faculty,
Student Workers, and Healthcare Workers Executive Board](#)



Chairman ALLEN. Thank you, Mr. Rubinstein. Next, I recognize Dr. McCartin for your testimony.

STATEMENT OF DR. JOSEPH MCCARTIN, PROFESSOR AND EXECUTIVE DIRECTOR, KALMANOVITZ INITIATIVE FOR LABOR AND THE WORKING POOR, GEORGETOWN UNIVERSITY, WASHINGTON, D.C.

Dr. MCCARTIN. Thank you, Chair Allen, Ranking Member DeSaulnier, and members. I wish to share my perspective as a labor historian on the question you considered today. Let me be clear that I am not here to represent a union, but rather, as a scholar of the American labor movement, which is I would argue, the oldest democratic, multicultural, racially, religiously, and regionally diverse institution that the United States has produced in its 250 years.

I would like to speak briefly of the character of the American labor movement, Jewish members' important role in its history, and about how the movement historically wrestled with and addressed such issues as antisemitism. My brief opening remarks I am just going to make two quick points.

The first is that the labor movement is a uniquely diverse and pluralistic entity, and American Jews have historically played and continue to play an important role in its development and leadership. Labor has been one of the most important forces counteracting antisemitism in America, even as it often found its opponents framing their attacks on it in antisemitic terms.

The pluralistic and inclusive labor movement that emerged in modern America, and within which Jews have played an important role and continue to, was a hard-won thing. It was built in a hostile environment where most workers could not count on the law to protect their efforts to organize and bargain collectively until 1935.

It was also built by a uniquely diverse working class, the most diverse of any industrialized nation. In this context, marginalized workers often initially had to build their own separate unions.

Blacks were initially excluded from unions on the railways, for example. They formed their own Brotherhoods. Most important being A. Philip Randolph's Brotherhood of Sleeping Car Porters whose centenary we have recently marked.

Similarly, many Jewish workers had first opted to form unions of Yiddish speaking workers, founding the United Hebrew Trades in 1888. The UHT unions ultimately though affiliated with the American Federation of Labor, though the UHT persisted as its own organization, ultimately it should be said, giving birth to the Jewish Labor Committee in 1934, whose explicit purpose was to fight Nazi antisemitism.

It exists, by the way, to this day as a presence in labor. Remarkably, out of this fraught crucible of the working class, a vast diversity, and despite employers' conscious efforts to pit one group against another, to undermine union organizing, and to break strikes, the union movement arose that became ever more inclusive over the course of the 19th and 20th Centuries.

Jewish workers have played a vital role in that history, and they continue to. At its founding in 1886, the American Federation of Labor was, as Ranking Member DeSaulnier notes, headed by a

Jewish immigrant, Samuel Gompers, who was elected to his post, even though Jews were then far outnumbered by Protestants and Catholics within the AFL.

Nor was Gompers unique. Jewish leaders, such as Sidney Hillman, Bessie Abramowitz, Rose Schneiderman, David Dubinsky, Clara Lemlich, Jerry Wurf, Albert Shanker, Sandra Feldman, Randi Weingarten to this day, have helped to build inclusive, multi-racial pluralistic unions that have fought for American workers of every race, religion, and color over decades and into the present.

It would not be an exaggeration to say that each of those leaders contended at times with antisemitism, but the antisemites they fought were typically opponents of the union movement who used their very prominence within it as evidence that it was somehow foreign, un-American, or even part of a worldwide Jewish conspiracy.

In part because of the minority status of America's Jewish activists, they have always understood the importance of building bridges across lines of difference, creating unity among workers. Jewish influence remains strong in labor today. Antisemitism has not gone away, of course. No one can certify that there are no antisemites in the labor movement, but where it does rear its head it must be combated.

The history record clearly shows that labor has been a bastion of opposition to antisemitism and remains so. Second, and very quickly, the labor movement is a democratic movement. It allows for free speech and difference of opinion. Much of what we will hear today speaks only to that aspect of it.

These two elements, its democracy, its diversity, can allow it to be characterized, but its record I think is clear. Thank you.

[The prepared statement of Mr. McCartin follows:]

Written Testimony of

Dr. Joseph A. McCartin

Professor of History
Executive Director, Kalmanovitz Initiative for Labor & the Working Poor
Georgetown University
Washington, DC

and

2024-2026 President, Labor and Working-Class History Association (LAWCHA)

Before the U.S. House Committee on
Education and Workforce

Subcommittee on
Health, Employment, Labor, and Pensions

Hearing on
“Unmasking Union Antisemitism”
September 9, 2025

Thank you, Subcommittee Chair Allen, Subcommittee Ranking Member DeSaulnier, and Members of the Subcommittee. I wish to share my perspective as a labor historian on the question that you consider today. Let me be clear that I am here not as a representative of a union, but rather as a scholar of the American labor movement, arguably the oldest democratic, multi-cultural, racially, regionally, and religiously diverse institution that the United States has produced in its nearly 250-year history. I have studied organized labor for over 30 years and written, co-written, or edited nine books and dozens of articles and book chapters on its history.¹ I have taught at Georgetown University since 1999, and I currently serve as the president of the Labor and Working-Class History Association. I wish to speak today of the character of the American labor movement, Jewish members' important place in its history, and about how the movement, historically wrestled with and addressed such issues as racism, sexism, and of course anti-Semitism.

My brief opening remarks, I will make two points about the American labor movement.

¹ Melvyn Dubofsky and Joseph A. McCartin, *Labor in America: A History*, 10th edition (Hoboken, NJ: Wiley Blackwell, 2025); Melvyn Dubofsky and Joseph A. McCartin, *Labor in America: A History*, 9th edition (Malden, Mass.: Wiley Blackwell, 2017); Luís Aguiar, *Purple Power: The History and Global Impact of SEIU* (Urbana: University of Illinois Press, January 24, 2023); Leon Fink, Joan Sangster, and Joseph A. McCartin, eds., *Workers in Hard Times: Nineteenth-Century Panics to the Twenty-First Century Great Recession in International Perspective* (Urbana: University of Illinois Press, 2014); Jennifer Luff, Stephanie Luce, and Ruth Milkman, and Joseph A. McCartin, eds. *What Works for Workers: Public Policies and Innovative Local Strategies for Low Wage Workers* (New York: Russell Sage Foundation, 2014); Joseph A. McCartin, *Collision Course: Ronald Reagan, the Air Traffic Controllers, and the Strike that Changed America* (New York: Oxford University Press, 2011); Michael Kazin and Joseph A. McCartin, eds., *Americanism: New Perspectives on the History of an Ideal* (Chapel Hill: The University of North Carolina Press, 2006); Melvyn Dubofsky, eds., *American Labor: A Documentary History* (New York: Palgrave/Macmillan, 2004); Melvyn Dubofsky, *We Shall Be All: A History of the Industrial Workers of the World*, Abridged edition, edited and introduced by Joseph A. McCartin (Urbana: University of Illinois Press, 2000); Joseph A. McCartin, *Labor's Great War: The Struggle for Industrial Democracy and the Origins of Modern American Labor Relations, 1912-21* (Chapel Hill: The University of North Carolina Press, 1997).

The first is that the movement is a uniquely diverse and pluralistic entity and American Jews have historically played and continue to play an important role in its development and leadership. Labor has been one of the most important forces counteracting anti-Semitism in America even as it often found its opponents framing their attacks on it in anti-Semitic terms.

The pluralistic and inclusive labor movement that emerged in modern America, and within which Jews became an important influence, was a hard-won thing. It was built in a hostile environment, where most workers could not count on the law to protect their efforts to organize and bargain collectively until 1935. It was also built by a uniquely diverse working-class – the most diverse of any industrialized nation. And it was built in a nation in which divisions and inequalities among workers were hardened into law and custom by centuries of slavery, Chinese exclusion, segregation, and endemic employment discrimination. The early organizations workers built to some degree inevitably reflected the racial, ethnic, gender, and religious divisions that were so evident in 19th century America. Religious tensions among workers periodically erupted within the movement, as when Scotch-Irish Protestant weavers attacked Irish Catholics in Philadelphia’s Kensington Riots of 1844.² Racial tensions among workers occasionally exploded, as when Irish Catholic dockworkers attacked and lynched free Blacks during New York City’s draft riots of 1863.³ Ethnic and racial prejudice found its way

² David Montgomery, “The Shuttle and the Cross: Weavers and Artisans in the Kensington Riots of 1844,” *Journal of Social History* (1972): 411-446. For more background on Catholic – Protestant conflict among workers in the nineteenth century, see: Kevin Kenny, *Making Sense of the Molly Maguires* (1998); Harold W. Aurand, *From the Molly Maguires to the United Mine Workers: The Social Ecology of an Industrial Union, 1869-1897* (2018).

³ Iver Bernstein, *The New York City Draft Riots: Their Significance for American Society and Politics in the Age of the Civil War* (1990). For more on conflict between Irish and African American workers in the nineteenth century, see: David Roediger’s *The Wages of Whiteness: Race and the Making of the American Working Class* (1991); Noel Ignatiev, *How the Irish Became White* (1995).

into union policies, as when unions defended the exclusion of Chinese immigrants on the theory that “coolie labor” would undermine white workers, and most unions organized by whites in the 19th century initially excluded Black members.⁴

In this context, marginalized workers often initially built their own separate unions. Blacks excluded from unions on the railways, for example, formed their own brotherhoods, the most important being A. Philip Randolph’s Brotherhood of Sleeping Car Porters, whose centenary we recently marked.⁵ Similarly, many Jewish workers first opted to form unions of Yiddish-speaking workers, founding the United Hebrew Trades in 1888. UHT unions ultimately affiliated with the American Federation of Labor, though the UHT persisted as its own organization, ultimately giving birth to the Jewish Labor Committee in 1934, whose explicit purpose was to fight Nazi anti-Semitism. It exists to this day as a presence in labor.⁶

⁴ Alexander Saxton, *Indispensable Enemy: Labor and the Anti-Chinese Movement in California* (1971); Charles Williams, “Labor Radicalism and the Local Politics of Chinese Exclusion: Mayor Jacob Weisbach and the Tacoma Chinese Expulsion of 1885,” *Labor History* 60, no. 6 (2019): 685-703; Henry White, “Immigration Restriction as Necessity,” *American Federationist* 4, no. 4 (June 1897): 67-70.

⁵ Eric Arnesen, *Brotherhoods of Color: Black Railroad Workers and the Struggle for Equality* (2001); William H. Harris, *Keeping the Faith: A. Philip Randolph, Milton P. Webster, and the Brotherhood of Sleeping Car Porters, 1925-1937* (1977); Larry Tye, *Rising from the Rails: Pullman Porters and the Making of the Black Middle Class* (2005); Jack Santino, *Miles of Smiles, Years of Struggle: Stories of Black Pullman Porters* (1989). On the sleeping car porters’ leader, Asa Philip Randolph, see Jervis Anderson, *A. Philip Randolph: A Biographical Portrait* (1972).

⁶ Melech Epstein, *Jewish Labor in USA: An Industrial, Political and Cultural History of the Jewish Labor Movement, 1882-1914* (1950) looks at the United Hebrew Trades. Irving Howe’s *World of Our Fathers: The Journey of the East European Jews to America and the Life They Found and Made* (1976) discusses the impact of the Haskalah and the General Jewish Labor Bund (The Bund) on those Jewish immigrants who streamed into the United States after the failed 1905 revolution in Russia and went on to play a key role in shaping the American union movement. Hadassa Kosak, *Cultures of Opposition: Jewish Immigrant Workers, 1881-1905* (2000), provides a nuanced view of Jewish labor activism at the dawn of the twentieth century, and Susan A. Glenn, *Daughters of the Shetl: Life and Labor in the Immigrant Generation* (1990), provides a sense of Jewish women’s role in labor and labor activism in that period. Tony Michels’s *A Fire in Their Hearts: Yiddish Socialists in New York* (2005), looks at

Remarkably, out of the fraught crucible of a working-class of vast diversity – and despite employers’ conscious efforts to pit one group against another to undermine union organizing drives or break strikes – a union movement arose that became ever more inclusive over the course of the late 19th and the 20th centuries. Unlike some countries where Protestant, Catholic, and Jewish workers each ended up in separate unions of workers who shared their religion, in the United States, workers ultimately built organizations that brought people together across lines of race, religion, gender, and ethnicity. Indeed, among all American institutions – governments, churches, civic organizations, etc. – the union movement did the most to pioneer inter-racial, inter-religious cooperation.⁷

Jewish workers have played a vital role in that history. At its founding in 1886, the American Federation of Labor (AFL) was headed by a Jewish immigrant, Samuel Gompers, who was elected to his post even though Jews then were far outnumbered by Protestants and Catholics within the AFL.⁸ Nor was Gompers unique: Jewish leaders such as Sidney Hillman, and Bessie Abramowitz of the Amalgamated Clothing Workers, Rose Schneiderman, David Dubinsky, and Clara Lemlich of the International Ladies Garment Workers, Jerry Wurf of the American Federation of State, County, and Municipal Employees, and Albert Shanker, Sandra Feldman, and Randi Weingarten of the American Federation of Teachers, helped build inclusive,

the Arbeiter Ring and other manifestations of early twentieth century radical Jewish labor activism. On the Jewish Labor Committee’s origins and development, see: Catherine Collomp, “The Jewish Labor Committee, American Labor, and the Rescue of European Socialists, 1934-1941,” *International Labor and Working-Class History* No. 68 (Fall, 2005): 112-133; Arieh Lebowitz, “The Jewish Labor Committee: Past and Present,” *Shofar*, Vol. 12, No. 3 (Spring 1994): 96-99.

⁷ This is a central theme of Melvyn Dubofsky and Joseph A. McCartin, *Labor in America: A History*, 10th edition (2025).

⁸ Stuart Kaufman, *Samuel Gompers and the Origins of the American Federation of Labor, 1848-1896* (1973); Bernard Mandel, *Samuel Gompers: A Biography* (1963); Philip Taft, *The A.F. of L. in the Time of Gompers* (1957).

multi-racial, pluralistic unions that have fought for American workers of every race, religion, and color over the decades and into the present day.⁹ It would not be an exaggeration to say that each of those leaders contended at times with anti-Semitism. But the anti-Semites they fought were typically opponents of the union movement who used their very prominence within it as evidence that it was somehow foreign, un-American, or even part of a worldwide Jewish conspiracy.¹⁰

In part because of their minority status America's Jewish labor activists have always understood the importance of building bridges across lines of difference, creating an unum of worker organization from the pluribus of the varied American working class around the concept of *solidarity*. Jewish influence remains strong in labor today. Anti-Semitism has not gone away, of course. No one can certify that there are simply no anti-Semites in the labor movement, just

⁹ Steve Fraser, *Labor Will Rule: Sidney Hillman and the Rise of American Labor* (1991); Karen Pastorello, *A Power Among Them: Bessie Abramowitz Hillman and the Making of the Amalgamated Clothing Workers of America* (2008); Annelise Orleck, *Common Sense and a Little Fire: Women and Working-Class Politics in the United States* (1995); Robert D. Parmet, *The Master of Seventh Avenue: David Dubinsky and the American Labor Movement* (2006); Richard D. Kahlenberg, *Tough Liberal: Albert Shanker and the Battles Over Schools, Unions, Race, and Democracy* (2007); Joseph Berger, "Sandra Feldman, Scrappy and Outspoken Labor Leader for Teachers, Dies at 65," *The New York Times*, September 20, 2005; Randi Weingarten, *Why Fascists Hate Teachers* (2025).

¹⁰ For an overview on how anti-Semitism threatened organized labor, see Charles Bezael Sherman, *Labor's Enemy: Anti-Semitism* (1945). Sherman wrote this publication while serving as the Director of Labor Relations of the Anti-Defamation League of B'nai B'rith. In an important passage in the publication, he wrote: "In more modern countries, the propaganda technique of anti-Semitism must be changed. The union movement is too strong to be attacked frontally; it must be outflanked. Anti-Semitism is therefore used to create hostility toward unions in the community at large, and at the same time to weaken the unions from within by spreading the poison of mistrust and dissension" (p.8).

For a sampling of anti-union attacks that utilized anti-Semitic tropes, see: Barbara S. Griffith, *The Crisis of American Labor: Operation Dixie and the Defeat of the CIO* (1988), 113-114, 157; and Dubofsky and McCartin, *Labor In America: A History*, 310-311, for discussion of the infamous "Clear it with Sidney" slander and the anti-Semitic campaign slogan "It's *Your* Country. Why Let Sidney Hillman Run It?" that was used by organized labor's opponents in the 1944 election.

as no one could certify that regarding corporate America, our religious institutions, academia, or other major institutions. Where Anti-Semitism does rear its head, it must be combatted. On that score, the historical record clearly shows that the labor movement has been a bastion of opposition to anti-Semitism through its modern history and remains so today.

The second feature of the union movement that pertains to this discussion is its *democratic* nature. Organized labor is arguably the nation's oldest and most effective democracy movement, seeking not only a democratic voice for workers in their workplaces, but to deepen democracy beyond the workplace. From its efforts to remove property qualifications for voting in pre-Civil War America through its advocacy of the Civil Rights and Voting Rights Acts in the 1960s, the union movement has been a consistently democratizing force.¹¹

Unions not only seek to give their members a democratic voice in shaping the terms and conditions under which they work, they embody democracy in their structures. Unions have constitutions. Their members get to vote on their leadership; they possess rights. Indeed, as members of this Subcommittee know, the Landrum-Griffin Act of 1959 specified a bill of rights for union members, which guarantees them freedom of speech and assembly; the right to challenge their leaders; protection from retribution, including due process in matters of internal union discipline; and more. Most unions have vibrant internal caucuses of members who hold diverse and even contending views on pressing issues. This is a hallmark of their democratic culture.¹²

¹¹ The literature on organized labor's role in fighting to expand democracy is vast. A sampling of work includes Joseph A. McCartin, "U.S. Labor and the Struggle for Democracy," *New Labor Forum* 32, no. 1 (Winter 2023): 24-31; Clayton Sinyai, *Schools of Democracy: A Political History of the American Labor Movement* (2006); Milton Derber, *American Idea of Industrial Democracy, 1865-1965* (1970).

¹² Herman Benson, "Union Democracy and the Landrum-Griffin Act," *Review of Law and Social Change* XI (1982-83): 153-186; Clyde W. Summers, Joseph L. Rauh, and Herman

The twin characteristics of the movement that I have highlighted – its pluralistic diversity and its democratic culture – make it possible to cherry pick examples of individual members, caucuses, or locals advancing a wide range of views on almost any question. It would be unjust, however, to characterize the movement based a few snapshots that highlight isolated pockets of transient opinion within it. Labor does not create solidarity by enforcing a uniformity of opinion in its ranks. Rather the movement should be evaluated on the basis of its policies. In that regard, the record clearly contains little evidence that organized labor condones or harbors anti-Semitism.

Thank you. I'm happy to answer your questions.

Benson, *Union Democracy and Landrum Griffin* (1985); *Sus Derechos en el Trabajo y en la Unión: Cómo Presentar un Agravio y Conseguir Representación de la Unión* (2011).

Chairman ALLEN. Thank You, Dr. McCartin. Now, I recognize Mr. Taubman for your testimony.

STATEMENT OF MR. GLENN TAUBMAN, STAFF ATTORNEY, NATIONAL RIGHT TO WORK LEGAL DEFENSE FOUNDATION, SPRINGFIELD, VIRGINIA

Mr. TAUBMAN. Thank you for the opportunity to appear today. I have been practicing labor and constitutional law for over 43 years at the National Right to Work Legal Defense Foundation. My clients are individual employees who wish to stand apart from a workplace labor union that they did not choose and do not want.

I was honored to testify before this Committee exactly 14 months ago, detailing the workplace harassment that labor unions fomented against Jewish and Israel students at elite universities, teaching hospitals, K through 12 schools, and legal aid workplaces. I am back to report that things are worse than ever due to ever more virulent union antisemitism, which is actually fostered and protected by our Nation's misguided labor laws.

More than ever since October 7th, my phone is continuing to ring off the hook with calls from unionized Jewish and Israeli graduate students at the Nation's elite universities and interns and residents at esteemed teaching hospitals asking me how they can disassociate from unions like the UE, the UAW, and SEIU. These unions, or their radical affiliates, foment chants of antisemitic slogans, ostracize the Jewish and Israel employees they purport to represent, and generally menace them in their workplaces.

In recent months, I have read commentary to the effect that what Jewish and Israeli employees are facing in the workplace is not a real problem, and that the Trump administration is weaponizing over blown charges of antisemitism to tear down universities and education. Such assertions are false and stomach turning.

I want to speak about the real weaponization that is at play in today's workplace. The weaponization of an archaic Federal labor law that Congress passed over 80 years ago, which empowers labor unions with unique privileges granted to no other private organization in America.

Today's labor unions are not your father's labor unions. Many of today's progressive unions harbor strong, antisemitic and even anti-American world views, and they feel free to use and abuse the potent power Congress gave them to harass and intimidate Jewish and Israeli employees.

Federal law empowers them to do so in four specific ways. First, Federal labor law empowers the unions to act as employees exclusive bargaining representatives, even when the employees don't want to be represented by such hostile and hateful organizations.

Second, the Clinton, Obama, and Biden NLRBs transform graduate students from students to employees, thereby paving the way for radical unions to represent them and force them to pay dues, whether they want to or not. Third, under the Biden NLRB's extravagant view of union power and the Home Depot ruling, unions outrageous pro-Hamas activities and even workplace intimidation are considered to be "protected, concerted activity," meaning union actions that are overtly hostile to Jews are coddled and protected by Federal law.

Fourth, labor law authorizes unions to demand compulsory union dues, which allows antisemitic unions to force the victims of the

harassment to pay for those activities or be fired. At the National Right to Work Legal Foundation, we are redoubling our efforts to help such employees, but despite our best efforts, Title VII of the Civil Rights Act, the Beck decision, and the Duty of Fair Representation Doctrine are inadequate.

What are the solutions? First, Congress should pass the National Right to Work Act to end the problem of coercive forced unionism. Second, Congress should enact legislation redefining graduate students as students, not employees, as they were for the first 60 years. Third, Congress should strengthen Title VII to better protect employees of faith from union's antisemitism and radical ideologies.

These would be small steps to restore individual employees' right to not be part of a forced collective that takes hateful, pro-Hamas views on foreign events 5,000 miles away from the workplace. What could be more American than that?

I want to conclude by saying that Samuel Gompers, who we have heard the Jewish AFLCIO Chairman, also said that the workers of America prefer organizations of a voluntary nature rather than organizations of compulsion. Thank you.

[The prepared statement of Mr. Taubman follows:]

**STATEMENT OF GLENN M. TAUBMAN
TO THE UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON EDUCATION AND WORKFORCE
SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND
PENSIONS
HEARING: September 9, 2025: Unmasking Union Antisemitism**

Chairman Allen, Ranking Member DeSaunier and distinguished Members:

Thank you for the opportunity to appear today. I have been practicing labor and constitutional law for over 43 years at the National Right to Work Legal Defense Foundation. www.nrtw.org. My clients are individual employees, not unions or employers. For 43 years I have helped litigate the Foundation's groundbreaking Supreme Court cases, like *Communications Workers v. Beck*, 487 U.S. 735 (1988) and *Janus v. AFSCME*, 585 U.S. 878 (2018). These landmark decisions secured the constitutional and statutory rights of individual workers to limit their association with labor unions they wanted no part of, but were nevertheless forced to join or fund with their hard earned wages, just to get or keep their jobs. My perspective comes from decades of representing more employees than I can count, all covered by the National Labor Relations Act (NLRA), the Railway Labor Act, and the Constitution.

This hearing is aptly titled "Unmasking Union Antisemitism," and the need to protect employees, especially Jewish employees, from the latest form of union abuse is clear. Federal labor law must be reformed and reimagined to better protect

all employees' individual liberty and safeguard individual employees' free choice concerning unionization, especially in the face of today's blatant union antisemitism.

Exactly 14 months ago I was honored to testify before this Committee on a similar issue. (A copy of my prior testimony and exhibits are attached as Ex. 1, with sub-exhibits 1-12. I reaffirm every word of that submission, and everything said there remains relevant to today's discussion). But I am sorry to say that the problem of union antisemitism has not gotten better in the past 14 months. It is actually much worse than ever, in part because federal labor law gives unions unique and special privileges they use and abuse to discriminate against disfavored minorities. This was true when unions discriminated against Black workers in the 1950s and 60s, and it is true today when they act against Jews and Israelis.

INTRODUCTION

I will start this submission by briefly relating three recent prospective client calls I received, from graduate student workers and doctors, all of whom requested anonymity for obvious reasons. These calls occurred within the past 30 days.

1) A female PhD student of Israeli origin at an Ivy League university reported that United Electrical (UE) union representatives broke into her secure, "card-only access" lab during the workday, carrying demand letters threatening her with discharge unless she paid the union a semester's worth of back dues. This

graduate student did not believe she owed union dues because she thought her classification as a “fellow” exempted her from the forced dues clause in the collective bargaining agreement. The union officials aggressively pushed the demand letter into her face in the presence of her co-workers. This harassment and unauthorized access to a secure lab was reported to campus security, but to our knowledge the union representatives suffered no repercussions for their break-in and workplace threats.

2) A female PhD candidate at an Ivy League university is a religiously observant Jew. Her direct co-workers in her lab are union officials who, after the Hamas mass murders of October 7, 2023, began harassing her and shunning her in the workplace because of her Jewish identity. Because of this harassment by union officials in her workplace, she wanted to invoke her legal rights under Title VII of the Civil Rights Act to seek an accommodation that would have allowed her to divert her compulsory union dues to a charity. However, she was afraid to send the antisemitic union a detailed written request explaining her sincerely held religious beliefs because she believed this would only stoke further harassment and ostracism from the union officials in her immediate workplace. Out of fear this brilliant female Ph.D graduate student stated that she would rather pay compulsory dues to a union she loathed than invoke her protected rights under the Civil Rights Act.

3) A medical resident of Israeli origin at an esteemed teaching hospital in New York City is represented by an SEIU affiliate called the Committee of Interns and Residents (CIR). CIR has put out a variety of anti-Israel statements and its officers and adherents have stoked the flames of antisemitism in this and other hospitals. This young doctor was approached by stirred up co-workers who told him that he was a Zionist nazi and that they would never speak to him in any manner, even in the workplace. Imagine if you were a patient in that hospital and you learned that, rather than having a collaborative team of doctors caring for you, some of your doctors were bigoted haters who would never speak to one of their peers, even about your care, because he happened to be an Israeli Jew. The doctor noted that some Jewish residents or interns quit or transferred elsewhere when faced with this sort of intimidation and harassment that CIR helped stoked. Some Jewish doctors who had contractual issues regarding the benefits they were supposed to receive from their hospital were afraid to approach the CIR union for representation in these matters because of the animosity they had already experienced.

All three of these brilliant young people came to me within the past 30 days. These are just some of the many gut wrenching tales I hear almost every day involving labor unions fervently working to ostracize and harass Jews and Israelis in the workplace, instead of representing *all* employees for better wages and

working conditions as they were theoretically created to do. These unions contribute directly to the culture of hostility, ostracism, shunning and worse that Jewish and Israeli employees face in many workplaces. These are not “our fathers’ labor unions.” (See Ex. 2 concerning Jewish K-12 teachers resigning en masse from the teachers union due to its radical advocacy; and Ex. 3 concerning Jewish students fleeing the Ivy League schools where unions and antisemitism predominate).

“WEAPONIZATION”

In recent months I have read articles and heard comments to the effect that what Jewish and Israeli employees are facing in the workplace is not a real problem, and that the Trump administration is “weaponizing” overblown charges of antisemitism to tear down universities and education. Such assertions are false and stomach turning, as I can attest from my daily calls with prospective clients in universities and workplaces all over America. These assertions ignore the very real problem of antisemitism in the workplace, which our federal labor laws helped create and foster. And I can assure you that no Jewish or Israeli employee seeks to be harassed, ostracized, threatened or discriminated against in the workplace in order to help the Trump administration score a political point. Their plight is real.

The *real* weaponization that is occurring in today’s workplace is the weaponization of archaic federal labor laws that Congress passed over 80 years

ago, which bestow upon labor unions unique powers and privileges granted to no other private organizations in America. Many of today's "progressive" and "intersectional" unions harbor strong antisemitic worldviews, and they feel free to use and abuse the potent powers Congress gave them to harass and intimidate Jewish and Israeli employees, just as they discriminated against Black workers – another disfavored minority – back in the 1950s and 60s. Federal and state laws empower this union discrimination in four specific ways:

1) Mandatory “exclusive representation.”

Federal labor law (and many parallel state labor laws) empower unions – even antisemitic unions – to act as Jewish and Israeli employees' "exclusive bargaining representative."¹ Even when these individuals do not wish to be represented by such hostile, threatening and pro-Hamas organizations, they are stuck as a matter of federal law. Imagine the outcry from homeowners if the government mandated that when they sell their house they must use only one "exclusive attorney" to represent them and complete the transaction, even if that one "representative" had attacked them and their religion and shown hatred towards them!

¹ See, e.g., 29 U.S.C. § 159(a) (creating exclusive representation under the NLRA); New York Civ. Serv. Law § 204 (certifying public sector unions as employees' exclusive representative for a specified bargaining unit).

This is a reality in modern day America. For example, Jewish professors at the City University of New York brought a First Amendment free speech and association suit to challenge the law that saddled them with “representation” by a harshly antisemitic union they did not want, but the federal courts ruled against them and the Supreme Court refused to hear the case. *Goldstein v. Pro. Staff Congress/CUNY*, 96 F.4th 345 (2d. Cir 2024). Other federal cases challenging “exclusive representation” have suffered a similar fate. But this Congress could outlaw mandatory forced representation under the National Labor Relations Act and the Railway Labor Act and quickly fix the bulk of this compelled association problem.

To those who argue that the “duty of fair representation” – a doctrine created by judicial fiat in the 1950s to a) curb the power of racist labor unions and b) invent a way to sustain the constitutionality of exclusive representation² – fixes this problem, they are wrong. Rather than serving as a “bulwark to prevent arbitrary union conduct against individuals stripped of traditional forms of redress by the provisions of federal labor law,” *Vaca v. Sipes*, 386 U.S. 171, 182 (1967), the duty

² Unions reflect the harsh realities of majority rule. Disfavored minorities within unions almost necessarily get crushed. For example, it is well documented that for decades, unions blatantly and grotesquely discriminated against Black workers, see *Steele v. Louisville & N.R. Co.*, 323 U.S. 192 (1944) and *Conley v. Gibson*, 355 U.S. 41 (1957). To my frustration, American unions have not become more enlightened. Today, many unions are discriminating against and threatening a different disfavored minority group: the Jewish and pro-Israel workers they purport to represent.

of fair representation has been watered down to almost nothingness by the federal courts, and it serves as little real protection for harassed and ostracized Jewish and Israeli workers (or almost anyone else).³

2) Students magically become “employees”

Graduate students were, for the first 60 years of the NLRA, *students*! Then with the stroke of a pen the Clinton, Obama and Biden National Labor Relations Boards transformed them from “students” to “employees,” paving the way for radical unions like UE and UAW locals to “represent” them whether they approve of this representation or not, and force them to pay dues to fill union coffers. The timeline is as follows:

Clinton Board - *New York University (NYU)*, 332 NLRB 1205 (2000) (reversing decades of precedent to hold that graduate students (teaching assistants, research assistants, and proctors) are “employees” within the meaning of Section 2(3) of the NLRA).

Bush II Board - *Brown University and UAW*, 342 NLRB 483 (2004) (reversing *NYU* to hold that graduate student assistants are not properly classified as “employees” under the NLRA because their primary relationship with their university is educational).

³ For example, *Beck* rights for objecting nonmembers have been watered down by the NLRB in cases like *California Saw & Knife Works*, 320 NLRB 224, 236 (1995), where unions were permitted to create tricky “window periods” to trap objecting workers into paying full dues even when they do not wish to fund union politics. Indeed, federal courts have pronounced that a breach of the duty of fair representation only occurs “if, in light of the factual and legal landscape at the time of the union’s actions, the union’s behavior is so far outside a ‘wide range of reasonableness’ . . . as to be irrational. This is the standard of review that governs [employees’] claims against the union defendants.” *Nielsen v. International Ass’n of Machinists & Aerospace Workers, Local Lodge 2569*, 94 F.3d 1107, 1113 (1996) (cleaned up). It is hard to imagine a more lenient and unenforceable standard to judge union conduct and misconduct.

Obama Board - *Columbia Univ and UAW*, 364 NLRB 1080 (2016) (reversing *Brown University*, allowing graduate student organizing under the NLRA). Member Miscimarra's dissent, 364 NLRB at 1101, is prescient in predicting the chaos that occurs on campuses from unionizing graduate students.

Biden Board – certified numerous unions and enforced exclusive representation of graduate students in a number of cases.

As noted, Member Miscimarra's dissent in *Columbia University* predicted much of the chaos that graduate student unions have unleashed on America's elite campuses. His words bear repeating at length:

When the Board transplants our statute into the university setting and places students in a bargaining relationship with the university, experience demonstrates that we cannot assume bargaining will be uneventful. Collective bargaining may evoke "extraordinarily strong feelings" and give rise to a "sharp clash between seemingly irreconcilable positions," and when parties resort to various tactics in support of their respective positions, "such tactics are indeed 'weapons,'" and "[n]obody can be confused about their purpose: they are exercised with the intention of inflicting severe and potentially irreparable injury, often causing devastating damage to businesses and terrible consequences for employees."

...

Misconduct, Potential Discharge, Academic Suspension/ Expulsion Disputes. During and after a strike, employees remain subject to discipline or discharge for certain types of strike-related misconduct. Correspondingly, there is little question that a student assistant engaged in a strike would remain subject to academic discipline, including possible suspension or expulsion, for a variety of offenses. In such cases, I anticipate that parties will initiate Board proceedings alleging that students were unlawfully suspended or expelled for NLRA-protected activity, even though nothing in the Act permits the Board to devise remedies that relate to an individual's academic standing, separate and apart from his or her "employment."

...

Invalidating Rules Promoting Civility. The university will be found to have violated the NLRA if it requires student assistants to maintain “harmonious interactions and relationships” with other students.

Invalidating Rules Barring Profanity and Abuse. The university cannot adopt a policy against “loud, abusive or foul language” or “false, vicious, profane or malicious statements” by student assistants.

Outrageous Conduct by Student Assistants. The university must permit student assistants to have angry confrontations with university officials in grievance discussions, and the student assistant cannot be lawfully disciplined or removed from his or her position even if he or she repeatedly screams, “I can say anything I want,” “I can swear if I want,” and “I can do anything I want, and you can't stop me.”

Outrageous Social Media Postings by Student Assistants. If a student assistant objects to actions by a professor-supervisor named “Bob,” the university must permit the student to post a message on Facebook stating: “Bob is such a nasty mother fucker, don't know how to talk to people. Fuck his mother and his entire fucking family.”

Disrespect and Profanity Directed to Faculty Supervisors. The university may not take action against a student assistant who screams at a professor-supervisor and calls him a “fucking crook,” a “fucking mother fucking” and an “asshole” when the student assistant is complaining about the treatment of student assistants.

Columbia Univ., 364 NLRB at 1107-09 (footnotes and citations omitted) (Member Miscimarra, dissenting). Everything Member Miscimarra predicted has come true.

3) Overbroad view of unions’ “protected concerned activity”

Under the Biden NLRB’s sprawling view of unions’ “protected concerted activity” (as demonstrated by its controversial ruling in *Home Depot*, 373 NLRB No. 25 (2024), *petition for review pending*, No. 24-1406 (8th Cir.)), unions hide behind federal law to protect their pro-Hamas and antisemitic politics, actions,

trespasses and threats as “protected concerted activity” under the NLRA. Unions make this claim to limit how employers can respond to or try to stop their harassing activity often aimed at Jews.

For example, when MIT attempted to maintain order and civility by disciplining and suspending pro-Hamas rioters on campus, the UE filed an unfair labor practice charge alleging that the rioters were being “unlawfully disciplined ... in retaliation for engaging in protected concerted activity,” which has an “unlawful chilling effect on employees’ exercise of their [NLRA] Section 7 rights.” (See Ex.1, sub-exhibit 3). Of course the UE showed such no regard for the victims of the riots, which included Jewish graduate students it supposedly “represented.”

The NLRA protects employees’ ability to band together and seek improved workplace conditions, e.g., wages, hours and terms and conditions of employment. It was not designed to protect the communication of offensive political views that are irrelevant to the workplace, such as views about foreign wars 5,000 miles away. In the *Home Depot* case, the ALJ held that the employee’s “Black Lives Matter” activity was unprotected because “the BLM message had, at best, an extremely attenuated and indirect relationship to any workplace issue.” But a divided Biden Board reversed this commonsense position mandating civility in the workplace, and substituted one where almost any political speech, no matter how

attenuated to anything that happens on the shop floor, becomes “protected.” Under the Biden Board’s logic that labor unions are abusing, establishing and enacting a one-sided pro-Hamas policy regarding a religious conflict 5,000 miles away -- as the UE, UAW and many other unions have done -- becomes “protected” speech even though it does not improve a single American employee’s wages, hours or other workplace conditions. Rather, these pro-Hamas policies are used as a cudgel to promote hateful messages directed towards the unions’ most disfavored minority, Jews, and even against America itself.⁴

4) Federal law authorizes the threat of “pay up or be fired.”

In the 24 states without Right to Work protections under NLRA Section 14(b), federal labor law authorizes unions to demand compulsory union dues on pain of discharge. On many campuses and workplaces this allows antisemitic unions to force the victims of their harassment to pay for those activities or be fired. And unions use this threat to repeatedly harass those who do not want to pay. (See Ex. 4, WSJ article by Jon Hartley; Ex. 5, a “second demand” discharge threat to an MIT graduate student by the UE local union).

⁴ For example, the Electrical Worker’s affiliate at Cornell loudly supported pro-Hamas extremist Momodou Taal and fought against his suspension from school and ultimate deportation. The union was apparently untroubled that Taal’s public comments evidenced extreme hatred for both Jews and America. (See exhibits to the statement of David Rubinstein at 65-80).

The bottom line is that the federal labor laws passed by Congress weaponize bad actors to trap employees into “exclusive representation” with agents they never voted for and do not want. And today, Jewish and Israeli employees find themselves forced under the thumb of mandatory “agents” who are loud, ardent, and often anti-American supporters of the Hamas death cult. One can only imagine the justifiable outcry from this body if Black Americans were forced to be represented by Klu Klux Klan-supporting unions and threatened with discharge if they refused to fund that unions’ activities with their compulsory dues.

SOLUTIONS

At the National Right to Work Legal Defense Foundation, we are re-doubling our efforts to help all employees forcibly saddled with antisemitic unions, Jewish and non-Jewish alike. Indeed, we have many Christian clients whose faith prevents from supporting these radical unions. But despite our best efforts, current federal law is inadequate to the task.

1) As shown above in footnotes 2 & 3, the “duty of fair representation” offers little meaningful check on antisemitic union outrages.

2) Nor does the *Beck* decision provide meaningful assistance. *CWA v. Beck*, 487 U.S. 735 (1988). Unions like the UE have created tricky “window periods” to limit when objecting nonmembers can exercise their *Beck* rights, and such restrictions have been upheld in some cases, though that is currently being

challenged. (See Ex. 6, NLRB Region 1's two dismissals of unfair labor practice charges filed against the UE unions at Dartmouth and MIT, which challenged the UE's "window period" for *Beck* objectors and its non-compliance with *Beck* by giving objectors five-year old financial statements instead of current information).

3) Title VII of the Civil Rights Act offers some protection, but it too is inadequate to protect Jewish and other workers from the abuse of compulsory unionism arrangements. Employees with religious objections to joining or supporting the union are required to ask (beg) the very union that is harassing them for an accommodation and demonstrate their "sincerity" to the union. Unions not infrequently try to deny the requested accommodations or harass the religious objector with irrelevant and invasive questionnaires or inquisitions. The UE union has made a habit of doing this (see Ex. 7, a UE "questionnaire"). The UE's refusal to promptly accommodate religious objectors led to the filing of the latest round of federal EEOC charges, which remain pending. (See Ex. 8).

So what is the answer, and how can Congress begin to fix these problems?

Congress should pass the National Right to Work Act in the private sector to end the problem of coercive forced unionism, and the particular problem of compelling Jewish and other religious employees to fund unions whose views and activities they find hateful, threatening and deeply offensive.

Congress should also enact legislation defining graduate students as *students*, not employees, as they were for the first 60 years of the National Labor Relations Act -- until the Clinton, Obama and Biden NLRBs unionized them for the primary purpose of filling unions' compulsory dues coffers.

Congress should strengthen Title VII's protections and make it easier for employees with religious, ethical or moral objections to opt out of union representation and support. At the very least Congress should ease religious objectors' path so they can divert any compulsory dues to a charity of their choice instead of funding a labor union they abhor.⁵

Finally, Congress should restore individual employees' right to represent themselves and not be part of a collective that takes hateful views on foreign events 5,000 miles away from the workplace. Employees who like their antisemitic and anti-Israel unions can keep them, but employees who don't want anything to do with hateful pro-Hamas ideologies should be able to completely disaffiliate from them. Isn't that what First Amendment free association guarantees are all about? And what could be more American than that?

⁵ "James Madison, the First Amendment's author, wrote in defense of religious liberty: 'Who does not see . . . [that] the same authority which can force a citizen to contribute three pence only of his property for the support of any one establishment, may force him to conform to any other establishment in all cases whatsoever?' 2 The Writings of James Madison 186 (G. Hunt ed. 1901). Thomas Jefferson agreed that 'to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical.' I. Brant, James Madison: The Nationalist 354 (1948)." *Chicago Teachers Union, Local No. 1 v. Hudson*, 475 U.S. 292, 305 n. 15 (1986).

Exhibit 1 With Sub-Exhibits 1-12 To The Statement
Of Glenn Taubman To The United States House Of
Representatives Committee on Education and
Workforce Subcommittee On Health, Employment,
Labor and Pensions

Hearing: September 9, 2025 –
Unmasking Union Antisemitism

**STATEMENT OF GLENN M. TAUBMAN
TO THE UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON EDUCATION AND THE WORKFORCE
SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND
PENSIONS
HEARING: July 9, 2024: Confronting Union Antisemitism: Protecting
Workers from Big Labor Abuses.**

Chairman Good, Ranking Member DeSaunier and distinguished Committee Members:

Thank you for the opportunity to appear today. I have been practicing labor and constitutional law for over 42 years at the National Right to Work Legal Defense Foundation. [National Right to Work Foundation Glenn M. Taubman - National Right to Work Foundation \(nrtw.org\)](https://www.nrtw.org). My clients are individual employees, not unions or employers. For 42 years I have helped litigate the Foundation's groundbreaking Supreme Court cases, like *Communications Workers v. Beck*, 487 U.S. 735 (1988) and *Janus v. AFSCME*, 585 U.S. 878 (2018). These landmark decisions secured the constitutional and statutory rights of individual workers to limit their association with labor unions they wanted no part of, but were nevertheless forced to join or fund with their hard earned wages, just to get or keep their jobs. My perspective comes from decades of representing more employees than I can count, all covered by the National Labor Relations Act (NLRA), the Railway Labor Act, and the Constitution.

This hearing is aptly titled “Confronting Union Antisemitism: Protecting Workers From Big Labor Abuses,” and the need to protect employees, especially Jewish employees, from the latest form of union abuse is clear. Federal labor law must be reformed and reimagined to better protect individual liberty and safeguard individual workers’ free choice concerning unionization, especially in the face of today’s blatant union anti-semitism.

Unions reflect the harsh realities of majority rule. Minorities within unions almost necessarily get crushed. For example, it is well documented that for decades, unions blatantly and grotesquely discriminated against black workers, see *Steele v. Louisville & N.R. Co.*, 323 U.S. 192 (1944) and *Conley v. Gibson*, 355 U.S. 41 (1957). To my frustration, American unions have not become more enlightened. Today, many unions are discriminating against and threatening a different minority group: the Jewish and pro-Israel workers they purport to represent.

Many labor unions have strayed far from their ostensible role as protectors of employees’ workplace rights. Partisan politics and foreign policy escapades are simply more exciting and interesting than filing workplace grievances or negotiating workplace protections. These unions are beholden to their own extremists and are often led by people more interested in the ideological and “intersectional” causes fashionable at the fringes of the political spectrum than they

are in the well-being of the workers they purport to represent. These unions are not your father's or grandfather's labor unions, many of which were once staunchly pro-Israel and pro-American. In many workplaces such as college campuses, teaching hospitals, government offices, and K-12 schools, these unions have campaigned for the anti-Israel boycott-divest-sanction (BDS) movement, taking pro-Hamas and anti-American positions because BDS has become the siren song of the progressive left. As the Members of this Committee should know, Hamas is an anti-semitic and anti-Western death cult, not unlike ISIS and al-Qaeda, yet many of today's unions are among its loudest and most ardent supporters.

Many old line unions like the UE electrical workers union or the UAW autoworkers have seen precipitous declines in their traditional industrial membership, so they have searched for low hanging fruit to organize – and that is typically young people like graduate students, medical residents and interns, and legal aid lawyers, people whose political views might previously have aligned with the unions but who had no experience actually dealing with them. (See Ex. 1, Labor Notes article on the targeting of students for compulsory unionism; and Ex. 2, Wall Street Journal editorial about the UAW's pro-Hamas activities). The current travesty of herding graduate students into anti-semitic unions finds its source with the Obama-Biden National Labor Relations Boards, which have by fiat turned graduate *students* into graduate *employees* – subject to unionization under

the NLRA and, of course, the payment of forced union dues as a condition of their academic careers. *See, e.g., Trustees of Columbia University and UAW*, 364 NLRB 1080 (2016), overruling *Brown University*, 342 NLRB 483 (2004). Many Jewish and pro-Israel graduate students are now being told that they must pay dues to these radical unions or face termination. But such union coercion is not limited to university campuses.

After October 7, my law practice and my dealings with my clients took an even darker turn. Initially, my phone began ringing off the hook with calls from Jewish and Israeli graduate students at the nation's elite educational institutions – MIT, Columbia, NYU, the University of Chicago and Northwestern to name a few – asking how they can disassociate not just from any union, but from the anti-semitic anti-Israel union that is menacing them on campus, protecting their tormentors, or forcing them to pay dues to subsidize the union's pro-Hamas activities.

These academic unions have not participated in the occupation of campus libraries to protest the murder of Sudanese, who are being starved and killed by the thousands every day by their own co-religionists. Nor are they helping to set up encampments to protest the treatment of Uighurs being herded into labor camps by the Chinese Communist Party. Nor are they demanding that the Assad regime halt its bloody repression against its own Syrian people, which has resulted in the

murder of hundreds of thousands. Nor do they demand the boycott of Iranian oil products and pistachios in an effort to secure an end to Houthi and Hezbollah rocket attacks on commercial shipping and innocent civilians in both Israel and Lebanon. These unions' time and treasure, and yes, their anti-semitic hatred, is laser focused on defaming Jews and destroying the State of Israel.

In addition, my phone is now ringing off the hook from medical residents and interns at some of the nation's finest teaching hospitals, asking the same question, as their union is busy poisoning their workplace with hateful anti-Jewish and anti-Israeli propaganda and union resolutions.

My phone is also ringing off the hook from teachers and legal aid lawyers, all of whom wonder how the union they formerly *supported* had suddenly become organizers of pro-Hamas demonstrations and purveyors of hateful rhetoric calling for the destruction of Israel, the one Jewish homeland in the world, and the annihilation of all Jews.

Though this anti-semitic storm has been brewing for a long time, it did not make landfall in the lives of most Jewish employees until after October 7, when unions began funneling their resources to virulently anti-semitic and anti-Israel projects. One example of this is the UE union filing unfair labor practice charges against MIT because the university suspended some of the pro-Hamas rioters who blocked access to campus buildings and threatened Israeli and Jewish students.

Instead of siding with the victims of Hamas' terror and the crude anti-semitism of the "protesters," the UE is using union dues and union lawyers to support the perpetrators of these hateful actions. (See Exhibit 3, a UE unfair labor practice charge against MIT for disciplining the "protesters"). And such union misconduct is being repeated all over the country by other unions like the UAW, which went on strike in California to protect pro-Hamas "protesters" who seized university property and set up "encampments" while threatening Jewish and Israeli students. The UAW apparently claims this is all "protected concerted activity" and union free speech under the NLRA, state law, and/or the U.S. Constitution. (See Ex. 4, a lawsuit by the University of California against the UAW to end the strikes).

The National Right to Work Legal Foundation's attorneys have been working with Jewish and Israeli employees to vindicate their statutory and civil rights in the face of this union abuse, but the law as it currently exists is woefully inadequate to the task.

For example, Foundation lawyers have filed *Beck*-related unfair labor practice charges with the National Labor Relations Board because the UE union at MIT lied to employees and falsely told them they must join or pay full dues, with no reduction for political and ideological expenditures, even though the union knows that its money goes to support pro-Hamas rioters on campus. (See Ex. 5, two UE emails sent to all MIT students to coerce them into joining and paying; see

also Ex. 3). The *Beck* decision says otherwise, but the lies and misrepresentations about being “required” to join the union and pay full dues persist.

Unions have no incentive to tell employees about their *Beck* rights, and every pecuniary incentive to hide the truth and try to get employees to pay excessive dues. An NLRB *Beck* settlement with the UE union at MIT required the union to go back and notify all 3,000 graduate students of their true legal rights (see Ex. 6, the UE settlement in Will Sussman’s case), but shortly thereafter the union turned around and denied another graduate student’s *Beck* objection, necessitating yet again another unfair labor practice charge that the NLRB regional office found to be meritorious. (See Ex. 7, Katerina Boukin’s unfair labor practice charge). I expect more such litigation will be necessary to enforce *Beck* rights.

NRTW lawyers have also filed five separate charges of religious and ethnic discrimination with the Equal Employment Opportunity Commission (EEOC) against the same UE union at MIT (see Ex. 8), because that union denied several Jewish graduate students’ request for a religious accommodation, telling them, in effect, that the union bosses know more about their Jewish religion, ethnic identity and ancestral homeland than they do. (See Ex. 9, UE denial letter). I expect more Jewish employees around the country will have to initiate litigation and file EEOC charges to see their civil rights honored.

Beyond what I have learned through my conversations with Jewish employees faced with anti-semitic unions, the attached media reports (Ex. 10) demonstrate that this sort of harassing anti-semitic union behavior is going on at unionized workplaces all over the country. I also attach material showing discriminatory teaching materials being pushed by teachers' union members in Oakland, CA (Ex. 11). Finally, I attach anti-Israel resolutions and statements being pushed by the SEIU's medical intern and resident division (known as CIR-SEIU), the National Education Association, and SEIU Local 1199. (See Ex. 12).

The bottom line is this: No worker in America should be threatened with discharge from his or her workplace for refusing to pay dues and fees to a private organization he or she may despise. No worker should be forced to be represented by a private organization and its officials who perform poorly in the workplace, or place their own interests above those they purport to represent, or act corruptly to steal from the very employees they claim to represent, or who espouse hateful rhetoric and pro-terrorist policies. No worker should be forced to subsidize, as a condition of employment, the political schemes and candidates of a private organization of which they disapprove.

Yet that is the reality for millions of private sector workers today under the compulsory dues and monopoly bargaining regimes of the NLRA and the Railway Labor Act. In the face of this abuse, Title VII of the Civil Rights Act and the *Beck*

decision are not nearly strong enough protections of employees' rights. As long as unions can force workers to pay *anything* to get or keep their job, employees will be denied their full freedom of association, speech and conscience. The *Janus* decision was a small step for employee freedom in the public sector. Now this Congress must pass the National Right to Work Act in the private sector to end the problem of coercive forced unionism, and the particular problem of compelling Jewish and other religious employees to fund unions whose views and activities they find hateful, threatening and deeply offensive.

The National Right to Work Act does not complicate federal labor law. Rather, it repeals one legal section passed in the 1940's that restricts individual employees' free choice about funding unions. Restoring individual employees' right to provide or withhold money from unions would hold Hamas-supporting unions (and indeed, all unions) accountable to the workers they claim to represent. Employees who like their anti-semitic and anti-Israel unions can keep them. But employees who don't want anything to do with these hateful ideologies should be able to defund and disaffiliate from them. What could be more American than that?

EXHIBITS TO THE STATEMENT OF GLENN M. TAUBMAN
TO THE UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON EDUCATION AND THE WORKFORCE
SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND
PENSIONS
HEARING: July 9, 2024

EXHIBIT 1

[HOME \(/\)](#)[ABOUT \(/ABOUT\)](#)[DONATE \(/DONATE\)](#)[STORE \(/STORE\)](#)[EVENTS \(/EVENTS\)](#)[ARCHIVES \(/ARCHIVES\)](#)

How Tens of Thousands of Grad Workers Are Organizing Themselves

May 29, 2024 / Valentina Luketa

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After a groundbreaking win at MIT, graduate workers elsewhere borrowed talking points for organizing research assistants in science, technology, engineering, and mathematics.

It's the biggest organizing wave the U.S. labor movement has seen in decades. Graduate workers are unionizing in huge numbers, winning drive after drive with 90 percent support or more.

What's more, the workers are in the driver's seat of these campaigns, with little help from union staff.

Most union organizing these days relies on a staff-heavy approach that's tough to scale up. But the grad worker upsurge offers a sketch of a worker-led model that could help reverse labor's decline.

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Election, Vow to
Fight On
(/2024/05/alabama-mercedes-workers-lose-first-union-election-vow-fight)

Why the Alabama
Mercedes Union
Campaign
Faltered
(/blogs/2024/05/why-alabama-mercedes-union-campaign-faltered)

Mercedes Enlists
a Pastor in Its
Union-Busting
Campaign

The United Electrical Workers (UE) alone has organized close to 30,000 graduate workers over the past year and a half. We've won elections at eight major universities, including MIT and the University of Minnesota. Workers at other universities have voted to unionize with UNITE HERE, the United Auto Workers, and other unions.

At some campuses, grad workers have signed up 1,000 co-workers into the union in a single day and reached majorities on "vote yes" petitions within weeks.

Such massive mobilizations wouldn't be possible if they relied mainly on union staff. We couldn't move this fast if union staff had to talk with every worker, or even if a staffer had to train and debrief every worker doing outreach to others.

Instead, we're training workers up on organizing methods, tapping into their knowledge of their own workplaces and co-workers... and then letting the organizing snowball, as workers train others who train others, and the campaign takes on a life of its own.

This isn't how UE or other unions typically organize. But the grad upsurge demanded a new way of doing things. We had to release the reins to catch up to how fast the workers were going.

The relationship between union staff and rank-and-file workers has changed. Staff became educators and facilitators, guiding workers through the challenges of new organizing. Workers now develop their leadership skills by training other organizing committees, growing a national movement.

The roots of this strategy reach deep into our union's past, when UE leaders first built their union in electrical and machine shops without the help of outside staff. In other words, this capacity isn't unique to graduate workers. We believe this worker-led model can be tried in other workplaces too.

HANDED LEADERS THE REINS

The graduate workers have built large organizing committees of hundreds on each campus, where workers taught each other organizing skills and helped each other develop into leaders.



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(/blogs/2024/05/mercedes-enlists-pastor-its-union-busting-campaign)

Locked-Out
Firefighters Picket
Boeing
(/2024/05/locked-out-firefighters-picket-boeing)

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Our goal: Turn every supporter into a leader, and every leader into a trainer.

Organizing tasks that might traditionally be reserved for union staff were transferred to the worker-leaders. For instance, workers built and maintained the organizing databases, in which department organizers registered their notes and assessments.

Data was broadly shared, rather than remaining the domain of a closed group of staff, so that hundreds of worker organizers could use it to track their conversations and develop their department strategies.

We scaled up our organizing with walkthroughs, where workers went in pairs to approach their colleagues in labs and offices around campus—a chance to reach into new departments, build their confidence as organizers, and fine-tune the organizing script all at once.

Rather than hand out the union's answers to frequently asked questions, workers brainstormed the best answers together. This left them much better prepared when new anti-union talking points cropped up in their departments. Using their crowdsourced FAQ, workers trained themselves to undermine captive-audience anti-union meetings and turn them against their supervisors.

NETWORKS ACROSS CAMPUSES

Strategies and materials that worked well were passed from campus to campus.

Many graduate worker drives had failed in the science, technology, engineering, and mathematics departments. So after the groundbreaking win at MIT—one of the largest STEM universities in the country—organizers at other campuses borrowed their talking points on why research assistants need a union.

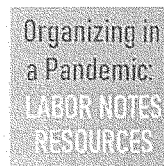
Graduate workers at Northwestern, University of Chicago, and Johns Hopkins were organizing simultaneously, so they ran joint trainings and exchanged materials.

The grad workers at Stanford, Dartmouth, and Cornell had the benefit of lessons learned from all these prior campaigns. At Stanford they got more than 2,000 union cards signed in a single day.

On each campus, workers adapted and expanded the methods, always evaluating what might not work here—and trusting that they knew their own workplace better than anyone else.

Valentina Luketa is the UE National Coordinator for Higher Education.

A version of this article appeared in Labor Notes Issue #542, May 2024 (<https://labornotes.org/archives/labor-notes-issue-542>). Don't miss an issue, subscribe today. (<https://labornotes.org/store/labor-notes-subscription>)



(<https://labornotes.org/coronavirus>)

EXHIBITS TO THE STATEMENT OF GLENN M. TAUBMAN
TO THE UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON EDUCATION AND THE WORKFORCE
SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND
PENSIONS
HEARING: July 9, 2024

EXHIBIT 2

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<https://www.sj.com/articles/shawn-fain-uaw-hamas-gaza-israel-campus-protests-39d58e2f>

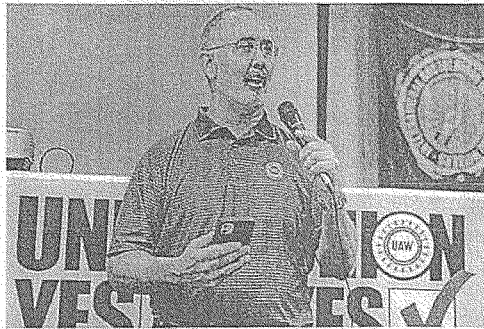
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The UAW Has a Gaza Policy

Auto workers chief Shawn Fain signals the union's solidarity with violent protesters.

By The Editorial Board [Follow](#)

May 3, 2024 6:16 pm ET



United Auto Workers (UAW) President Shawn Fain PHOTO: ELIJAH NOUVELAGE/GETTY IMAGES

The United Auto Workers' newest members are already getting more than they bargained for, but not in the way they were promised. The union's leader is all in for campus lawbreaking and he's denouncing Israel for its war against Hamas.

UAW President Shawn Fain chose to dive into the debate over anti-Israel campus protests this week and how police should respond. Writing on X (formerly Twitter), he said his union opposes "the mass arrest or intimidation of those exercising their right to protest, strike, or speak out against injustice." That would be a fine statement in a vacuum. In the context of the protests, it's a defense of mass trespassing and harassment of Jewish students at Columbia, UCLA and elsewhere.

Mr. Fain foreclosed any doubt about where his sympathies lie. “This war is wrong,” he said of Israel’s campaign to root Hamas out of Gaza. He said the UAW “has been calling for a ceasefire for six months,” meaning the union wished to halt Israel’s war of self-defense not long after Hamas mutilated women and killed 1,200 Israelis in a surprise assault.

Those views may come as a surprise to Volkswagen workers in Tennessee, who chose to unionize last month, or Mercedes workers in Alabama, who will decide whether to join the UAW by May 17. The union is eager to organize workers at fast-growing southern plants, and it’s promising higher wages. But its pitch is conspicuously light on solidarity with Hamas and Ivy League delinquents, though worker dues will support Mr. Fain’s ideological causes.

Mr. Fain’s anti-Israel policy may be aimed at appeasing a separate, growing constituency within the UAW: graduate students. By last year more than a quarter of the union’s 400,000 members were university employees, mostly assistants and adjuncts. Columbia’s chapter demanded that the university divest from Israel, and its members showed up to the protest. UAW members were among those arrested when police swept campuses Tuesday night.

Mr. Fain’s leftist politics are far removed from 20th-century union leaders like George Meany and Lane Kirkland, who were stout anti-Communists. Auto workers should know the radical politics they’re being recruited to endorse.

Appeared in the May 4, 2024, print edition as “The UAW Has a Gaza Policy”.

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HEARING: July 9, 2024

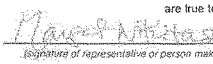
EXHIBIT 3

FORM NLRB-501
(3-21)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 01-CA-341838	Date Filed May 8, 2024

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer Massachusetts Institute of Technology	b. Tel. No. 617-715-5953
	c. Cell No.
	f. Fax No.
d. Address (Street, city, state, and ZIP code) 105 Broadway NE36-6201 Cambridge, MA 02142	e. Employer Representative Genevieve Aguilar, Counsel Office of the General Counsel
	g. e-mail aguilarg@mit.edu
	h. Number of workers employed 3,385
i. Type of Establishment (factory, mine, wholesaler, etc.) School	j. Identify principal product or service Higher Education and Research
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (3) and (5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)	
On or about May 8, 2024, the above-named employer, through its officers, agents and representatives, unlawfully disciplined five bargaining unit employees in retaliation for engaging in protected concerted activity and union activity in violation of Sections 8(a)(1) and (3) of the Act. Specifically, the Employer suspended the employees from employment and academic activities and evicted them from campus housing. The Employer's retaliatory actions towards these employees has an unlawful chilling effect on employees' exercise of their Section 7 rights and also constituted an unlawful unilateral change in terms and conditions of employment in violation of Sections 8(a)(1) and (5) of the Act.	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) United Electrical, Radio and Machine Workers of America (UE), Local 256, MIT GSU	
4a. Address (Street and number, city, state, and ZIP code) 160 Alewife Brook Parkway #1171 Cambridge, MA 02138	4b. Tel. No.
	4c. Cell No.
	4d. Fax No.
	4e. e-mail contact@mitgsu.org
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) United Electrical, Radio and Machine Workers of America (UE)	
6. DECLARATION	
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	
 (Signature of representative or person making charge)	Margot Nikitas, UE General Counsel (Printtype name and title or office, if any)
Address 4 Smithfield Street, 9th Floor, Pittsburgh, PA 15222	Tel. No. 412-471-8919
Date May 8, 2024	Office, if any, Cell No. 773-317-1645
	Fax No. 412-471-8999
	e-mail margot.nikitas@ueunion.org

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 10, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

EXHIBITS TO THE STATEMENT OF GLENN M. TAUBMAN
TO THE UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON EDUCATION AND THE WORKFORCE
SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND
PENSIONS
HEARING: July 9, 2024

EXHIBIT 4

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18 Attorneys for Plaintiff
19 THE REGENTS OF THE UNIVERSITY OF
20 CALIFORNIA

21 SUPERIOR COURT OF THE STATE OF CALIFORNIA

22 COUNTY OF ORANGE

23 THE REGENTS OF THE UNIVERSITY OF
24 CALIFORNIA,

25 Plaintiff,

26 v.

27 INTERNATIONAL UNION, UNITED
28 AUTOMOBILE, AEROSPACE AND
AGRICULTURAL IMPLEMENT WORKERS OF
AMERICA, AFL-CIO, LOCAL UNION 4811; and
DOES 1 through 30, inclusive,

Defendant.

Case No.

EXEMPT FROM FEES (GOV. CODE §6103)

**COMPLAINT FOR DAMAGES AND
INJUNCTIVE RELIEF BASED ON BREACH
OF CONTRACT**

INTRODUCTION

1
2 1. PLAINTIFF The Regents of the University of California (“University”) and DEFENDANT
3 International Union, United Automobile, Aerospace and Agricultural Implement Workers of America,
4 AFL-CIO, Local Union 4811 (“UAW”) are parties to written collective bargaining agreements (“CBA”s)
5 covering four different systemwide bargaining units at the University. These systemwide bargaining units
6 include Graduate Students Researchers, Academic Student Employees, Postdoctoral Scholars, and
7 Academic Researchers. These employees play a critical role in teaching classes, leading discussion sections
8 and labs, and grading the work of nearly 200,000 undergraduate students, as well as engaging in critical
9 research.

10 2. The CBAs between the University and UAW all include provisions prohibiting strikes
11 during the term of each contract. Such no-strike clauses are very common in labor agreements throughout
12 the country. Despite the clear and unambiguous language of the no-strike clauses, on May 15, 2024, UAW
13 announced that 19,780 of its approximately 48,000 members had voted to authorize a system-wide strike
14 against the University.¹ On May 17, 2024, UAW announced that its bargaining unit members at the UC
15 Santa Cruz would begin striking on May 20, 2024.

16 3. Although UAW alleged that it called the strike to protest unfair employment practices by
17 the University, virtually every communication about the strike indicated that it was called to protest the
18 conflict in the Middle East and to force the University to divest from companies that do business with
19 Israel. These issues have nothing to do with the terms and conditions of employment for UAW bargaining
20 unit members.

21 4. On May 28, 2024, UAW expanded its strike to UC Davis and UCLA.

22 5. On May 31, 2024, UAW announced that the strike would expand to UCI, UC Santa Barbara,
23 and UC San Diego on June 3, 2024.

24
25
26 ¹ According to media report, 19,780 out of 48,000 UAW members voted in the strike vote, which is 41%
27 of their membership. Of the minority of union members who actually voted, media reports indicate that
28 79% voted in favor of striking. Systemwide, that means approximately 15,626 employees (33% of all UAW
members) voted to strike and approximately 32,374 employees either voted not to strike or abstained from
voting. (See <https://www.latimes.com/california/story/2024-05-15/uc-academic-workers-strike-vote>)

1 6. UAW has publicly stated any strikes at the University would last through at least June 30,
2 2024.

3 7. The blatant breach of the parties' CBAs by UAW will cause harm to the University as it
4 will disrupt the education of thousands of students in the form of cancelled classes and delayed grades. It
5 also endangers the research in hundreds of laboratories across the University. The breach of contract will
6 also cause the University monetary damages.

7 8. All of these campuses where UAW has announced a strike are on a quarter system which
8 ends mid-June. Students at all of these campuses will be entering finals at the end of the first week of June
9 2024.

10 9. Therefore, if UAW's breach of contract is not enjoined, the University will suffer severe
11 and irreparable harm.

12 JURISDICTION AND VENUE

13 10. This is a breach of contract action expressly permitted by Labor Code section 1126.

14 11. Labor Code section 1126 states that, "Any collective bargaining agreement between an
15 employer and a labor organization shall be enforceable at law or in equity, and a breach of such collective
16 bargaining agreement by any party thereto shall be subject to the same remedies, including injunctive relief,
17 as are available on other contracts in the courts of this State."

18 12. The Public Employment Relations Board ("PERB") is the state agency charged with
19 administering the Higher Education Employer Employee Relations Act ("HEERA") (Gov. Code, §3560 et.
20 seq.) HEERA makes it unlawful for an employee organization—such as Defendant UAW—to engage in
21 unfair practices, which can include unilateral changes to a collective bargaining agreement. (Gov. Code,
22 §3571.1.) However, HEERA expressly states that PERB "shall not have authority to enforce agreements
23 between the parties..." (Gov. Code, §3563.2, subd. (2).)

24 13. With respect to alleged unfair practices under HEERA, California courts have held that
25 PERB has exclusive initial jurisdiction over those claims. (*See International Association of Firefighters*
26 *Local Union 230 v. City of San Jose* (2011) 195 Cal.App.4th 1179, 1209.) However, by this action the
27 University is not seeking to adjudicate whether UAW has committed unfair practices under HEERA.
28

10 17. Venue is proper in this County, as Defendant UAW has publicly announced a strike at UC
11 Irvine which is located within Orange County. Plaintiff is informed and believes that Defendant UAW
12 conducts business and operates within Orange County in order to provides services to its bargaining unit
13 members at UC Irvine. All of the CBAs between the parties are systemwide and therefore cover UC Irvine.
14 A breach of contract action may be brought in the county where the breach occurs. (Code Civ. Proc.,
15 §395.5.) Therefore UAW's strike at UC Irvine constitutes a breach of the no-strike provisions of the CBAs
16 and makes this county proper for venue.

26 20. The true names and capacities of defendants DOES ONE through THIRTY are unknown to
27 the University, and the University will seek leave of court to amend this complaint to allege such names
28 and capacities as soon as they are ascertained.

CONCURRENT JURISDICTION

21. Labor Code section 1126 provides for a cause of action for a breach of a collective bargaining agreement.

22. To the extent any breach of a collective bargaining agreement also constitutes an unfair practice under HEERA, the courts and PERB have concurrent jurisdiction over such breach of contract claims.

23. Because this Court has concurrent jurisdiction, exhaustion of administrative remedies is not required. Rather, the Court has the discretion to determine whether, when and how to adjudicate the breach of contract claims given the pendency of the unfair practice charges.

24. PERB has determine that the strikes and threatened expansion of the strikes present a prima facie case of an unfair practice under HEERA. On May 17, 2024, the University filed an Unfair Practice Charge with the Public Employment Relations Board ("PERB"), PERB Case No. SF-CO-246-H. The University alleged that UAW violated Government Code section 3571.1, subdivisions (c), (d), and (g). On May 21, 2024, the University filed a Request for Injunctive Relief with PERB (PERB Request for Injunctive Relief No. 844). On May 22, 2024, UAW filed an Opposition to the University's Request for Injunctive Relief.

25. On May 23, 2024, PERB issued a Complaint on the University's unfair practice charge. However, that same day PERB denied the University's request for injunctive relief without prejudice, finding that the unique standard for injunctive relief under HEERA was not met. On June 3, 2024, PERB denied a renewed request for injunctive relief filed by the University.

26. With no jurisdiction over the breach of contract claim and within its limited sphere of overseeing HEERA, PERB has determined that the strikes do not offend HEERA to such an extent that an injunction would be "just and proper." For purposes of interim injunctive relief in this breach of contract action, PERB has accordingly exercised its initial exclusive jurisdiction, ripening this matter for the Court's determination of the University's request for injunctive relief based on the irreparable harm that UAW's multiple breaches of the no-strike provisions caused and will continue to cause absent interim relief.

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1 31. Unrelated to any activity in campus encampments, on April 30, 2024, Union members at
2 one of its campuses, UC Santa Cruz, voted for a one-day strike to support protest activities related to the
3 conflict in the Middle East. Per the campus's Union leader, Union members intended to strike to show
4 "solidarity with the calls from Palestinian General Federation of Trade Union, Palestinian Youth
5 Movement, and UCSC Faculty for Justice in Palestine." As the email noted, "This action is a first collective
6 step to standing in solidarity with these pressing calls."

7 32. The UC Santa Cruz UAW email went further, describing UAW's intent to engage in broader
8 strike actions. Specifically, the email outlined the purposes of two upcoming meetings on May 3, 2024,
9 and May 7, 2024. The May 3 meeting was to "discuss the possibility of a demands-based strike and,
10 specifically, what those demands would be." The May 7 meeting was intended to "vote on whether or not
11 we want to strike given the demands that we collectively decide upon."

12 33. On May 1, upon learning of UAW's strike vote, and pursuant to the terms of the applicable
13 CBAs, the University quickly contacted UAW's leadership. The University requested that UAW take
14 immediate action to stop the activity because it violated the CBA's no strike clause. The Union responded
15 that it was in touch with members "that we know are engaged in activity that may be in violation of the
16 contract and are informing them of their obligations under the CBA."

17 34. Despite the University reminding UAW of its no-strike obligations under its Agreements,
18 on May 1, 2024, the Union announced that it intended to hold a strike authorization vote. This time, the
19 UAW characterized the strike vote as being in response to UCLA's decision to disband the encampment
20 on its campus.

21 35. The University responded to the UAW's notice of intent to take an unlawful strike vote on
22 May 2, 2024. The University again reminded UAW of its no-strike obligations under its respective CBAs,
23 and made clear that UAW had no basis under the CBAs to engage in a work stoppage. The University then
24 asked UAW to inform its members that any work stoppage violates the terms of its CBAs, and asked UAW
25 to cease and desist from pursuing its unlawful strike.

26 36. Continuing to ignore its no-strike obligations under its CBAs, the Union scheduled a strike
27 vote for May 13 to May 15 and instructed its members to be ready to strike as early as May 15.
28

1 37. After announcing its unlawful strike vote, UAW promoted the vote to its members, making
2 clear that it was pursuing the strike to protest the conflict in the Middle East and not because of any
3 incursions on Union members' terms and conditions of employment.

4 38. UAW members individually advocating for the vote understood that the strike was to
5 support UAW's political and social position. One noted the international focus of the strike and made clear
6 that the vote was about divestment and Palestine. Another pushed their department to vote for the strike
7 stating "[T]he top demand that matters here is disinvestment. This is about Palestine first and our ability to
8 work comfortably at UC second."

9 39. UAW's website reflected the larger political and social focus of its strike vote. It urged
10 members to vote "yes" to oppose what the UAW characterized as a "crackdown of free speech on
11 University campuses. . . . The website went on to list UAW's demands to avoid (and presumably end) its
12 strike. The first and most prominent demand was divestment: "In order to de-escalate the situation, UC
13 must substantively engage with the concerns raised by the protesters – which focus on UC's investments
14 in companies and industries profiting off of the suffering in Gaza." UAW then listed other demands,
15 including amnesty for all individuals who face disciplinary action or arrest due to the protest, the right to
16 free speech and political expression on campus, divestment, disclosure of UC funding sources and
17 investments, and allowing researchers to opt out from funding sources tied to certain causes.

18 40. On May 15, 2024, UAW completed its unlawful strike vote. Although the Union represents
19 approximately 48,000 academic workers, according to UAW's posts on social media, only 19,780 voted in
20 the strike vote. Of the minority of union members who actually voted, media reports indicate that 79%
21 voted in favor of striking.

22 41. On Friday, May 17, 2024, UAW informed the University that it intended to strike on
23 Monday, May 20, 2024 at the University of California Santa Cruz.

24 42. UAW did go on strike at UC Santa Cruz on Monday, May 20, 2024, and the strike is ongoing
25 as of the filing date of this Complaint.

26 43. On May 28, 2024, UAW expanded its strike to UC Davis and UCLA.

27 44. On May 31, 2024, UAW announced that the strike would expand to UCI, UC Santa Barbara,
28 and UC San Diego on June 3, 2024.

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46. Individuals carrying UAW picket signs have also blocked egress and ingress to various University buildings and access points. For example, individuals carrying UAW picket signs have blocked key access points at UC Santa Cruz causing extreme disruption to its operations. Individuals carrying UAW picket signs have stormed and barricaded themselves into buildings at UCLA. Also at UCLA, individuals carrying UAW picket signs have blocked streets, parking lots, and loading docks, preventing access by the community.

47. The University is informed and believes that UAW intends to expand its strike systemwide by the finals period which is early to mid-June for most of the University's campuses.

48. Without immediate injunctive relief, the University will suffer irreparable harm to its operations, as well as the educational experience and academic progress of its students.

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Breach of Contract

49. Plaintiff realleges all paragraphs set forth above and incorporates them by reference as though they were fully set forth in this cause of action.

50. The University entered into written contracts, called Collective Bargaining Agreements (“CBAs” or “Agreements”), with UAW bargaining units including Academic Graduate Student Researchers (“BR Unit”), Academic Student Employees (“BX Unit”), Postdoctoral Scholars (“PX Unit”), and Academic Researchers (“RA Unit”). UAW has been recognized as the exclusive representative of these four bargaining units under HEERA. As a result, the University is required by law to bargain in good faith with UAW over the terms and conditions of employment for these bargaining unit members.

51. In the last round of bargaining, the University made substantial economic concessions to UAW in order to achieve the labor peace that comes with having a CBA in effect with a no-strike clause. By blatantly violating the no-strike clauses in the CBAs, UAW has fundamentally breached the agreements to which the University agreed to in good faith.

BR Unit – Graduate Student Researchers

52. The BR Unit includes graduate students at the University who perform research as a service to the University for financial remuneration and under the specific direction and control of a faculty member or Principal Investigator.

53. The University and UAW are parties to a collective bargaining agreement covering Graduate Student Researchers effective December 23, 2022, through May 31, 2025 ("BR Agreement"). The BR Agreement contains a No Strike provisions during the term of the agreement:

ARTICLE 19
NO STRIKES

A. During the term of this agreement or any written extension thereof, the University agrees that there shall be no lockouts by the University. The UAW, on behalf of its officers, agents, and members agrees that there shall be no strikes, including sympathy strikes, stoppages or interruptions of work, or other concerted activities which interfere directly or indirectly with University operations during the life of this agreement or any written extension thereof. The UAW, on behalf of its officers, agents, and members, agrees that it shall not in any way authorize, assist, encourage, participate in, sanction, ratify, condone, or lend support to any activities in violation of this article.

B. Any GSR who is absent from work without permission, or who abstains wholly or in part from the full performance of their duties without permission, on the date or dates when such activities indicated above occur, shall be presumed to have engaged in concerted activities on the dates of such actions and shall not be paid for those days.

C. The UAW shall immediately take whatever affirmative action is necessary to prevent and bring about an end to any concerted activity in violation of this article. Such affirmative action shall include but not be limited to sending written notice by email or to the home address of all unit members engaged in prohibited activity, informing them that the concerted activity is in violation of this article, that engaging in such activity may lead to disciplinary action, and stating that employees engaged in prohibited activity must cease such activity and immediately return to work.

D. Any GSR who violates this article shall be subject to discipline up to and including termination of employment, in accordance with Article 7 - Discipline and Dismissal. E. Nothing herein constitutes a waiver of the University's right to seek appropriate legal relief in the event of a violation of this article.

54. The BR Agreement also has a comprehensive management rights clause. Relevant to this Complaint, the University expressly retains the following rights:

7. to establish and modify rules, regulations, and policies and safety procedures;

[...]

9. to establish or modify the academic and work calendar, including holidays and holiday scheduling;

10. to determine the work location or relocation, reorganization, or discontinuance of operations;

11. to establish University policies, rules, and regulations and to require GSRs to observe them;

[...]

15. to establish, administer or modify procedures, rules and regulations that direct and control the University's operations; and to determine the methods and means by which operations are to be carried on;

[...]

17. to establish, maintain, modify, and enforce standards of workplace performance, conduct, order and safety;

18. to assign GSR's individual work locations;

BX Unit – Academic Student Employees

55. The BX Unit consists of Academic Student Employees who are primarily graduate students providing services as teaching assistants, readers, and tutors.

56. The University and UAW are parties to a collective bargaining agreement covering Academic Student Employees effective December 23, 2022, through May 31, 2025 ("BX Agreement"). The BX Agreement contains a No Strike provisions during the term of the agreement:

ARTICLE 20 NO STRIKES

A. During the term of this agreement or any written extension thereof, the University agrees that there shall be no lockouts by the University. The UAW, on behalf of its officers, agents, and members agrees that there shall be no strikes, including sympathy strikes, stoppages or interruptions of work, or other concerted activities which interfere directly or indirectly with University operations during the life of this agreement or any written extension thereof. The UAW, on behalf of its officers, agents, and members, agrees that it shall not in any way authorize, assist, encourage, participate in, sanction, ratify, condone, or lend support to any activities in violation of this article.

B. Any employee who violates this article shall be subject to discipline up to and including termination of employment.

C. The UAW shall immediately take whatever affirmative action is necessary to prevent and bring about an end to any concerted activity in violation of this

article. Such affirmative action shall include but not be limited to sending written notice by email or to the home address of all unit members engaged in prohibited activity informing them that the concerted activity is in violation of this article, that engaging in such activity may lead to disciplinary action, and stating that unit members engaged in prohibited activity must cease such activity and immediately return to work.

D. SYMPATHY STRIKES

1. The UAW shall not call, promote or engage in a sympathy strike in support of another UC union or bargaining unit.
2. Under this section, individual ASEs retain rights of free expression including their right to engage in activities in sympathy with other UC unions or bargaining units who are striking at the work location of the ASE. When ASEs exercise these rights and do not meet the expectation that they comply with the terms of their appointment, at the discretion of the University they may not be paid for work they do not perform and may be subject to discipline and dismissal.

E. Nothing herein constitutes a waiver of the University's right to seek appropriate legal relief in the event of a violation of this article.

57. The BX Agreement also has a comprehensive management rights clause. Relevant to this unfair practice charge, the University retains the following rights:

3. to establish and administer procedures, rules and regulations, and direct and control University operations;
[...]
5. to determine the work location or relocation, reorganization, or discontinuance of operations;
[...]
9. to establish, maintain, modify and enforce standards of workplace performance, conduct, order and safety;
[...]
12. to establish or modify the academic and work calendars, including holidays and holiday scheduling;
13. to assign ASE's individual work locations;
14. to schedule hours of work;
[...]

PX Unit – Postdoctoral Scholars

1 58. The PX Unit members are postdoctoral scholars who contribute to the University's
2 academic community by enhancing the research and educational programs at the University under the
3 mentorship of a faculty member or principal investigator.

4 59. The University and UAW are parties to a collective bargaining agreement covering
5 Postdoctoral Scholars effective through September 30, 2027 ("PX Agreement"). The PX Agreement
6 contains a No Strike provisions during the term of the agreement:

7 ARTICLE 14
8 NO STRIKES

- 9 A. During the term of this Agreement or any written extension thereof, the
10 University agrees that there shall be no lockouts by the University. The UAW,
11 on behalf of its officers, agents, and members agrees that there shall be no
12 strikes, including sympathy strikes, stoppages, interruptions of work, or other
13 concerted activities which interfere directly or indirectly with University
14 operations during the life of this Agreement or any written extension thereof.
15 The UAW, on behalf of its officers, agents, and members, agrees that it shall
16 not in any way authorize, assist, encourage, participate in, sanction, ratify,
17 condone, or lend support to any activities in violation of this Article.
- 18 B. Any Postdoctoral Scholar who is absent from work without permission, or
19 who abstains wholly or in part from the full performance of his or her duties
20 without permission, on the date or dates when such activities indicated above
21 occur, shall be presumed to have engaged in concerted activities on the dates
22 of such actions and shall not be paid for those days.
- 23 C. The UAW shall immediately take whatever affirmative action is necessary to
24 prevent and bring about an end to any concerted activity in violation of this
25 Article.
- 26 1. Such affirmative action shall include but not be limited to sending written
27 notice to the home address of all unit members engaged in prohibited activity
28 informing them that they must immediately return to work, and providing
local news agencies and newspapers with a public written disavowal of the
actions of the unit members.
2. If the UAW performs in good faith and in a timely way all of the obligations
of Section C.1 , above, the UAW shall not be liable to the University for
damages suffered as a result of the strike, except for such damages as are
caused by the activities of officers of the UAW or with their assistance or
consent
- D. Nothing herein constitutes a waiver of the University's right to seek
appropriate legal relief in the event of a violation of this Article.

E. Any discipline up to and including discharge arising out of the violation of this provision shall be in accordance with Article 5 -- Discipline and Dismissal.

60. The PX Agreement also has a comprehensive management rights clause. Relevant to this unfair practice charge, the University retains the following rights:

3. to establish, administer, or modify procedures, rules and regulations that direct and control the University's operations; and to determine the methods and means by which operations are to be carried on;

[...]

5. to establish, maintain, modify, and enforce standards of workplace performance, conduct, order and safety,

[...]

7. to establish University rules and regulations and to require Postdoctoral Scholars to observe them;

[...]

10. to determine or modify the number, qualifications, scheduling, responsibilities and assignment of Postdoctoral Scholars;

[...]

12. to assign work locations and schedule hours of work;

RA Unit -- Academic Researchers

61. The RA unit is comprised of academic researchers, which includes positions such as Academic Specialist, Project Scientists, Professional Researchers, and Coordinators of Public Programs.

62. The University and UAW are parties to a collective bargaining agreement covering Postdoctoral Scholars effective through September 30, 2027 ("RA Agreement"). The RA Agreement contains a No Strike provisions during the term of the agreement:

ARTICLE 15 NO STRIKES

A. During the term of this Agreement or any written extension thereof, the University agrees that there shall be no lockouts by the University. The UAW, on behalf of its officers, agents, and members agrees that there shall be no strikes, including sympathy strikes, stoppages, interruptions of work, or other concerted activities which interfere directly or indirectly with University operations during the life of this Agreement or any written extension thereof. The UAW, on behalf of its officers, agents, and members, agrees that it shall not in any way authorize, assist, encourage, participate in, sanction, ratify, condone, or lend support to any activities in violation of this Article.

- 1 B. Any Academic Researcher who is absent from work without permission, or
2 who abstains wholly or in part from the full performance of his or her duties
3 without permission, on the date or dates when such activities indicated
4 above occur, shall be presumed to have engaged in concerted activities on
5 the dates of such actions and shall not be paid for those days.
- 6 C. The UAW shall immediately take whatever affirmative action is necessary
7 to prevent and bring about an end to any concerted activity in violation of
8 this Article.
- 9 1. Such affirmative action shall include but not be limited to sending written
10 notice by email or to the home address of all unit members engaged in
11 prohibited activity informing them that they must immediately return to
12 work, and providing local news agencies and newspapers with a public
13 written disavowal of the actions of the unit members.
- 14 2. If the UAW performs in good faith and in a timely way all of the obligations
15 of Section C.1., above, the UAW shall not be liable to the University for
16 damages suffered as a result of the strike, except for such damages as are
17 caused by the activities of officers of the UAW or with their assistance or
18 consent.
- 19 D. Nothing herein constitutes a waiver of the University's right to seek
20 appropriate legal relief in the event of a violation of this Article.
- 21 E. Any discipline up to and including discharge arising out of the violation of
22 this provision shall be in accordance with Article 6 - Corrective Action and
23 Dismissal.

24 63. The RA Agreement also has a comprehensive management rights clause. Relevant to this
25 unfair practice charge, the University retains the following rights:

- 26 2. establish or modify the academic and work calendar, including holidays and
27 holiday scheduling;
- 28 3. establish, administer or modify procedures, rules and regulations that direct and
control the University's operations; and to determine the methods and means by
which operations are to be carried on;
[...]
6. establish, maintain, modify, and enforce standards of workplace performance,
conduct, order and safety;
[...]
13. assign work locations and schedule hours of work;

1 64. Despite the no-strike clauses included above from the CBAs, on May 15, 2024, UAW
2 authorized its leadership to call for a strike that included the Academic Graduate Student Researchers (BR
3 Unit), Academic Student Employees (BX Unit), Postdoctoral Scholars (PX Unit), and Academic
4 Researchers (RA Unit). UAW has also announced that it intended to call strikes at individual campuses
5 with little or no notice to the University to “maximize chaos and confusion” for the University and its
6 students.

7 65. On May 21, 2024, UAW breached the CBAs when it initiated a strike at the UC Santa Cruz
8 campus. Further breaches occurred on May 28, 2024, when UAW expanded its strike to UC Davis and
9 UCLA, and again on June 3, 2024, when UAW expanded its strike to UCI, UC Santa Barbara, and UC San
10 Diego.

11 66. The UAW has also publicly announced that it intends to expand its strike to all University
12 locations unless the University concedes to its political demands. By its conduct, UAW has expressly
13 repudiated the no-strike clause at all University locations.

14 67. The University has performed all obligations to UAW except those obligations the
15 University was prevented or excused from performing.

16 68. UAW’s breach of the CBA was material and substantial because it has interfered with the
17 University’s ability to carry out its business as an educational and public research institution and all related
18 services offered to students and the public.

19 69. UAW’s breach of the CBA caused the University to sustain monetary damages associated
20 with the strike including loss of revenue, waste of resources, and additional costs.

21 70. As a public agency, the University is not required to file a bond or undertaking when
22 requesting injunctive relief. (Code Civ. Proc., § 529, subd. (b)(3).)

23 71. Through its unlawful strike activity, UAW is causing irreparable injury by interfering with
24 the University’s ability to conduct its business and to provide education and community services.

25 PRAYER FOR RELIEF

26 WHEREFORE, Plaintiff prays for a judgment as follows:

27 1. That Defendant UAW, their agents, employees, representatives, officers, organizers,
28 committee persons, stewards, members, and all corporations, unincorporated associations, and natural

1 persons acting in concert and participation with any of them, be enjoined and restrained from all strike
2 activities while the no-strike clauses in the CBAs are in effect;

3 2. That a Temporary Restraining Order be granted, enjoining and restraining Defendant
4 UAW, its agents, employees, representatives, officers, organizers, committee persons, stewards, and
5 members, and all persons acting in concert with them or any of them, until the hearing upon an Order to
6 Show Cause, from doing or causing to be done any of the acts prayed in paragraph 1 of this prayer to be
7 enjoined or restrained;

8 3. That upon the hearing of the Order to Show Cause, a Preliminary Injunction be granted
9 restraining Defendant UAW its agents, employees, representatives, officers, organizers, committee
10 persons, stewards, and members, and all persons acting in concert with them or any of them, from doing
11 or causing to be done any of the acts or things prayed in paragraph 1 of this prayer to be enjoined or
12 restrained. For general damages incurred by the University that were caused by UAW's strike;

13 4. For damages incurred by the University in an amount to be determined;

14 5. For the University's attorneys' fees for this suit;

15 6. For its cost of suit herein incurred;

16 7. For such other and further relief as may be just and proper.

SLOAN SAKAI YEUNG & WONG LLP
Attorneys at Law

17
18 Dated: June 3, 2024

SLOAN SAKAI YEUNG & WONG LLP

19
20 By: 
TIMOTHY G. YEUNG

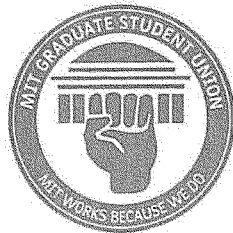
21 Attorneys for Plaintiff
22 THE REGENTS OF THE UNIVERSITY OF
23 CALIFORNIA
24
25
26
27
28

EXHIBITS TO THE STATEMENT OF GLENN M. TAUBMAN
TO THE UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON EDUCATION AND THE WORKFORCE
SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND
PENSIONS
HEARING: July 9, 2024

EXHIBIT 5

Subject: [9 DAYS LEFT - URGENT ACTION REQUIRED] Sign your dues check-off card now
 Date: Sunday, November 26, 2023 at 10:08:35AM Eastern Standard Time
 From: MIT GSU <contact@mitgsu.org>
 To: Will Sustman <[REDACTED]>

[View this email in your browser](#)



Hello,

TL;DR:

- You are required to sign up for either dues or agency fees as a condition of employment
- The deadline to sign up before dues collection begins is Dec 5, just 9 days away
- The cost of dues and agency fees is exactly the same
- Signing up for dues gives you the right to participate in all union matters
- SIGN UP FOR DUES HERE: <https://member-portal.mitgsu.org/>
- Sign up for agency fees here

We are 9 DAYS AWAY from the deadline to sign up for dues or agency fees! Sign up today!

Do I have to take action?

YES. Per Article 3 of our contract, you are required as a condition of

employment to pay either dues or agency fees. You will not be automatically enrolled in dues/fees deduction; you must actively sign up.

How do I pay dues/fees?

You may sign up to have dues automatically deducted from your paycheck. [SIGN UP FOR DUES HERE](#). You may sign up for agency fees [here](#).

What is the cost of dues or agency fees?

The cost of dues and agency fees is exactly the same: 1.44% of our stipend, which is ~\$60 per month on a full 20-hour/week appointment.

What is the difference between dues and agency fees?

The cost is exactly the same. By signing up for dues, you will have the right to participate in all democratic union activity as a union member, such as voting at monthly General Membership Meetings, electing union officers and stewards, and voting on future contracts. If you sign up for agency fees instead, you will forfeit those rights.

When is the deadline to sign up?

The last day to sign up for automatic dues/fees deduction before dues collection begins is December 5. Dues collection will begin in the December 15 paycheck.

What will happen if I don't sign up for dues or fees?

If you do not sign up by December 5, you will begin to owe back dues from the first December paycheck onward until you begin dues/fees payments. Continued failure to pay either dues or agency fees will result in your RA or TA appointment at MIT being ended early.

What if I have another question?

Please respond to this email and we will do our best to answer your question.

All the best,
MIT GSU

Follow us on social media!



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Our mailing address is:

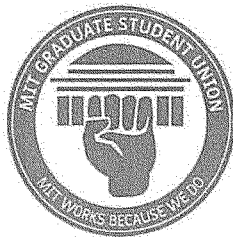
mitgsu@mit.edu

Want to change how you receive these emails?

[You can update your preferences](#) or [unsubscribe from this list](#).

Subject: [2 DAYS LEFT - URGENT ACTION REQUIRED] Sign your dues check-off card now
Date: Sunday, December 3, 2023 at 9:16:28 AM Eastern Standard Time
From: MIT GSO <contact@mitgsu.org>
To: Will Sussman

[View this email in your browser](#)



Hello,

TL;DR:

- You are required to sign up for either dues or agency fees as a condition of employment
- The deadline to sign up before dues collection begins is Tuesday Dec 5 at 5pm, just 2 days away
- The cost of dues and agency fees is exactly the same
- Signing up for dues gives you the right to participate in all union matters
- SIGN UP FOR DUES HERE: <https://member-portal.mitgsu.org/>
- Sign up for agency fees here
- If you do not sign up by Tuesday December 5 at 5pm, you will begin to owe back dues from the first December paycheck onward until you begin dues/fees payments

We are 2 DAYS AWAY from the deadline to sign up for dues or agency fees! Sign up today!

Do I have to take action?

YES. Per Article 3 of our contract, you are required as a condition of employment to pay either dues or agency fees. You will not be automatically enrolled in dues/fees deduction; you must actively sign up.

How do I pay dues/fees?

You may sign up to have dues automatically deducted from your paycheck. SIGN UP FOR DUES HERE. You may sign up for agency fees here.

What is the cost of dues or agency fees?

The cost of dues and agency fees is exactly the same: 1.44% of our stipend, which is ~\$60 per month on a full 20-hour/week appointment.

What is the difference between dues and agency fees?

The cost is exactly the same. By signing up for dues, you will have the right to participate in all democratic union activity as a union member, such as voting at monthly General Membership Meetings, electing union officers and stewards, and voting on future contracts. If you sign up for agency fees instead, you will forfeit those rights.

When is the deadline to sign up?

The deadline to sign up for automatic dues/fees deduction before dues collection begins is Tuesday December 5 at 5pm. Dues collection will begin in the December 15 paycheck.

What will happen if I don't sign up for dues or fees?

If you do not sign up by December 5 at 5pm, you will begin to owe back dues from the first December paycheck onward until you begin dues/fees payments. Continued failure to pay either dues or agency fees will result in your RA or TA appointment at MIT being ended early. While future appointments are possible, back dues or fees will still be owed and additional appointments will be terminated if payment is not made.

What if I have another question?

Please respond to this email and we will do our best to answer your question.

All the best,
MIT GSU

Follow us on social media!



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Our mailing address is:

mitgradunion@gmail.com

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).

EXHIBITS TO THE STATEMENT OF GLENN M. TAUBMAN
TO THE UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON EDUCATION AND THE WORKFORCE
SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND
PENSIONS
HEARING: July 9, 2024

EXHIBIT 6

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
SETTLEMENT AGREEMENT

IN THE MATTER OF

MIT GRADUATE STUDENT UNION (Massachusetts Institute of Technology) Case 01-CB-330147

Subject to the approval of the Regional Director for the National Labor Relations Board, the Charged Party and the Charging Party **HEREBY AGREE TO SETTLE THE ABOVE MATTER AS FOLLOWS:**

POSTING OF NOTICE — After the Regional Director has approved this Agreement, the Regional Office will send copies of the approved Notice to the Charged Party in English and in additional languages if the Regional Director decides that it is appropriate to do so. A responsible official of the Charged Party will then sign and date those Notices and immediately post them in at its office where notices are typically posted. The Charged Party will keep all Notices posted for 60 consecutive days after the initial posting. Further, if the Charged Party maintains bulletin boards at the facility of the Employer where the alleged unfair labor practices occurred, the Charged Party shall also post Notices on only such bulletin boards where notices are typically posted during the posting period. The Regional Director will send copies of the signed Notices to the Employer whose employees are involved in this case, and request that the Notices be posted in prominent places in the Employer's facility for 60 consecutive days from the date of posting.

INTRANET POSTING - The Charged Party will also post a copy of the Notice in English and in additional languages if the Regional Director decides that it is appropriate to do so, on its intranet, if the Charged Party maintains an intranet, at (specify locations where Notice should be posted) and keep it continuously posted there for 60 consecutive days from the date it was originally posted. To document its compliance with this requirement, the Charged Party will submit a screen shot of the intranet or website posting, along with a fully completed Certification of Posting form, via the Agency's e-filing portal at www.nlrb.gov. Should further investigation or verification of the intranet or website posting become necessary, the Charged Party will provide appropriate intranet or website access to the Compliance Assistant or Compliance Officer assigned to the case.

E-MAILING NOTICE - The Charged Party will email a copy of the signed Notice in English, and in additional languages if the Regional Director decides that it is appropriate, to all bargaining unit employees of MIT. The message of the e-mail transmitted with the Notice will state: "We are distributing the Attached Notice to Employees and Members to you pursuant to a Settlement Agreement approved by the Regional Director of Region 01 of the National Labor Relations Board in Case 01-CB-330147." To document its compliance with this requirement, the Charged Party will e-file a copy of its distribution e-mail, with all of the recipients' e-mail addresses visible, along with a copy of the attached Notice and a fully completed Certification of Posting form, via the Agency's e-filing portal at www.nlrb.gov.

COMPLIANCE WITH NOTICE — The Charged Party will comply with all the terms and provisions of said Notice.

SCOPE OF THE AGREEMENT — This Agreement settles only the allegations in the above-captioned case, including all allegations covered by the attached Notice to Employees and Members made part of this agreement, and does not settle any other case(s) or matters. It does not prevent persons from filing charges, the General Counsel from prosecuting complaints, or the Board and the courts from finding violations with respect to matters that happened before this Agreement was approved regardless of whether General Counsel knew of those matters or could have easily found them out. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned case for any relevant purpose in the

Initials: MN

litigation of this or any other case(s), and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to said evidence.

PARTIES TO THE AGREEMENT — If the Charging Party fails or refuses to become a party to this Agreement and the Regional Director determines that it will promote the policies of the National Labor Relations Act, the Regional Director may approve the settlement agreement and decline to issue or reissue a Complaint in this matter. If that occurs, this Agreement shall be between the Charged Party and the undersigned Regional Director. In that case, a Charging Party may request review of the decision to approve the Agreement. If the General Counsel does not sustain the Regional Director's approval, this Agreement shall be null and void.

AUTHORIZATION TO PROVIDE COMPLIANCE INFORMATION AND NOTICES DIRECTLY TO CHARGED PARTY — Counsel for the Charged Party authorizes the Regional Office to forward the cover letter describing the general expectations and instructions to achieve compliance, a conformed settlement, original notices and a certification of posting directly to the Charged Party. If such authorization is granted, Counsel will be simultaneously served with a courtesy copy of these documents.

Yes MN No _____
Initials Initials

PERFORMANCE — Performance by the Charged Party with the terms and provisions of this Agreement shall commence immediately after the Agreement is approved by the Regional Director, or if the Charging Party does not enter into this Agreement, performance shall commence immediately upon receipt by the Charged Party of notice that no review has been requested or that the General Counsel has sustained the Regional Director. The Charged Party agrees that in case of non-compliance with any of the terms of this Settlement Agreement by the Charged Party, and after 14 days' notice from the Regional Director of the National Labor Relations Board of such non-compliance without remedy by the Charged Party, the Regional Director will issue a Complaint that includes the allegations covered by the Notice to Employees and Members, as identified above in the Scope of Agreement section, as well as filing and service of the charge(s), commerce facts necessary to establish Board jurisdiction, labor organization status, appropriate bargaining unit (if applicable), and any other allegations the General Counsel would ordinarily plead to establish the unfair labor practices. Thereafter, the General Counsel may file a Motion for Default Judgment with the Board on the allegations of the Complaint. The Charged Party understands and agrees that all of the allegations of the Complaint will be deemed admitted and that it will have waived its right to file an Answer to such Complaint. The only issue that the Charged Party may raise before the Board will be whether it defaulted on the terms of this Settlement Agreement. The General Counsel may seek, and the Board may impose, a full remedy for each unfair labor practice identified in the Notice to Employees and Members. The Board may then, without necessity of trial or any other proceeding, find all allegations of the complaint to be true and make findings of fact and conclusions of law consistent with those allegations adverse to the Charged Party on all issues raised by the pleadings. The Charged Party agrees that the Board may then issue an order providing, as elected by the Regional Director, a full remedy for the violations found as is appropriate to remedy such violations, and/or an order requiring the Charged Party to perform terms of this settlement agreement as specified by the Regional Director. The parties further agree that a U.S. Court of Appeals Judgment may be entered enforcing the Board order ex parte, after service or attempted service upon Charged Party/Respondent at the last address provided to the General Counsel.

NOTIFICATION OF COMPLIANCE — Each party to this Agreement will notify the Regional Director in writing what steps the Charged Party has taken to comply with the Agreement. This notification shall be given within 5 days, and again after 60 days, from the date of the approval of this Agreement. If the Charging Party does not enter into this Agreement, initial notice shall be given within 5 days after notification from the

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Regional Director that the Charging Party did not request review or that the General Counsel sustained the Regional Director's approval of this agreement. No further action shall be taken in the above captioned case(s) provided that the Charged Party complies with the terms and conditions of this Settlement Agreement and Notice.

Charged Party MIT GRADUATE STUDENT UNION		Charging Party William Arthur Sussman	
By:	Name and Title	Date	
/s/ Margot Nikitas, UE General Counsel 02/29/24			
Print Name and Title below		Print Name and Title below	
Recommended By:	Date	Approved By:	Date
/s/ Colleen Fleming 2/26/24		/s/ Laura A. Sacks	3/12/2024
COLLEEN FLEMING		LAURA A. SACKS	
Field Attorney		Regional Director, Region 1	

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(To be printed and posted on official Board notice form)

THE NATIONAL LABOR RELATIONS ACT GIVES YOU THE RIGHT TO:

- Form, join, or assist a union
- Choose a representative to bargain with your employer on your behalf
- Act together with other employees for your benefit and protection
- Choose not to engage in any of these protected activities.

WE WILL NOT restrain or coerce you in the exercise of the above rights.

WE WILL NOT fail to notify you of your rights under *NLRB v. General Motors Corp.*, 373 U.S. 734 (1963) (*General Motors*) and *Communications Workers v. Beck*, 487 U.S. 735 (1988) (*Beck*) prior to obligating you to pay dues and fees pursuant to a union-security clause.

WE WILL NOT tell you that it is mandatory that you fill out and send in dues or agency fee check-off authorization forms.

WE WILL NOT in any like or related manner restrain or coerce you in the exercise of your rights under Section 7 of the Act.

WE HAVE told you that it is your *General Motors* and *Beck* rights: (1) to be or remain a nonmember; (2) as a nonmember to object to paying for nonrepresentational activities and to obtain a reduction in fees for such nonrepresentational activities; (3) to be given sufficient information to enable you to intelligently decide whether to object; and (4) as a nonmember to be apprised of any internal union procedures for filing objections.

YOU HAVE THE RIGHT to pay your dues or agency fees to the MIT Graduate Student Union by means other than check-off authorization.

MIT GRADUATE STUDENT UNION

(Labor Organization)

Dated: 02/29/24

By: Margot Nikitas, UE General Counsel

(Representative)

(Title)

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to

Initials: MN

file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-free number 1-844-762-NLRB (1-844-762-6572). Callers who are deaf or hard of hearing who wish to speak to an NLRB representative should send an email to relay.service@nlrb.gov. An NLRB representative will email the requestor with instructions on how to schedule a relay service call.

Thomas P. O'Neill Jr. Federal Building
10 Causeway St, Room 1002
Boston, MA 02222-1001

Telephone: (617)565-6700
Hours of Operation: 8:30 a.m. to 5 p.m.

THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE

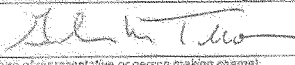
This notice must remain posted for 60 consecutive days from the date of posting and must not be altered, defaced or covered by any other material. Any questions concerning this notice or compliance with its provisions may be directed to the above Regional Office's Compliance Officer.

Initials: MN

EXHIBITS TO THE STATEMENT OF GLENN M. TAUBMAN
TO THE UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON EDUCATION AND THE WORKFORCE
SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND
PENSIONS
HEARING: July 9, 2024

EXHIBIT 7

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		DO NOT WRITE IN THIS SPACE	
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.		Case	Date filed
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name: 1) United Electrical Workers (UE) and 2) UE Local 256 (MIT Graduate Student Union)	b. Union Representative to Contact: 1) Andrew Dinkelaker and 2) Sophie Coppeters 't Wallant,		
c. Address: 1) 4 Smithfield St., 9th Floor Pittsburgh, PA 15222-2226 and 2) 160 Alewife Brook Parkway #1171, Cambridge, MA 02138	d. Tel. No. (412) 471-6919	e. Cell No. (617) 253-1000	
	f. Fax No.	g. e-Mail	
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices).			
SEE ATTACHMENT			

3. Name of Employer Massachusetts Institute of Technology		4a. Tel. No.	4b. Cell No.
		4c. Fax No.	4d. e-Mail
5. Location of Plant involved (street, city, state, and ZIP code) 77 Massachusetts Ave., Cambridge, MA 02139		6. Employer representative to contact Ellen McClintock, HR Department	
7. Type of Establishment (factory, mine, wholesaler) Higher education establishment	8. Principal product or service education	9. Number of Workers employed many thousands	
10. Full name of party filing charge Katerina Boukin	11a. Tel. No. c/o 703-321-8510	11b. Cell No.	
	11c. Fax No. c/o 703-321-9319	11d. e-Mail: c/o gmt@nrtw.org	
11. Address of party filing charge (street, city, state, and ZIP code) c/o NRTWLDF, 8001 Braddock Road, Suite 600, Springfield, VA 22160			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
By: 		Tel. No.	
Glenn M. Taubman, Attorney		(703) 321-8510	
(Signature of representative or person making charge)		Print/type name and title or office, if any	
Address: Glenn M. Taubman & Heidi Schneider c/o National Right to Work Legal Defense Foundation 8001 Braddock Road, Suite 600, Springfield, VA 22160		Cell No.	
		Date: 04/15/24	
		Fax No. (703) 321-9319	
		e-Mail: gmt@nrtw.org & hes@nrtw.org	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001).
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

This ULP charge follows in the wake of the charge and settlement in *MIT/UE and MIT-GSU*, Case No. 01-CB-330147, which remains open and not completely resolved.

1) Charging Party and other similarly situated discriminatees work as graduate students for MIT in a bargaining unit represented by respondent UE International and UE Local 256/MIT-GSU unions.

2) Within the past six months, Charging Party and other similarly situated discriminatees sent correspondence to the unions and MIT: a) resigning from membership in the unions, b) revoking their dues checkoffs, and c) informing the unions and MIT that they objected, under *CWA v. Beck*, to supporting the unions' political and non-representational agenda and expenditures.

3) Notwithstanding the unions' receipt of Charging Party's and other graduate students' letters, the unions have: a) refused to process those *Beck* objections, b) refused to immediately reduce the amount of dues and fees collected from Charging Party's and other graduate students' salaries, c) refused to stop the dues checkoff, and d) refused to provide Charging Party and other *Beck* objectors with audited financial disclosure justifying a reduced fee calculation that separates the unions' collective bargaining expenses from their extensive and abhorrent political and ideological activities. The unions refuse to cease accepting dues deducted directly from Charging Party's salary via the dues checkoff, and Charging Party and others are still being forced to pay full union dues via automatic deduction.

4) Via correspondence from MIT GSU Vice President Ruth Hanna dated April 5, 2024, the unions have informed Charging Party and other similarly situated graduate students that they must "wait" until the next annual "window period" opens (allegedly in November 2024) before they can re-file *Beck* objections and pay only reduced financial core fees. In fact, the UE union has adopted an unlawfully restrictive *Beck* objection policy, precisely to diminish and destroy employees' statutory rights and restrain and coerce them in violation of the NLRA. The unions' blatantly unlawful conduct violates decades of NLRB cases, including, inter alia, *IAM Dist. Lodge No. 160 (American National Can Co.)*, 329 NLRB 389 (1999).

5) By maintaining and enforcing an unlawful *Beck* objection policy and by refusing to immediately provide audited financial disclosure and reduced dues amounts for newly resigned employees who notify the union of their *Beck* objections, and by continuing to accept dues from MIT via checkoff, the unions have restrained and coerced Charging Party and others similarly situated in the exercise of their §7 rights to refrain from collective activity, and violated the fiduciary duty of fair representation obligations they owe to all employees.

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SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND
PENSIONS
HEARING: July 9, 2024

EXHIBIT 8

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: _____ Agency(ies) Charge No(s): _____ ☐ FEPA ☒ EEOC	
Massachusetts Commission Against Discrimination and EEOC State or local Agency, if any			
Name (Indicate Mr., Ms., Mrs.) Mr. William A. Sussman		Home Phone (Incl. Area Code) _____ Date of Birth _____ N/A	
Street Address _____ City, State and ZIP Code _____			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name United Electrical Workers (UE)		No. Employees, Members Approx. 7,000	
Street Address 4 Smithfield Street, 9th Floor		City, State and ZIP Code Pittsburgh, PA 15222-2226	
Name UE Local Union 256 (MIT GSU)		No. Employees, Members many hundreds	
Street Address 160 Alewife Brook Parkway #1171, Cambridge, MA 02138		City, State and ZIP Code Cambridge, MA 02138	
DISCRIMINATION BASED ON (Check appropriate box(es).)		DATE(S) DISCRIMINATION TOOK PLACE Earliest _____ Latest _____ 2/8/2024	
☒ RACE ☐ COLOR ☐ SEX ☒ RELIGION ☒ NATIONAL ORIGIN ☐ RETALIATION ☐ AGE ☐ DISABILITY ☐ GENETIC INFORMATION ☒ OTHER (Specify) _____		☒ CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)).			
1. I am a graduate student at the Massachusetts Institute of Technology (MIT). MIT has a contract with United Electrical, Radio and Machine Workers of America (UE) Local 256, MIT GSU. This contract requires that I join or financially support the affiliated UE unions as a condition of employment. 2. I have sincere religious beliefs that conflict with joining or financially supporting UE and its affiliated unions. In a letter dated December 4, 2023, I informed the union and my employer of my religious beliefs and requested an accommodation. In my letter I explained how my religious beliefs conflict with union support. 3. In a letter dated February 8, 2024, UE General Secretary-Treasurer Andrew Dinkelaker denied my request for a religious accommodation. 4. The Union is (1) discriminating against me based on a failure to accommodate my religious beliefs and cultural heritage; (2) discriminating against me based on national origin, race, cultural heritage & identity; (3) engaging in quid pro quo harassment on the basis of national origin, race, religion, and cultural heritage & identity; (4) engaging in harassment based on national origin, race, cultural heritage & identity, and religion. 5. By these and other acts the Union has violated my rights under Title VII of the Civil Rights Act of 1964, as amended, and parallel state laws.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
March 18, 2024 <u>William A. Sussman</u> Date Charging Party Signature		SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	

EXHIBITS TO THE STATEMENT OF GLENN M. TAUBMAN
TO THE UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON EDUCATION AND THE WORKFORCE
SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND
PENSIONS
HEARING: July 9, 2024

EXHIBIT 9

United Electrical, Radio and Machine Workers of America

CARL F. ROSEN
General President

ANDREW C. DINKELAKER
General Secretary-Treasurer

MARK D. MEINSTER
Director of Organization



February 8, 2024

VIA U.S. MAIL

William Sussman
[REDACTED]
[REDACTED]

Dear Mr. Sussman:

I am in receipt of your December 4, 2023 letter in which you communicated your objection to paying dues or fees to UE Local 256, MIT GSU, because of your Jewish faith. After careful consideration, your objection is denied.

First, no principles, teachings or tenets of Judaism prohibit membership in or the payment of dues or fees to a labor union. Historically, many Jews, including founding UE Director of Organization James Matles, have been members of unions, which continues today.

Secondly, the statements in your letter demonstrate that your objection to paying dues or fees is based on your political views and not your religious belief. For example, you objected that, "UE endorses the Boycott, Divestment and Sanctions movement (BDS)..." This, and other, statements in your letter constitute disagreements with positions taken or policies endorsed by the union.

For the above reasons, your objection to paying union dues or fees is denied.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Dinkelaker'.

Andrew Dinkelaker
UE General Secretary-Treasurer

CC: MIT GSU

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COMMITTEE ON EDUCATION AND THE WORKFORCE
SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND
PENSIONS
HEARING: July 9, 2024**

EXHIBIT 10

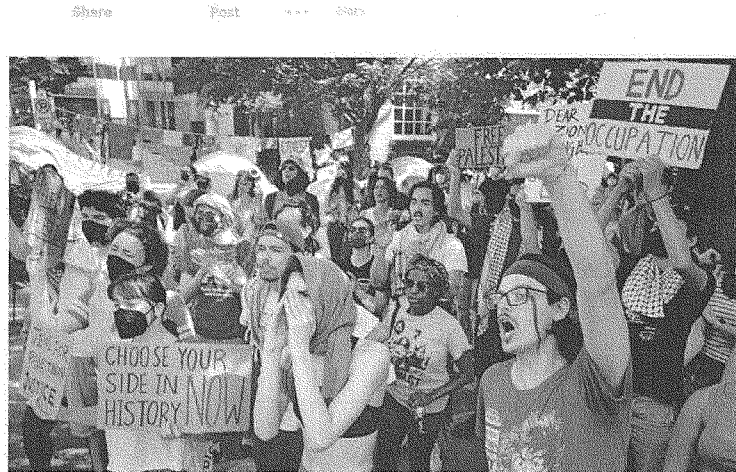
LIVE: Transportation Secretary Pete Buttigieg testifies before House on oversight of Transportation Department

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BUSINESS

Why labor unions are backing pro-Palestine protesters after mass campus arrests

BY JULIA SHAPERO - 05/08/24 6:00 AM ET



Chip Somodevilla, Getty Images

File — Pro-Palestinian protesters demonstrate on the campus of George Washington University on May 2, 2024, in Washington.

Several major labor unions have criticized the mass arrests of students and faculty at pro-Palestinian campus protests across the country, following their own calls for a cease-fire in

on a long history of antiwar activism in the labor movement, and it reflects a shift in its approach to Israel, experts said.

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"There's a history of progressive unions taking stances going back to the Vietnam War, the Gulf War and especially the war in Iraq and war in Afghanistan," said Will Brucher, an assistant teaching professor of labor studies at Rutgers University.

However, he added, "Many mainstream AFL-CIO unions have been reluctant to weigh in on the conflicts between Israel and Palestine and other global political matters, while other unions openly supported U.S. foreign policy."

This has shifted as union members have become more politically active and leadership has become more progressive, Brucher told The Hill.

Some of the country's biggest unions — the United Auto Workers (UAW), the Service Employees International Union (SEIU), the American Federation of Teachers and the National Education Association — have issued statements calling for a cease-fire since the outbreak of war last October.

Several of these unions have also voiced concerns over the past week as university administrators deployed police against protesters, who have formed encampments on university quads to protest the war and urge their universities to divest from Israeli companies or defense companies supplying weapons to Israel.

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New York police ultimately raided Hamilton Hall and arrested protesters. The Los Angeles police also cleared the UCLA encampment and made arrests. More than 2,000 people have been arrested in total.

UAW President Shawn Fain, who rose to prominence last fall amid the union's weeks-long strike against automakers, slammed universities' responses to protesters last Wednesday. Roughly 100,000 of the more than 300,000 members of the UAW are academic workers, according to NPR.

"The UAW will never support the mass arrest or intimidation of those exercising their right to protest, strike, or speak out against injustice," he said in a post on the social platform X.

CONTENT CONTINUES BELOW SURVEY

What Do You Think?

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"We call on the powers that be to release the students and employees who have been arrested, and if you can't take the outcry, stop supporting this war," Fain added.

The SEIU, which represents nearly 100,000 educators, graduate student employees and staff at universities, similarly criticized the response to and voiced solidarity with pro-Palestinian protesters.

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"The suppression of free speech sets a dangerous precedent for all who seek justice, whether it's students calling for institutional accountability or workers organizing for better conditions on the job," the SEIU said in a Thursday statement.

"As campuses around the United States are erupting in protest over the horrors and injustice Palestinians are facing, SEIU proudly stands in solidarity with the students, faculty and staff exercising their right to speak up," the union continued.

Unions have historically been involved in antiwar activism, noted Erik Baker, a Harvard University lecturer who studies the history of labor and management.

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The UAW, in particular, has a "long antiwar tradition," he said, pointing to former UAW President Walter Reuther's opposition to the Vietnam War in the 1960s, as well as the union's opposition to apartheid in South Africa.

The union itself emphasized these themes after joining other labor organizations in calling for a cease-fire in December.

"From opposing fascism in WWII to mobilizing against apartheid South Africa and the CONTRA war, the UAW has consistently stood for justice across the globe," Region 9A Director Brandon Mancilla said in a statement at the time.

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However, the increase in unionization among student workers sets the current moment apart from earlier protests, Baker said.

"This bridge, this synergistic relationship between campus activism and labor activism, to me, multiplies the strength of these students relative to the past few years, where they may have been working in parallel," he later added.

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Brucher also suggested members and leaders of campus unions, who have traditionally been reluctant to address the Israel-Palestine issue, have become more politically engaged on global issues in recent years and have demanded their unions take a stand on issues not directly related to campus.

This has coincided with concerns about academic freedom, as universities have cracked down on protesters, Brucher said.

"When it comes to the campus protests, I want to stress that it's not just about the union's sympathy or calls for the cease-fire," he said. "It's really about issues of academic freedom."

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He argued that faculty and graduate student union members have a right "to share their opinions and take stands on them without facing repercussions from the university and college administrations."

Students also "have the right to speak out on their campuses," Brucher said.

"They have the right to organize around this issue, and they have the right to peacefully protest, and that also includes the right to have encampments in the university and engage in other forms of protest and even forms of civil disobedience," he added.

UAW Local 4811, a union of 48,000 academic workers in the University of California system, has filed unfair labor practice charges against UCLA over the treatment of protesters, including some of its members, and plans to hold a vote to authorize a strike early next week.

"Our members have been beaten, concussed, pepper sprayed, both by counter-protestors and by police forces," the union said on X. "As a union, it is our responsibility to stand beside them and demand that UC stop committing these gross Unfair Labor Practices."

"In order to de-escalate the situation, UC must substantively engage with the concerns raised by the protesters — which focus on UC's investments in companies and industries profiting off of the suffering in Gaza," it added.

TAGS SHAWN FAIN

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LABORPAINS

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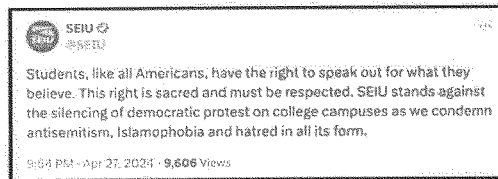
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SEIU Stands With Anti-Israel Campus Chaos (<https://laborpains.org/2024/05/06/seiu-stands-with-anti-israel-campus-chaos/>)

🕒 Posted on **May 06, 2024** by LaborPains.org Team

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The SEIU has decided to inject itself into the Israel debate once again by issuing a statement supporting the protests against Israel currently happening across the country, specifically on college campuses.



(<https://laborpains.org/wp-content/uploads/2024/05/Screenshot-2024-05-06-at-11.28.03AM.png>)

Columbia University in New York has been a prime location for protesting students. Some of these protesters even barricaded (<https://time.com/6972454/columbia-protesters-defy-university-orders-to-clear-encampment/>) themselves in one of the school buildings. Protesters chanted that Oct. 7th would happen “10,000 more times (<https://www.spiked-online.com/2024/04/30/the-breathtaking-denial-of-anti-semitism-at-columbia/>)” and that Oct. 7th was “going to be every day for you. (<https://www.aljazeera.com/news/2024/4/22/biden-condemns-blatant-anti-semitism-at-columbia-pro-palestine-protests>)”

President Joe Biden condemned (<https://www.aljazeera.com/news/2024/4/22/biden-condemns-blatant-anti-semitism-at-columbia-pro-palestine-protests>) the “blatant antisemitism” as reprehensible and dangerous. The events at Columbia finally ended when students blocked (<https://time.com/6972454/columbia-protesters-defy-university-orders-to-clear-encampment/>) off a school building with metal gates, tables, and chairs before eventually being arrested in a full scale NYPD (<https://www.nydailynews.com/2024/05/01/pro-palestinian-protesters-columbia-university-hamilton-hall-nypd-arrests/>) raid.

At UCLA, over one hundred protesters were arrested (<https://www.foxnews.com/live-news/may-2-antisemitism-surges-campus-protests>) at an anti-Israel encampment following an hours-long confrontation. Before the final confrontation, UCLA was forced to cancel classes as violence erupted at the encampment between police and protesters donning (<https://www.nytimes.com/2024/05/01/us/ucla-classes-protests.html>) “helmets, masks and goggles.” When the area was finally cleared, heaps of trash (<https://www.nytimes.com/2024/05/01/us/ucla-classes-protests.html>) could be seen piled up across the former home of the anti-Israel encampment.

If the events described sound unlike anything related to the free speech being described in the SEIU’s X post, you would be correct. (<https://www.wsj.com/articles/campus-free-speech-first-amendment-columbia-protests-palestine-israel-hamas-3ff5092d>)

While the SEIU national X account – formerly Twitter – has been standing up for these aggressive protesters, the union’s locals have also been actively holding anti-Israel protests around the country.

SEIU 2015 was seen (<https://twitter.com/spiritfeeler/status/1785802343390581214>) on May 1, 2024, marching to the San Francisco City Hall with Palestinian flags in hand. Reports also indicated that SEIU Local 87 was planning (<https://www.kqed.org/news/11984625/may-day-rallies-focus-on-palestinian-solidarity-in-san-francisco-oakland>) on marching for Palestine the same day.

Meanwhile, high-profile SEIU Campaign Director Larry Alcott – whose controversial history was explored (<https://freebeacon.com/democrats/seiu-leader-participated-in-palestinian-protest-that-shut-down-brooklyn-bridge/>) by the *Washington Free Beacon* – has seemingly continued to attend anti-Israel protests, even posting a sign on Facebook that read, “Zionism is anti-Semitism.” Alcott’s son – who has appeared at the same protests – currently boasts an X account that reads “Death to Zionism.”



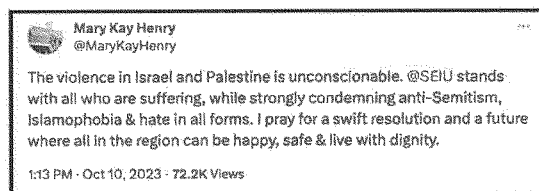
(<https://laborpains.org/wp-content/uploads/2024/05/Screenshot-2024-05-06-at-11.28.13AM.png>)



(<https://laborpains.org/wp-content/uploads/2024/05/Screenshot-2024-05-06-at-11.28.23AM.png>)

These are not the first instances of anti-Israel activity within the SEIU. Since the terror attack in Israel took place on Oct. 7, 2023, the union has been embroiled in multiple controversies related to the issue.

The union was forced to save face by firing its Connecticut executive director's for claiming (<https://www.wsj.com/articles/american-leftist-union-seiu-equivocate-or-side-with-hamas-atrocity-israel-47127a92>) "our enemies are not in Gaza, our comrades are in Gaza." The firing came just days after SEIU President Mary Kay Henry issued a poorly worded statement that failed to mention the deaths of over one thousand Israelis.



(<https://laborpains.org/wp-content/uploads/2024/05/Screenshot-2024-05-06-at-11.28.33AM.png>)

In Nov. 2023, SEIU employees even went as far as to organize (<https://laborpains.org/2024/01/25/seiu-ceasefire-call-doesnt-reflect-sentiments-from-hundreds-of-anti-israel-union-officers-staff/>) a group titled, “Purple Up 4 Palestine.” This group was composed of over 500 SEIU officers and employees who openly supported the anti-semitic boycott, divestment, and sanction movement (BDS) against Israel.

When looking at the union’s actions over the last six months, it’s no surprise they seem to be supporting the unruly campus protests that have included antisemitism (<https://www.foxnews.com/live-news/april-28-campus-antisemitic-israel-agitators-protest-columbia>), violent behavior, (<https://www.cbsnews.com/news/violence-erupts-at-some-pro-palestinian-campus-protests/>) and have left the areas harboring these encampments absolutely trashed (<https://www.nbclosangeles.com/news/local/ucla-clears-mounds-of-trash-left-from-pro-palestinian-encampment-counter-protesters/3403561/>).

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LaborPains is a joint blog of the Center for Union Facts (<http://unionfacts.com>) and the Enterprise Freedom Action Committee.

We expose the truth about labor unions and the pain they impose upon free enterprise.

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UAW Local 7902 Calls for an Immediate Ceasefire, and End to the Occupation of Palestine and U.S. Funding of the Israeli Military_

Statement

We write to you in anger and grief, because we cannot remain silent.

The horrifying violence in Israel-Palestine over the last week two months has hit home hard for many members of the NYU and New School communities. To everyone affected, we hear your heartbreak and fear, and we extend our condolences and support.

We know that many people in our diverse university communities – faculty, students, staff – are hurting and afraid. Some have lost loved ones; some may be fearful of being targeted (or have already been targeted) due to their political position, race, ethnicity, or religion. Some may fear that NYU and The New School, as institutions, do not support them. **But we want you to know that we have your back.** Local 7902 is committed to defending our members from any kind of harassment or retaliation. If you have been targeted in any way, please don't hesitate to reach out to us at mail@actuaw.org.

We condemn violence against civilians in every form. Alongside hundreds of other organizations and millions of peace-loving people across the world, we call for an immediate de-escalation and ceasefire in Gaza. We appeal to our elected officials to do the same and to cease unconditional funding of the Israeli military, which for decades has enabled Israel to maintain its illegal occupation of Palestinian land. Under occupation, Palestinians must continually experience the terror of dispossession, violence, and death at the hands of soldiers and settlers. We condemn the October 7th attacks on Israeli civilians, and our hearts are with all those reeling and grieving from the devastating loss of friends and loved ones. These attacks, however, cannot and must not be used to justify the war crimes currently being committed in Gaza, including the bombing, besiegement, and forced transfer of more than a million civilians, close to half of them children.

Beyond a ceasefire, we call for a political solution that brings justice and equal rights for all, allowing Palestinians and Israelis to live in peace, security, and dignity. This starts with an end to Israeli occupation, apartheid, and ethnic cleansing. Without such fundamental change, the cycle of violence will be repeated, leading to more generations of untold suffering.

We also would like to offer a list of resources for our members as well as for our students, who may need support, care, and guidance during this time as well.

RESOURCES

Your rights

From the New School contract

https://www.actuaw.org/uploads/1/2/3/6/123643831/cba_text.pdf

FREE EXCHANGE OF IDEAS

Adopted January 21, 1987

An abiding commitment to preserving and enhancing freedom of speech, thought, inquiry and artistic expression is deeply rooted in the history of the New School for Social Research. The New School was founded in 1919 by scholars responding to a threat to academic freedom at home. The establishment of the University in Exile, progenitor of the Graduate Faculty of Political and Social Science, in 1933 was a response to threats to academic freedom abroad. The by-laws of the institution, adopted when it received its charter from the State of New York in 1934, state that the "principles of academic freedom and responsibility...have ever been the glory of the New School for Social Research." The New School, since its beginnings, has endeavored to be an educational community in which public as well as scholarly issues are openly discussed and debated, regardless of how controversial or unpopular the views expressed. Providing such a forum was seen, from the first, as an integral part of a university's responsibility in a democratic society.

The New School is committed to academic freedom in all forms and for all members of its community. It is equally committed to protecting the right of free speech of all outside individuals authorized to use its facilities or invited to participate in the educational activities of any of the University's academic divisions. A university in any meaningful sense of the term is compromised without unhindered exchanges of ideas, however unpopular, and without the assurance that both the presentation and confrontation of ideas takes place freely and without coercion. In this context and because of its distinctive, educational role as a forum for public debate, the University has deep concern for preserving and securing the conditions which permit the free exchange of ideas to flourish. Faculty members, administrators, staff members, students and guests are obligated to reflect in their actions a respect for the right of all individuals to speak their views freely and be heard. They must refrain from any action which would cause that right to be abridged. At the same time, the University recognizes that the right of speakers to speak and be heard does not preclude the right of others to express differing points of view. However, this latter right must be exercised in ways which allow speakers to continue and must not involve any form of intimidation or physical violence.

Beyond the responsibility of individuals for their own actions, members of the New School community share in a collective responsibility for preserving freedom of speech. This collective responsibility entails mutual cooperation in minimizing the possibility that speech will be curtailed, especially when contentious issues are being discussed, and in assuring that due process is accorded to any individual alleged to have interfered with the free exchange of ideas.

Consistent with these principles, the University is prepared to take necessary steps to secure the conditions for free speech. Individuals whose acts abridge that freedom will be referred to the appropriate academic division for disciplinary review.

STATEMENT ON FREEDOM OF ARTISTIC EXPRESSION

Adopted October 4, 1989

The University's Policy on the Free Exchange of Ideas states that, "An abiding commitment to preserving and enhancing freedom of speech, thought, inquiry and artistic expression is deeply rooted in the history of the New School for Social Research." The University's responsibility for and dedication to securing the conditions in which freedom of expression can flourish extend to all forms of artistic expression, including the fine arts, design, literature, and the performance of drama, music and dance.

The opportunity to display or perform works of art at the University is made available through several academic processes and procedures in which faculty members and other duly appointed individuals exercise their best professional judgment. Among these procedures are selection of student art work by faculty, selection of gallery shows by gallery committees, selection of works of art by the Committee on the University Art Collection, display or performance as part of an approved course curriculum. Such authorized display or performance, regardless of how unpopular the work might be, must be unhindered and free from coercion. Members of the University community and guests must reflect in their actions a respect for the right to communicate ideas artistically and must refrain from any act that would cause that right to be abridged. At the same time, the University recognizes that the right of artists to exhibit or perform does not preclude the right of others to take exception to particular works of art. However, this latter right must be exercised in ways that do not prevent a work of art from being seen and must not involve any form of intimidation, defacement, or physical violence. The University rejects the claim of any individual or outside agency to dictate on the appropriateness or acceptability of the display or performance of any work of art in its facilities or as part of its educational programs.)

From the NYU contract

<http://www.actuaw.org/nyu-contracts.html>

ARTICLE VII - ACADEMIC FREEDOM

A. The customary norms of academic freedom prevail at New York University. Academic freedom is essential to the free search for truth and its free expression. Freedom in teaching is fundamental for the protection of the rights of the teacher in teaching and of the student in learning.

B. Academic freedom shall include free discussion of material relevant to a course that an adjunct or part-time faculty member has been assigned to teach consistent with the established curriculum parameters.

C. Teachers are entitled to freedom in the classroom in discussing their subject, but they should not introduce into their teaching controversial matter that has no relation to their subject. Teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but this special position in the community imposes special obligations. As men and women of learning and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they at all times should be accurate, should exercise appropriate restraint, should show respect for the opinions of others and for the established policy of their institution, and while properly identifying themselves to outside audiences as associated with the University should clearly indicate that they are not institutional spokespeople unless specifically commissioned to serve in such a capacity.

D. For avoidance of doubt, there shall be no retaliatory disciplinary action (as discipline is defined in Article XVII) against any adjunct faculty member for exercising any of the rights set forth in this Article.

More legal resources

<https://www.nlg.org/massdefenseprogram/>
<https://palestinelegal.org/intake>

Background

<https://imeu.org/article/quick-facts-the-palestinian-nakba>
<https://www.jewishvoiceforpeace.org/resource/about-facing-the-nakba/>

How to protect yourself from doxxing

<https://lite.crimethinc.com/2020/08/26/doxcare-prevention-and-aftercare-for-those-targeted-by-doxxing-and-political-harassment>

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Medecins sans Frontieres <https://www.msf.org/>
Medical Aid for Palestinians <https://www.map.org.uk/>
Pious Projects Gaza Relief <https://piousprojects.org/campaign/2680>

Pressure your political leaders

<https://www.jewishvoiceforpeace.org/take-action/>
<https://act.newmode.net/action/mpower-change/lift-siege-gaza>



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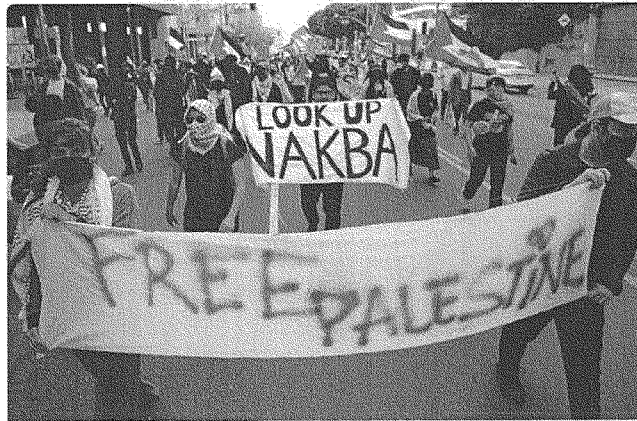
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California public university academics end pro-Palestinian strike under court order

Story by REUTERS • 1d • 3 min read



Feedback

Pro-Palestinian protestors demonstrate as they call for a ceasefire in Gaza amid the ongoing conflict between Israel and the Palestinian Islamist group Hamas, in Los Angeles, California, U.S., May 31, 2024.
 (photo credit: KYLE GRILLOT/REUTERS)

Thousands of University of California academic workers who went on strike at six campuses protesting administrators' response to pro-Palestinian protests returned to the job on Monday under court order, but their union vowed more protests to come.

An Orange County Superior Court judge late on Friday granted a temporary restraining order sought by the university, which asserted that the walkout stemmed from non-labor issues and that it violated the no-strike clause in the union's contract.

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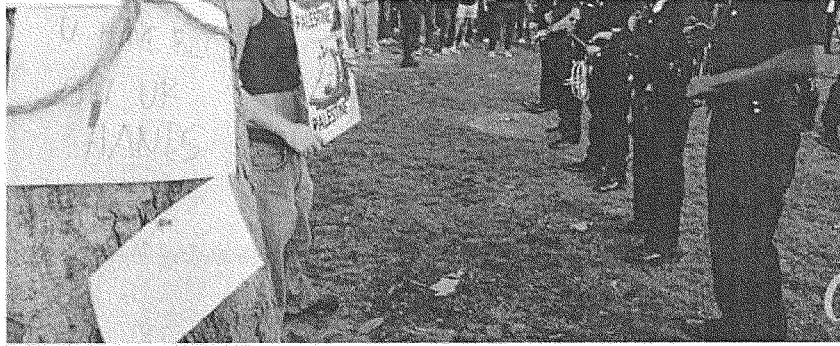
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University officials had originally petitioned the California Public Employment Relations Board, but the panel twice rejected their requests for an injunction.

Unionized academic researchers, graduate teaching assistants and post-doctoral scholars walked off the job over what they called unfair labor practices in the university's handling of pro-Palestinian demonstrations in recent weeks.





LAPD surrounds students protesting in support of Palestinians at an encampment at the University of Southern California's Alumni Park, as the conflict between Israel and the Palestinian Islamist group Hamas continues, in Los Angeles, California, US, April 24, 2024. (credit: REUTERS)
 © Provided by The Jerusalem Post

LAPD surrounds students protesting in support of Palestinians at an encampment at the University of Southern California's Alumni Park, as the conflict between Israel and the Palestinian Islamist group Hamas continues, in Los Angeles, California, US, April 24, 2024. (credit: REUTERS)

The work stoppage was organized by the United Auto Workers union Local 4811, which represents some 48,000 non-tenured academic employees across 10 UC campuses and the Lawrence Berkeley National Laboratory.

The protest strike began on May 20 at the UC Santa Cruz campus, and was expanded over the following two weeks to encompass UCLA, UC Davis near Sacramento, and campuses at San Diego, Santa Barbara and Irvine. Those six campuses account for roughly 31,500 UAW members. The UC system has a total of 10 campuses.

Continuation of the strike "would have caused irreversible setback to the students' academic achievements and may have stalled critical research projects in the final quarter," Melissa Matella, UC's associate vice president for labor relations, said in a statement welcoming the restraining order.

Judge Randall Sherman set a hearing for June 27 to hear arguments on whether to extend the injunction. The union's own strike authorization expires on June 30.

UAW 4811 leaders denounced the ruling, saying the judge defied the authority of the Employment Relations Board by intervening in a labor matter outside the court's jurisdiction.

Nevertheless, the union said its members were abiding by the court order. The UAW said it would focus its efforts on an upcoming grievance proceeding against the university.

Among other things, the union is demanding amnesty for grad students and other academic workers who were arrested or face discipline for their roles in campus protests against Israel's military offensive in the besieged Palestinian territory of Gaza.

The strike marked the first union-backed protest in solidarity with a surge of pro-Palestinian student activism on dozens of US campuses in recent months.

The UAW said it was planning additional protests at UC Davis on Tuesday and at UCLA on Wednesday.

Large number of arrests made

Union leaders have said a major impetus for the strike was the arrest of 210 people, including campus-employed grad students, at the scene of a Palestinian solidarity protest camp torn down by police at UCLA on May 2.

Masked assailants armed with sticks and clubs attacked the encampment and its occupants the night before, sparking a bloody clash that persisted for at least three hours before police restored order.

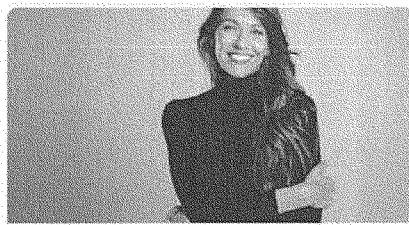
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UPDATE DESK Israel-Palestinian Conflict

'NYT' union leader calls Zionists 'butchers' who 'know how to kill'

Nastaran Mohit, organizing director of the NewsGuild of New York, trashed her employer for its coverage of Israel's efforts to defeat Hamas in Gaza.



The headquarters of "The New York Times" in Midtown Manhattan, June 7, 2014. Credit: Osugi/Shutterstock.

(June 7, 2024 / JNS) According to a report in the *New York Post*, a labor organizer at *The New York Times* has defended Hamas and smeared liberals who reject her radical views.

Nastaran Mohit, organizing director of the NewsGuild of New York, wrote on X that "all these Zionist Butchers know how to kill. Children. Families. The next generation. Depraved monsters who will meet their fate one day."

Mohit also attacked the *Times* and former U.S. Secretary of State Hillary Clinton for failing to embrace her far-left views on the conflict.

Clinton said in a comment shared on social media, “I think it’s fair to say Hamas cares nothing about the civilians who are being murdered or killed, both by Hamas still in Gaza or through military operations by Israel.

“If Hamas would agree to a ceasefire there would be a ceasefire,” she continued.

Mohit blasted back with a reposting of the statement on Feb. 8, calling the former first lady’s claim “an objective lie, you bloodthirsty savage of a human being. Rot in hell.”

Following the *Times* award of a Pulitzer Prize for articles about Israel’s efforts to defeat Hamas in the Gaza Strip, Mohit called the publication a “decrepit institution” and said that the win was “utterly reprehensible.”

A spokesperson for the *Times* told the *Post* that the publication would not comment on “internal union matters.”

Mohit has made her X postings protected. She describes herself on the platform as “Labor organizer. Iranian-American. Queens girl for life #FreePalestine Views are my own,” and features a watermelon emoji in her name. With its red and green colors, the fruit has evolved into a symbol of the pro-Hamas protest movement.

3 Comments

Massachusetts Jew-hatred summit aims to change policies, rein in teachers association

"I should not have to be my only ally against antisemitism at school," said Oron, an eighth-grade student.

MIKE WAGENHEIM



Thousands gather to rebuild a memorial in Newton, Mass., honoring those who were kidnapped and taken into the Gaza Strip by Hamas on Oct. 7, after it was vandalized on April 7, 2024. Photo by Arthur Mansavage/Shutterstock.

(June 14, 2024 / JNS) Students and teachers put the Massachusetts Teachers Association under a microscope and legislators promised action at a virtual

on June 10.

Billed as a “community hearing,” the meeting featured disturbing testimonies of rampant antisemitism in Massachusetts K-12 schools, especially in the wake of Hamas’s Oct. 7 terrorist attacks and Israel’s military reaction.

“The speakers, especially the students and the teachers, were just unbelievable,” Robert Mayer, national co-chair of the Israeli-American Civic Action Network, told JNS. “Their stories were so powerful, heart-wrenching and angering. I told the community that I feel shocked, angered, moved, but most of all, energized, because we have to take action now.”

ICAN co-hosted the summit with Massachusetts Educators Against Antisemitism, CAMERA Educational Institute, Christians and Jews United for Israel, StandWithUs K-12 Educator Network, the Combat Antisemitism Movement and the Consulate General of Israel to New England.

Speakers at the event urged politicians and public officials—several of whom attended—to recognize the problem of antisemitism on Massachusetts campuses and take necessary steps.

The Massachusetts Teachers Association, a union that is affiliated with the National Education Association, called in December for an immediate ceasefire in the Israel-Hamas war without mentioning Hamas’s atrocities or urging the return of hostages held captive in Gaza.

In March, the Massachusetts union’s task force on “anti-racism” hosted a webinar titled “The Struggle Against Anti-Palestinian Racism,” which reportedly included a slide identifying Jewish organizations to be condemned as part of a Zionist “machine.”

“encourages a restrictive and potentially dangerous concept for the safety of our children, claiming anti-Zionism is not antisemitism,” adding that “it promotes content that favors the Palestinian narrative while consistently disparaging the Israeli side.”

‘I should not have to be my only ally’

Oron, an eighth-grade student and son of two Israeli immigrants whose last name was not provided, said his mother contacted his school’s principal after a fellow student told Oron that Hamas’s massacre was in self-defense. Another student had told Oron that Israel, as a Jewish ethno-state and apartheid state, shouldn’t exist, he continued.

“The principal invited me to debate against the students, suggesting it was an acceptable response to acts of antisemitism,” Oron said.

The principal was evidently so impressed by the student’s debate performance that he “felt obligated to contact my mother and praise me,” Oron said during the virtual summit.

His mother was not impressed by the principal’s decision to have her son debate peers in response to their antisemitic statements.

“My mom had to go to the school and explain to him that this behavior was unacceptable due to the fact that it was not my job to educate others on the conflict and that it was not OK to put me on the spot to debate against others in regards to antisemitism and the Israeli-Palestinian conflict,” said Oron, adding that “I should not have to be my only ally against antisemitism at school.”

a pro-Palestinian movie that “erased Israeli history and Jewish culture,” Oron said.



A boy views a memorial in Newton, Mass., honoring those who were kidnapped and taken into the Gaza Strip by Hamas on Oct. 7, after it was vandalized on April 7, 2024. Photo by Arthur Mansavage/Shutterstock.

‘Contribute to responsible innovation and growth’

An Israeli-born high school student, who identified himself as Gil, told attendees that he wanted to talk about “nothing.”

“Nothing is the response I received after asking both my city’s school committee and the state Board of Education what they were going to do about the rising antisemitism and anti-Zionism in our schools,” Gil said.

after we asked for it and were promised it,” he added. “Nothing is what was shared with students about how graffiti and other hateful actions will be handled to make sure that students know the consequences.”

Gil says he is looking forward to moving on to college, and a successful academic and professional career, so that “my generation and I can contribute to responsible innovation and growth,” he said.

“But we will not be able to do that if schools and universities are not making a safe environment, or if they keep tolerating violence or hate against Jews, Israelis or anyone else,” he added.

‘Remarkable, brave and courageous young folks’

John Velis, a state senator who has been active in developing Massachusetts legislative responses to the rise in antisemitism in schools, praised those willing to speak out at the summit.

“On the one hand, we’re here talking about this horrific subject matter,” Velis said. “In the same dialogue, I’m hearing from these absolutely remarkable, brave and courageous young folks.”

Velis noted an amendment as part of a budget bill that passed the state senate by a 40-0 vote and is now being discussed in a conference committee of the state House. It would require the state’s Department of Elementary and Secondary Education to provide schools with an antisemitism curriculum, materials and professional development.

“I am convinced so much of this is just that people don’t even know where to begin,” Velis said. “I think us requiring them to look at this stuff, to teach

"We've got a long history of when there is a group who is being marginalized, who's being discriminated against, we don't hesitate to identify them by name and say we need to be your advocate," he added.

Meron Reuben, the Israeli consul general to New England, said part of the problem is that the Jewish community is waking up belatedly to the stark rise in Jew-hatred.

"I don't think the Jewish community realized that antisemitism was actually so bad," he told JNS. "They probably realize that there was latent antisemitism in society, but I don't think they really understood how bad it was."

'You cannot count on goodwill anymore'

The bulk of the recent focus has been on American university campuses, where pro-Hamas students and outside agitators have disrupted and threatened Jewish campus life. But Reuben said that some grade schools have also become breeding grounds for antisemitism.

"I think it is something that is already permeating society in the K-12 area, and I think that is one of the problems that is very, very disturbing, especially if you look at something like the MTA and some of the courses that they are giving," Meron said of the union. "It's very worrisome and very problematic."

Friedlander told JNS that Jewish students in her state only "seek an education free from bias and slander."

"Instead, they are subjected to harmful rhetoric, with no oversight, accountability or empathy. Why should they endure this? They are just

Mayer said the only way to affect change at this point is through policy.

"You cannot count on goodwill anymore," Mayer told JNS.

He said that in addition to pushing for change within the legislature, each city's or town's school policy-making body must be approached, in addition to applying pressure on the union "to cease this openly antisemitic activity."

Mayer said that he was encouraged by the attendance at Monday's summit. "There's a lot of work, and it's complicated, but when we have 700 households listening in, and there are going to be more that are going to see the recording, people are energized," he said. "When it all comes from the community, from the citizenry, you know that's when change happens."

2 Comments

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SUBMIT



patty levin

Posted 2 days ago

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OPINION REVIEW & OUTLOOK [Follow](#)

The Academic Proletariat Goes on Strike at the University of California

Workers of the faculty world unite in solidarity with anti-Israel protesters.

By The Editorial Board [Follow](#)

June 6, 2024 5:44 pm ET



UCLA workers, students and supporters picket at UCLA on May 28 PHOTO: DAMIAN DOVARGANES/ASSOCIATED PRESS

Managers often get the labor unions they deserve. The University of California is proving this adage as its teaching assistants and the academic proletariat represented by the United Auto Workers are striking in solidarity with anti-Israel protesters.

The UC system took the unusual step Wednesday of suing the UAW in state court for violating their labor agreement's no-strike provision. The UAW's 48,000 or so academic worker members are refusing to teach undergraduate classes and perform other jobs.

The wildcat strike is a show of ideological loyalty to students demonstrating against Israel. The union's demands include university divestment from "companies and industries profiting off of the suffering in Gaza." UC's lawsuit says the union also wants "amnesty for all individuals who face disciplinary action or arrest" because of their illegal campus encampments, and "allowing researchers to opt out from funding sources tied to certain causes."

UAW local union president Rafael Jaime, an English grad student at UCLA, declared that the union goal is to "maximize chaos and confusion for the employer." It's succeeding. Teaching assistants have canceled undergrad sections without telling the university. UC faculty have refused to perform the work of their striking assistants, perhaps because they support their anti-Israel objectives.

The UAW plans to expand its strike during finals, which means that papers and exams might not be graded. The UC lawsuit says this could affect student eligibility for financial aid. In its request for injunctive relief, UC says the strike is causing "irreparable harm" to the "educational experience and academic progress of its students."

What does the union care? UAW members are also blocking access to university buildings, including hospitals and childcare centers. Picketers have barricaded themselves in buildings at UCLA. This is what the university gets for admitting grad students who care more about leftwing activism than learning.

The university's website asks grad-school applicants to explain how their "experiences have deepened your understanding of the barriers facing ethnic minorities, women, and others underrepresented in higher education." They must also highlight research they've done on "issues of race, gender, equity and inclusion." Non-leftists need not apply.

This is also what happens when employers surrender to a union's excessive demands in hopes of buying labor peace. UC settled a UAW strike in 2022 by agreeing to raise the minimum pay for student employees to \$34,000 from \$23,250—for nine months of part-time work. Many assistants now earn more on an hourly basis than adjunct professors.

UC says it agreed to the UAW's demands to "achieve labor peace." So much for that. As a result of the UC's increasing labor costs, undergrads and their parents will have to pay more for tuition. Yet now they are receiving less education.

Gov. Gavin Newsom could stop the strike, but he'd have to take on his labor friends. UC asked the state Public Employment Relations Board—run by Mr. Newsom's appointees—to end it. The board refused. Californians can thank the progressive leaders they elect.

Appeared in the June 7, 2024, print edition as 'The Academic Proletariat Goes on Strike'.

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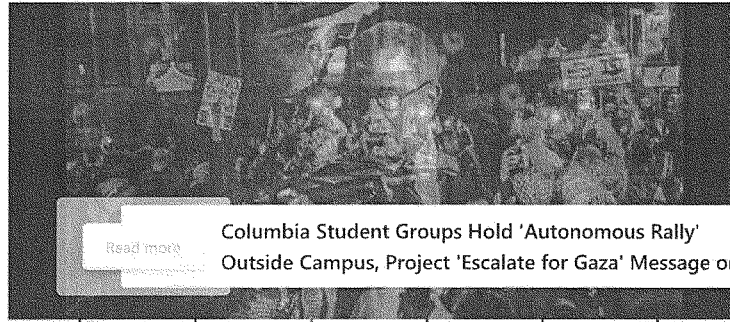
DEMOCRATS

Teamsters Join Forces With Israel-Hating Labor Union That Backs 'Resistance' Against Jewish State

Chuck Ross
June 5, 2024

In April, the International Brotherhood of Teamsters' Chicago chapter hosted a rally where activists chanted "Death to America" to protest the United States' handling of the Israel-Hamas war. Now, the Teamsters have joined forces with a controversial labor union that has endorsed Palestinian "resistance" against Israel and refers to Zionism as "inherently evil."

FreeBeacon



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The Teamsters board of directors voted unanimously on Tuesday to accept the Amazon Labor Union as a formal affiliate, the former union announced. The Amazon union garnered widespread praise after organizing a warehouse in Staten Island in 2022, but has since been marred by financial struggles, mismanagement, and failed efforts to organize two other Amazon warehouses. Amazon union founder Christian Smalls, who has been at the center of the labor group's infighting, called the Teamsters partnership a "historical day for labor in America" that will allow both to "take on Amazon together."

The sentiment was echoed by Teamsters president Sean O'Brien, best known for being challenged to a fight by *Washington Free Beacon* Man of the Year Markwayne Mullin (R., Okla.)

during a Senate hearing last year.

The alliance raises questions for the Teamsters, which represents 1.3 million workers in the delivery and transportation industries. The Teamsters union has largely avoided weighing in on the Israel-Hamas war, in contrast to counterparts like the United Auto Workers, which has called for an Israeli ceasefire in Gaza.

Amazon Labor Union, along with Smalls, has defended the Hamas attack, accused Israel of waging genocide in Gaza, and referred to Zionism as "inherently violent." After Hamas's October 7 attack, Smalls tweeted "from the river to the Sea," a rallying cry for the destruction of the Jewish state. And Smalls, who once took a makeshift guillotine to Amazon founder Jeff Bezos's home, wrote "it's Viva Palestine all day and all night just like it's Viva Cuba!"

In December, the union said Palestinians have an "inalienable right to ... resistance" against Israel. It called on Amazon to end a cloud computing partnership with the Israeli government, and proposed training sessions for Amazon union members to combat the "lies and disinformation" of "the Zionist regime and its imperialist backers."

Amazon Labor Union attorney Jeanne Mirer leads a left-wing group that has called for "armed struggle" against Israel over the "unlawful occupation" of Palestinians. The group, the National Lawyers Guild International Committee, urged the United States to remove terrorist designations for Hamas and other groups, claiming they are "engaged in exercising their fundamental and protected right to self-defense."

The Amazon Labor Union paid Mirer's law firm \$150,000 last year, according to the union's financial disclosure. Another organization led by Mirer, the International Commission for Labor Rights, donated \$425,000 to the union, the largest contribution to the union last year.

The Teamsters vote comes as political observers keep a close eye on the union's endorsement for the 2024 presidential race. While the union has historically backed Democrats—and endorsed Joe Biden in 2020—it recently hosted a forum for former president Donald Trump. The Teamsters, which has said it will issue an endorsement later in the summer, donated \$35,000 to the Republican National Committee earlier this year, its first contribution to Republicans since 2004.

The Teamsters did not respond to a request for comment.

Published under: Amazon , Anti-Semitism , Hamas , Israel , Teamsters , Unions

NATIONAL REVIEW | NEWS | NR PLAYS | WORLD

Major Teachers' Union to Vote on Resolution Accusing Israel of 'Genocide'



A student holds an Israeli flag during commencement exercises at Harvard University in Cambridge, Mass., May 23, 2024. (Brian Snyder/Reuters)

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By **ZACH KESSEL**

July 2, 2024 2:59 PM

National Education Association members will vote on several anti-Israel resolutions at the union's annual "Representative Assembly" in Philadelphia this week, including the adoption of an official position holding that Israel is conducting a "genocide" in Gaza and that opposing the Jewish state's existence is not antisemitic, documents obtained by NATIONAL REVIEW show.

Two items of business would have the NEA “use existing digital communication tools to educate members about the difference between anti-Zionism and antisemitism.”

The resolutions claim that the two are often erroneously conflated, characterizing antisemitism as “bias or action against Jewish people” in one document and “a certain perception of Jews, which may be expressed as hatred toward Jews” in another. Union members describe anti-Zionism as “a political stance” in the first resolution and “the opposition to any Jewish state in the Middle East” which entails opposing “the existence of the modern state of Israel.”

In order for an item of business to reach the floor, it must be sponsored by at least 50 of the 6,000 delegates present at the convention. If passed, the resolutions direct the NEA to abide by their provisions for a year, provided that the resolution does not violate existing NEA policy.

Multiple resolutions set to be discussed this week would have the NEA use its resources to promote efforts to end ties between the United States and Israel. One such campaign is the Boycott, Divestment, and Sanctions (BDS) movement, explaining to members the connection between BDS and “the broader labor movement” as well as addressing “legislative efforts to restrict speech in relation to BDS” and “NEA members’ participation in the movement.”

This resolution describes BDS as a project with the goal of “pressur[ing] Israel to comply with international law,” while movement founder Omar Barghouti has said that at least one aim of BDS — which calls for a Palestinian “right of return” as well as boycotts and diplomatic action against Israel — is the end of the “Zionist state.”

Another would allocate NEA resources toward communicating “the Palestinian Trade Union call to action to ‘End all Complicity, Stop Arming Israel’ to NEA members,” while one more resolution would use the union’s media channels to publicize its “opposition to spending billions of dollars in Federal funds to send weapons to the Israeli military that are used in genocide in Gaza.”

In a stated attempt to prevent NEA members “from supporting political representation that harms communities of color,” union delegates will introduce a resolution calling on the organization to “publish via electronic media the names of congresspeople who have” accepted donations or been endorsed by either the American Israel Public Affairs Committee (AIPAC) or the Democratic Majority for Israel (DMFI).

Also addressed in a proposed resolution is the “Nakba,” or “struggle,” the term anti-Israel activists used to refer to the events of 1948. While anti-Israel activists currently use the term to mean displacement of Palestinians, the “catastrophe” — the English translation of the term — initially referred to the Arab states’ defeat in a war that began after they invaded newly independent Israel in 1948. Moreover, many Arabs within Israel left at the urging of neighboring Arab governments, which then refused to take them in.

“In light of escalating violence in Palestine, educators are increasingly seeking to understand historical context,” the resolution reads. “Learning about the Nakba empowers educators to address related questions and support

Palestinian American students, fostering a more inclusive learning environment that recognizes students' backgrounds."

At least one resolution submitted for consideration nominally addresses antisemitism, proposing that the NEA post the words "Stand up Against Antisemitism" and a Star of David on its website during January of each year. The item includes language reassuring union members that the "effort simply raises awareness in opposing antisemitism and is not tied to Israel and Zionism."

David Smokler, the director of K-12 educator outreach at nonprofit organization StandWithUs, told NR that the NEA has taken a largely anti-Israel position since October 7 and that the resolutions are cause for concern.

"Multiple [New Business Items] call for the NEA to promote BDS in one way or another. BDS is a campaign of hate that has ties to Hamas and seeks to boycott Israel out of existence," Smokler said. "Another NBI would direct the NEA to send out propaganda to all members that deny any connection between anti-Zionism and antisemitism. Israel is the indigenous homeland of the Jewish people, who have lived there continuously for over 3,000 years. Denying Jews the right to self-determination in their homeland is antisemitic, full stop."

Smokler pointed to public NEA statements since October 7 and accused the organization's leaders of trying "to play both sides."

In her first communication addressing the Hamas attack and its aftermath, NEA president Becky Pringle, after condemning the terrorism and calling for "a renewed sense of urgency in resolving this ongoing conflict" in response to Israel's retaliatory war, argued that the U.S. is "long overdue for a serious conversation about the rise in both antisemitism and Islamophobia on campuses and across our society."

Pringle pointed at former president Donald Trump as the reason behind "the rise in antisemitism, racism, and Islamophobia."

The NEA leader called for a ceasefire on December 8, a sentiment the union's board of directors reaffirmed in February.

Smokler told NR that StandWithUs has "heard from many Jewish members who were irate" about the NEA's decision to include in its antisemitism resources a document that does not describe the denial of Israel's right to exist as antisemitic.

He also mentioned that StandWithUs will hold a counter-protest at the same time as an Educators for Palestine rally in support of the anti-Israel resolutions. StandWithUs and those involved with the counter-protest will urge NEA delegates to "vote NO on the antisemitic NBIs."

NATIONAL REVIEW contacted the NEA for comment on the anti-Israel resolutions but did not receive a response.

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Story by Peter Cordi, Washington Examiner • 15h • 3 min read

A black and white photograph of a woman with blonde hair, smiling and gesturing with her hands while speaking at a podium. The podium has a sign that reads "nea" in a large, stylized font, followed by "NATIONAL EDUCATION ASSOCIATION" in a smaller, sans-serif font, and "nea.org" in a vertical column on the right. The background is slightly blurred, showing what appears to be a stage setting.

Teachers union vote surrounded by protests and accusations of antisemitism
 © Provided by Washington Examiner

The National Education Association will vote on several new business items in Philadelphia, Pennsylvania, on Wednesday that are the subject of protests and accusations of antisemitism.

Educators for Palestine organized a rally in support of pro-Palestinian initiatives set to occur during the NEA's annual Representative Assembly, and StandWithUs responded with a "counter-rally" coinciding with the pro-Palestinian demonstration to voice their concerns with the NBIs.



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The two groups are scheduled to begin their rallies at 4:30 p.m. Delegates will be voting on items during the assembly, which will run from 10 a.m. on Thursday to 6 p.m. on Sunday.

Eleven items spark protests and counterprotests. There are at least 11 NBIs causing controversy. Of the 13 obtained by the National Review, StandWithUs mentioned five, including three set to be voted on that call for the NEA to align itself with boycott, divestment, and sanctions initiatives, one asking the NEA to deny the connection between antisemitism and anti-Zionism, and one calling for the NEA to promote Palestinian narratives about the founding of Israel.

SWU, an international education organization that supports Israel

NBIs as “antisemitic and anti-Israel” ahead of the assembly. The statement said the NBIs would “not only harm Jewish members, but also undermine the integrity of public education.”

 **Related video:** Anti-Israel protests, college chaos is 'frightening' to young voters: Eyal Yakoby (Fox Business)



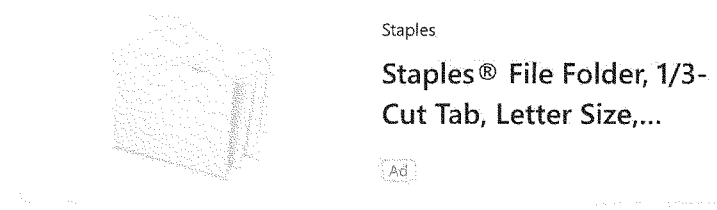
“This rally is a way for us to voice our concerns and stand in solidarity with Jewish educators and students who deserve a safe and inclusive environment,” David Smokler, SWU director of K-12 education outreach, told the Washington Examiner. “By gathering publicly, we can highlight the urgent need for the NEA delegates to reject these biased proposals and reaffirm its commitment to an unbiased, fact-based education for all.”

“We believe that organizing a rally in front of the convention center during the NEA Representative Assembly is essential to bring attention to the deeply troubling nature of these antisemitic and anti-Israel New Business Items,” Smokler added.

The Washington Examiner reached out to both pro-Israel and pro-Palestinian rally organizers.

The Philadelphia Police Department is aware of “two separate groups’ intent to protest/counter protest” in the 1200 Arch area outside the convention center, a spokesperson confirmed to the

the scene to “mediate disputes” and prevent hostilities from boiling over to the point of danger, and the police will also have “bike cops” present because they’re effective at “getting in the middle of opposing groups,” according to police.



“PPD will be there to support 1st Amendment expression by both sides, while keeping everyone safe,” the spokesperson said, adding that the police will “ensure traffic safety if the protestors march.”

Not the first National Education Association controversy
The 2024 delegate meeting isn’t the first National Education Association Representative Assembly to see contention over NBIs targeting Israel.

In 2021, one NBI called for “support for the Palestinian struggle” and demanded that the United States cut off support for Israel. Another called for the NEA to partner with No Way to Treat a Child, a campaign run by leaders tied to the Popular Front for the Liberation of Palestine, a U.S.-designated terrorist organization. StandWithUs condemned these NBIs as well.

The National Education Association is the largest labor union in the U.S. It represents public school teachers, support personnel, college faculty and staff, retired educators, and college students preparing to become teachers. NEA’s PAC overwhelmingly donates to Democratic candidates and causes, according to OpenSecrets data.

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The union, of which first lady Jill Biden is a member, has endorsed President Joe Biden and has worked to get him reelected. Earlier this year, however, a rank-and-file campaign within NEA demanded Biden stop aiding Israel and pushed for the union to rescind their endorsement of him until their anti-Israel demands were met.

CLICK HERE TO READ MORE FROM THE WASHINGTON EXAMINER

"It is critical that the NEA hears from the community and understands the real-world impact these NBIs could have on fostering division and discrimination in our schools," Smokler said. "This rally provides an opportunity for delegates to see a large group of Jewish people, hear directly from them, and engage in meaningful discussions about these critical issues."

The Washington Examiner reached out to the National Education Association for comment.

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Jun 24 3 min read

StandWithUs Condemns Antisemitic and Anti-Israel New Business Items Proposed at NEA Representative Assembly



(Philadelphia, PA – June 24, 2024) – StandWithUs strongly condemns multiple antisemitic and anti-Israel New Business Items (NBIs) that have been introduced ahead of the National Education Association (NEA) Representative Assembly. The assembly, which brings together over 6,000 delegates from across the United States will take place in Philadelphia from July 3-7, 2024.

"As a former public school educator and teachers' union officer, I urge NEA leaders and delegates to take a decisive stand against antisemitism and anti-Israel bias within their ranks," said David Smokler, Director of K-12 Educator Outreach at StandWithUs. "The NEA must ensure a safe and inclusive environment for all educators and students, and maintain public trust in what is being taught in our classrooms. Passing antisemitic and anti-Israel resolutions would not only harm Jewish members, but also undermine the integrity of public education."

States Roz Rothstein, co-founder and CEO, "Since our inception in 2001, StandWithUs has been working tirelessly to keep educational institutions free from hatred and bias and encourage critical thinking and respect for diverse perspectives. We will continue to support Jewish educators and allies in teaching the truth about Israel especially at this critical time when disinformation is rampant and antisemitism is on the rise."

Several proposed NBIs promote hate and misinformation. Three NBIs call for the NEA to align itself with Boycott, Divestment, and Sanctions (BDS) in various ways. BDS seeks to shut down Israeli-Palestinian cooperation, silence mainstream Jewish and Israeli perspectives in educational institutions, promote boycotts of Israeli goods and the severing of ties with Israeli institutions, all with the ultimate intention of ending Israel's existence.

Another proposed NBI demands that the NEA officially deny the connection between bigotry against Jews and anti-Zionism. Anti-Zionism is an ideology that opposes Israel's existence and seeks to strip away Jewish rights to self-determination in their ancestral home. According to multiple studies, the vast majority of American Jews consider Israel an important part of their Jewish identity and see denying Israel's right to exist as antisemitism. The NEA must recognize the lived experiences of the Jewish community, fight antisemitism in all its forms, and reject any effort to shield hate groups from accountability.

There is also an NBI calling for the NEA to promote Palestinian narratives about the Nakba – an Arabic term meaning “catastrophe” which is used to describe the founding of Israel, Israel's victory against invading Arab forces in the 1948 War, and the tragic refugee crisis that ensued. There is no factual context, such as Palestinian leaders and Arab states rejecting a two state solution proposed by the UN and choosing all out war instead. Nor does the NBI include any Israeli experiences or perspectives regarding the 1948 War. The NEA has a responsibility to help teachers educate about such controversial issues in an accurate and balanced way, instead of promoting narrow political agendas or propaganda.

As the largest teachers union in the United States, the NEA has a significant influence on educational policies and practices. Before and especially after the atrocities of October 7th, a number of local and state NEA union affiliates have been embroiled in major controversies regarding antisemitism and anti-Israel bias. In some cases, this has resulted in Jewish families moving their children to different school districts with a less hostile learning environment.

About StandWithUs

StandWithUs (SWU) is an international, nonprofit, and non-partisan Israel education organization that works to inspire and educate people of all ages about Israel, as well as challenge misinformation and fight against antisemitism.

Through university fellowships, high school internships, middle school curricula, conferences, materials, social media, educational films, and missions to Israel, StandWithUs supports people around the world who want to educate their schools and communities about Israel.

Founded in 2001 and headquartered in Los Angeles, the organization has chapters and programs throughout the U.S., Israel, the UK, Canada, Brazil, Argentina, the Netherlands and Australia.

For the last eleven years, StandWithUs has consistently received the highest possible ratings from Charity Navigator and GuideStar, two charity watchdog groups that assess hundreds of thousands of charities in the United States.

www.standwithus.com and www.facebook.com/standwithus and www.twitter.com/standwithus and www.instagram.com/standwithus.com

**EXHIBITS TO THE STATEMENT OF GLENN M. TAUBMAN
TO THE UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON EDUCATION AND THE WORKFORCE
SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND
PENSIONS
HEARING: July 9, 2024**

EXHIBIT 11

NAVIGATE		TK-3rd	3rd-5th	Middle School	High School	Extended Lessons	Social Emotional Resources	Unit Resources	Art	Films
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Educational Resources on Palestine

Gathered & Created by Members of the Oakland Education Association

The liberation of the Palestinian people is a complex topic, just as all history is complex, and we encourage educators to educate themselves before teaching these materials in the classroom. Oakland Educators have worked to find resources, by reputable organizations or individuals, that are relevant to the current events in Gaza.

We reject the majority of the lessons shared by Oakland Unified School District, but have kept a few that provide students access to factual information and empower them to think critically. [Click here](#) to see an explanation about how OUSD's lesson plans are biased and not appropriate to be the sole representation of this topic.

We have also worked to make these resources accessible, standards based and appropriate by grade level, with choices so that educators can choose what feels right to their classroom and community. Use the links above to quickly navigate to resources for your grade level.

If you have any questions, please respectfully email oeaforpalestine@gmail.com. If you are participating in the teach-in, please fill out this [google form](#) to connect with the organizers.

As we bring awareness to the Palestinian struggle for liberation, let us also teach into the joy and pride of the Palestinian people.
[Music](#) | [Poetry](#) | [Basra Card Game](#) | [Food](#) | [Art](#) | [Dance the Dakba](#)

NAVIGATE	TK-3rd	3rd-5th	Middle School	High School	Extended Lessons	Social Emotional Resources	Union Resources	Art	Films
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Lower Elementary School, TK-3rd									
Lesson Plan	Key Topics	Duration	Additional Resources			Source			
Baba, what does my name mean? Lesson plan	common connections, identity	45 min	Youtube Read Aloud Sora Book	All About Me Worksheet		Oakland Teachers			
P is for Palestine read aloud	Alphabet book	6 min				Oakland Teachers			
Read Alouds and Art Making Lessons	Social action	60-90 min	*Counting Up the Olive Tree' needs to be bought Read Aloud Book: Grandma's bird			Teaching While Muslim			
Handala's Return: A Children's Story and Workbook	Joy, history, refugees	27 pages, 10 interactive activities				Palestinian Feminist Collective			
Picture Books	Variety	Ongoing				Oakland Teachers			

Upper Elementary School, 3rd-5th									
Lesson Plan	Key Topics	Duration	Additional Resources			Source			

As we bring awareness to the Palestinian struggle for liberation, let us also teach into the joy and pride of the Palestinian people.
 Music | Poetry | Basra Card game | Food | Art | Dance the Dabba

NAVIGATE	Tk-3rd	3rd-5th	Middle School	High School	Extended Lessons	Social Emotional Resources	Union Resources	Art	Films
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Part A: Where is Palestine? What is Zionism?	Maps, root causes, history	50 min	Slides Worksheet: PDF Centers: PDF	Oakland Teachers
Part B: How are Palestinians human rights being infringed upon?	Human rights, current events	50 min	Slides Worksheet*: PDF *It's a jigsaw worksheet so there are 4 different versions	Oakland Teachers
Sitti's Bird: A Gaza Story, read aloud and discussion	Borders, feelings, dreams	45 min	Sitti's Bird Read Aloud YouTube Artist Malak Mattar on Confronting Trauma in Art	Teaching for Palestine
Farah Rocks: book series about a strong Palestinian- American girl	Being treated in a positive way	Apx 150 pgs 600-750 Lexile	Farah Rocks Coloring Sheet	Oakland Teachers
Beyond Aladdin: Media Literacy and Stereotypes About Arabs (Google Drive)	Art and social studies	2hr	VIDEOS: Rent Aladdin- \$3.99 Looney ToonesAli-Baba Bound Bugs Bunny Hair-Abian Nights	Arab American National Museum
Olives and Ordering Decimals	Ordering decimals	90 min	TWM- Olives and Ordering Decimals	Teach for Palestine

Middle School				
Lesson Plan	Key Topics	Duration	Additional Resources	Source
Colonialism, in Regards to Palestine	Land, culture, politics	45 min	Notetaker	Oakland Teachers

As we bring awareness to the Palestinian struggle for liberation, let us also teach into the joy and pride of the Palestinian people.
Music | Poetry | Basra Card Game | Food | Art | Dance the Dakka

NAVIGATE		TK-3rd	3rd-5th	Middle School	High School	Extended Lessons	Social Emotional Resources	Union Resources	Art	Films
July 10th, 2023, Excessive Use of Force in the West Bank				Video, current events, discussion		20-50 min	Questions worksheet Extended Reading: Amnesty International			PBS
Palestine Overview Worksheets				Genocide conflation, territory, maps		50 min				Oakland Teachers
Poet Mahmoud Darwish and his poem 'Prison Cell'				Poetry, freedom		15min>	Poems for Peace by UNICEF Mending Wall by Robert Frost			Zinn Project Education
The Gaza Strip: A Key Point in the Israeli-Palestinian Conflict				Spanish and English 600L-1200L		30 min				Newsela
Determined to Stay: A Case Study				Apartheid, Zionism Settler		50 min	Text Set for DTS Sora Book Slideshow			Teach Palestine
The Palestine Academy, digital space about Palestine				Research, activism, social media		ongoing				The Palestine Academy
High School										
Lesson Plan		Key Topics		Duration		Additional Resources		Source		
Manifest Destiny and Settler Colonialism		Compares colonialisms		50 min		Graphic Organizer		by Coalition for Liberation		

As we bring awareness to the Palestinian struggle for liberation, let us also teach into the joy and pride of the Palestinian people.
 Music | Poetry | Basra Card Game | Food | Art | Dance the Dabba

NAVIGATE	TK-3rd	3rd-5th	Middle School	High School	Extended Lessons	Social Emotional Resources	Union Resources	Art	Films
Settler Colonialism Worksheet			Vocab, visual literacy, history		30-50 min				by Teaching While Muslim
PBS Lesson Plan: Heart of Lenin			*some outdated with recent events*		2-45 min classes			The Gifts of Life \ In Search of Peace \ Israeli-Palestinian Conflict	PBS, suggested by OUSD
Independence or Catastrophe? Teaching Palestine Through Multiple Perspectives			History, visual literacy		90 min			Document Analysis and Guided Questions	Rethinking Schools
Palestine + Israel Digital Notebook			Vocab, history, essays		90 min			Amnesty Intl. Israel's 50 yr Occupation NYT Article Voices from Gaza NYT Article Golan's Story	By an Oakland teacher
Gaza Unlocked: A Collection of Essays			Youth essays		15 min>			Study Guide	
Both Sides of the Fence: The West Bank Security Wall in the Palestinian-Israeli Conflict			Occupation, walls, borders, critical thinking		45 min			This Way Up, Sneaking Over This Way Up, A Sons Visit Israeli Settlers in the Occupied West Bank	PBS
History of Palestine and Zionism			Jewish diaspora, timeline		50 min			w/ speaker notes	By an Oakland Teacher

Art				
Visuals or Lessons	Grade Levels	Key Topics	Duration	Additional Resources
Read Aloud and Make Art Lessons	Pre K-2nd	Lessons	60-90 min	*'Counting Up the Olive Tree' needs to be bought
				Teaching While Muslim

As we bring awareness to the Palestinian struggle for liberation, let us also teach into the joy and pride of the Palestinian people.
 Music | Poetry | Easra Card Game | Food | Art | Dance the Dakba

NAVIGATE	TK-3rd	3rd-5th	Middle School	High School	Extended Lessons	Social Emotional Resources	Union Resources	Art	Films
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							Read Aloud Book: Grandma's bird		
Art as Resistance: Stories from Palestinian Artist	Middle School High School	Lessons	Multiple Lessons				Lesson Plan Overview	Oakland Teachers	
Silkscreen and poster files	All ages	Graphic Artwork Files	---					Artist, David Sohni	
Palestine Poster Project	All ages	Graphic Artwork Files	---					Palestine Poster Project Archive	
Pinwheel Project	All ages	Art project to honor those lost	30 min+prep				Homemade Pinwheels	Gaza Unlocked	
Just Seeds Free Palestine Graphics	All ages	Graphic Artwork Files	---					Just Seeds	

Films (continued to the next page)							
Film	Grade Level	Key Topics	Duration	Additional Resources	Source		
Gaza, Portraits of resilient characters amidst rubble	16+	resilience	1h31 min		By Amazon on FreeVee		
I am from Palestine	elementary	first day of school	6 min	Longer Lesson	Teaching While Muslim		

As we bring awareness to the Palestinian struggle for liberation, let us also teach into the joy and pride of the Palestinian people.

Music | Poetry | Basra Card Game | Food | Art | Dance the Dakba

NAVIGATE	TK-3rd	3rd-5th	Middle School	High School	Extended Lessons	Social Emotional Resources	Union Resources	Art	Films
Gaza Fights for Freedom			High school (with content warnings only)		The Great March of Return, history of resistance	1h23min	photo of content warnings by timestamp		
Why Palestinians Protest Every May 15th			Upper middle-high		History of Nakba	16 min.	Discussion Questions and Reflection Practices		Vox, with Worksheet by Oakland Teachers
Documentary Promises			Not Rated		Multiple perspectives	1h46min	\$3.99 on Apple TV		Oakland Teachers
How the Watermelon Became a Symbol of Resistance			Middle School +		Art as resistance	3 min			Oakland Teachers
The Present (short film) - Netflix, Amazon Prime			Mature Audiences		Living under occupation	24 min			
Why is Israel called an apartheid state?			Middle School +		Israel apartheid	5 min			
Panel discussion: Abolition Means No More War			Upper high school		Prison/Police Abolition, Apartheid	1h31min			Critical Resistance
5 Broken Cameras					Follow a Palestinian family for 5 years	1h30min			
Israel-Palestine Conflict Explained			Middle School +		History of the conflict	10 min.			VOX

As we bring awareness to the Palestinian struggle for liberation, let us also teach into the joy and pride of the Palestinian people.
 Music | Poetry | Basra Card Game | Food | Art | Dance the Dakba

NAVIGATE	TK-3rd	3rd-5th	Middle School	High School	Extended Lessons	Social Emotional Resources	Union Resources	Art	Films
8 preguntas sobre el conflicto entre israelíes y palestino			Middle School +			7 min	Colonos israelíes e Intifada	BBC Mundo	
Parha			TV-14		Palestinian girl's dream destroyed by the Nakba	1h31min		Netflix, Director Darrin Sallam	

Social Emotional Support for Students and Educators			
Support	Key Topics		Source
Emotional Resources for Teachers	Wellness resources such as reduced priced healthcare and self care tips		OUSD Behavioral Health
How to Talk to Children About Conflict and War	8 tips to support and comfort children		UNICEF
Talking to Children About Violence	Spanish versions available on this website. Framing of what is age appropriate level of conversations and how kids will engage		National Assoc. of School Psychologist

As we bring awareness to the Palestinian struggle for liberation, let us also teach into the joy and pride of the Palestinian people.
 Music | Poetry | Basra Card Game | Food | Art | Dance the Dabba

NAVIGATE		TK-3rd	3rd-5th	Middle School	High School	Extended Lessons	Social Emotional Resources	Union Resources	Art	Films
Let's Talk: Facilitating Critical Conversations with Students	Structures for Conversations, before, during and after: A guide for navigating a polarized classroom, questions and sentence starters for Secondary and Elementary.	Teaching Tolerance								
	Abolitionist Resources for Teachers	Abolitionist Teaching Network								
	Coalition for Liberation and Ethnic Studies (CLES)	CLES								
	Opinion Piece: Why teaching about Palestine Makes Everyone Safer	Nora Lester Murad								
Extended Lesson Plans (continued to next page)										
Film	Grade Level	Key Topics	Duration	Resources	Source					
Teach for Palestine	All grades		endless		Teach Palestine					
Extensive List from Teaching while Muslim	All grades		endless		Teaching While Muslim					
An Inquiry into Power and Perspective in Palestine	6th grade	Power analysis	4 week unit		Teach Palestine					

As we bring awareness to the Palestinian struggle for liberation, let us also teach into the joy and pride of the Palestinian people.

Music | Poetry | Basra Card Game | Food | Art | Dance the Dakba

NAVIGATE	TK-3rd	3rd-5th	Middle School	High School	Extended Lessons	Social Emotional Resources	Union Resources	AF	Films
Decolonize Palestine			Upper Grades			endless			
Zinn Project: Teaching About the Violence in Palestine and Israel			All grades			endless		Zinn Project	
Gaza Unlocked			Upper grades		Resources, books, study guides, visuals	endless		American Friends Service Committee	
Light in Gaza- FREE Ebook			AP- Adult				Light in Gaza Study Guide	Haymarket Books / American Friends Service Committee	
https://101.visualizingpalestine.org/			Middle school +		Math and Data Points	endless		VP101	
Reading the Book Determined to Stay			7-12th		connections between the lives of youth in the US and Palestine	240 pages	Intro Text Set Graphic Organizer	Teach Palestine	
Arab American Story Time			Elementary		Stories in English and Arabic	endless		Arab American History Mus	
List of Books			Elementary			endless	Picture Books for Palestine	Crescent Moon	
BLM at Schools: Teaching Palestine			All ages					BLM at Schools	

As we bring awareness to the Palestinian struggle for liberation, let us also teach into the joy and pride of the Palestinian people.

Music | Poetry | Basra Card Game | Food | Art | Dance the Dabka

NAVIGATE	TK-3rd	3rd-5th	Middle School	High School	Extended Lessons	Social Emotional Resources	Union Resources	Art	Films
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Know Your Rights and Union Support			
Support	Key Topics		Source
Educator Advocacy Rights from NEA			National Education Association
Oakland Educators for Palestine FAQ Slideshow			Oakland Teachers
FAQ for Members re Palestinian Liberation			Oakland Teachers

As we bring awareness to the Palestinian struggle for liberation, let us also teach into the joy and pride of the Palestinian people.

Music | Poetry | Basra Card Game | Food | Art | Dance the Dabka

**EXHIBITS TO THE STATEMENT OF GLENN M. TAUBMAN
TO THE UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON EDUCATION AND THE WORKFORCE
SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND
PENSIONS
HEARING: July 9, 2024**

EXHIBIT 12

House Staff Against Apartheid (CIR-SEIU)

 laborforpalestine.net/2024/05/05/house-staff-against-apartheid-cir-seiu/

By labor4pal

May 5, 2024

House Staff Against Apartheid

Whereas, labor unions are fueled by the power of collective worker action to confront and dismantle oppression, and have a long history of solidarity with the struggle for global liberation, and

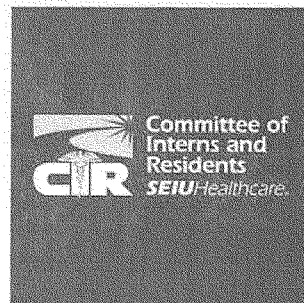
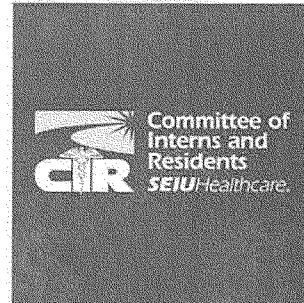
Whereas, CIR has a rich history of standing for social justice and to matters that affect our members, patients, and communities, as well as a commitment to justice for all people, including standing in opposition to Apartheid South Africa and in solidarity with the NY Young Lords' occupation of Lincoln Hospital, and

Whereas, the UN defines apartheid as, "...similar policies and practices of racial segregation and discrimination as practiced in southern Africa" -- as covering "inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them," and

Whereas, the Israeli military has kept the Gaza Strip under a state of siege since 2007, and according to many international human rights organizations (including Amnesty International, Human Rights Watch and others), maintains an apartheid occupation against the Palestinian people, and

Whereas, the UN defines genocide as, "...acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group,":

Whereas, many US elected officials have encouraged Israel's escalation of violence against Palestinians, have pledged to support further increases in US military aid beyond the nearly \$4 billion a year it provides to Israel, or have otherwise failed to call for a ceasefire, and



Whereas, CIR has resolved to advocate for expanding and ensuring access to healthcare for our patients and communities and to addressing underlying social determinants of health, including access to housing, food, and education,

Whereas, since October 7, Israeli forces have blocked the entry of essential medical supplies to the Gaza Strip, bombed hospitals and other medical facilities, killed and kidnapped healthcare staff, targeted ambulances and restricted access to aid, and destroyed essential infrastructure including housing and educational facilities, and

WHEREAS, CIR, SEIU, APWU, UAW 2865, UE, Teamsters, and many other unions have spoken out in solidarity with the Palestinian people, and

WHEREAS, Islamophobia, Anti-Semitism, hatred, and bigotry in all forms have no place in the fight for collective liberation, and

WHEREAS, many Jewish people are actively organizing on college campuses and in cities across the country in support of Palestinians and are demanding divestment from Israeli apartheid and genocide, and

WHEREAS, elected officials and the media continue to exploit fears of rising anti-Semitism and continually conflate anti-Zionist/anti-war organizing with anti-Semitism, and

WHEREAS, CIR residents who speak out in solidarity with Palestine have faced widespread institutional harassment and/or disciplinary action, and

WHEREAS, Boycott, Divestment, Sanctions (BDS) is a Palestinian-led movement for freedom, justice and equality. BDS upholds the simple principle that Palestinians are entitled to the same rights as the rest of humanity and calls for divestment from the Israeli military and institutions of oppression until they comply with international law, and

THEREFORE, be it resolved, that CIR rejects the conflation of anti-Semitism with anti-Zionism, and affirms in the strongest terms that there is no place for anti-Semitism, Islamophobia, hatred, or bigotry of any kind in our union, and

THEREFORE, be it resolved, that CIR calls on elected officials to:

- Oppose all existing and any future military aid to Israel until it complies with international law
- Call for an end to Israeli apartheid and the occupation and blockade of Palestinian land by Israeli military forces.
- Call on Israel to immediately restore water, power, and humanitarian aid to Palestine.

- Use all available legal means to pressure Israel to an immediate, permanent ceasefire including supporting sanctions, ceasing military aid, making public statements and media appearances, undertaking lobbying efforts and other advocacy actions of US elected officials through Regional COPE Boards, and

THEREFORE, be it resolved, that CIR will join likeminded labor coalitions who are calling for a ceasefire and will encourage other unions and labor councils to join our efforts as outlined above, and

THEREFORE, be it resolved, that CIR joins the international call for boycott, divestment and sanctions of Israel until it complies with international law and universal principles of human rights and will further support the BDS Movement by:

- Declining to endorse any candidate for political office that continues to support legislation that seeks to criminalize the BDS movement
- Calling on SEIU to divest the pension fund
- Encouraging their affiliated academic institutions to divest all resources, including but not limited to direct financial contributions, human capital, pension funds, and retirement programs such as 401K and intellectual property

THEREFORE, be it resolved, that CIR will provide legal and logistical support to staff and members in such cases that they suffer harassment, disciplinary action, or other forms of retaliation in response to free speech.



Support a Cease-Fire in the Middle East

A resolution in Congress calls for a negotiated mutual cease-fire between Israel and Hamas that also includes the release of all hostages and the provision of humanitarian aid in Gaza.



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TAKE ACTION

Tell Congress to pass the resolution calling for a mutual cease-fire between Israel and Hamas and facilitate humanitarian aid for Gaza.

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Support a cease-fire in the Middle East

Dear [Plected official],

Personalize your message

As Dr. Martin Luther King, Jr., said, we are interconnected, "caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly." I am asking you to stand up for a negotiated bilateral cease-fire.

Please honor our collective humanity by supporting Rep. Cori Bush's (D-MO) resolution, H.Res. 786, which urges the Biden administration to call for a cease-fire in the Middle East and to send and facilitate humanitarian assistance into Gaza.

Since October 7th, the war has claimed thousands of victims, including children, who make up nearly half of Gaza's population. Children in Gaza already lived in dire poverty. They are in now in the worst circumstances imaginable, watching their families suffer and die, lacking food, water, medical care, and the other basics they need for survival. The cost to their physical, emotional, and spiritual health is unfathomable. No children anywhere in the world should be forced to

Sincerely,

[Your information here]

SUBMIT

On October 7th, Hamas conducted a horrific and unprecedented attack on Israel, committing atrocities especially among women and children and taking hostage over 250 individuals. Since then, the current war in the Middle East has claimed thousands of victims—including children, who make up nearly half of Gaza's population.

As educators, we believe this war must end. We ask our elected leaders to support a negotiated bilateral cease-fire. The people of Gaza and Israel have the right to exist in nonviolence, and the children of Gaza have the right to live and learn in peace, security, and freedom.

House Resolution 786, introduced by Rep. Cori Bush (D-MO), urges the Biden administration to immediately call for and facilitate “de-escalation and a cease fire to urgently end the current violence and...to promptly send and facilitate the entry of humanitarian assistance into Gaza.” Urge your senator and representatives to support this resolution.

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1199SEIU, NATION'S LARGEST HEALTHCARE UNION, CALLS FOR GAZA CEASEFIRE

December 15, 2023

The Executive Council of 1199SEIU, the highest elected body of the union, releases the following statement:

"1199SEIU calls for the immediate cessation of hostilities in the Gaza Strip, to allow for urgent humanitarian relief amid the collapse of the territory's health and other infrastructure. We reiterate our unequivocal condemnation of Hamas' attack on October 7, the killings, use of sexual violence as a weapon of war, and kidnappings of Israelis and foreign nationals. We demand the immediate and unconditional release of all hostages taken by Hamas and the end to indiscriminate rocket attacks against Israel.

"As healthcare workers, we are deeply troubled by the worsening health and humanitarian crisis in Gaza. Food, water, and medicine are urgently needed to save the lives of Palestinian civilians caught up in this conflict. We reject the notion that Israel's attacks on hospitals filled with patients, ~~apartment blocks~~ apartment blocks filled with families, and the deaths of 11,000+ Palestinian women and children are acceptable collateral damage. We urge an immediate ceasefire.

"International humanitarian law and the laws of war must be upheld without exception, which include the inviolability of healthcare facilities. War crimes committed by one side of the conflict cannot and do not serve as justification for crimes and breaches of the Geneva Conventions by the other.

"The world community and all parties involved must commit to negotiating a permanent, just resolution to this conflict which will enable Israelis and Palestinians to live in peace and build a future. Anti-Semitism and Islamophobia must be rejected in all forms as we come together to support survivors, families, and communities facing incalculable trauma."

^[1] <https://www.who.int/news/item/04-12-2023-who-appeals-for-protection-of-the-health-system-from-further-attacks-and-degradation-of-its-capacity> (<https://www.who.int/news/item/04-12-2023-who-appeals-for-protection-of-the-health-system-from-further-attacks-and-degradation-of-its-capacity>)

^[2] <https://www.hrw.org/news/2023/11/14/gaza-unlawful-israeli-hospital-strikes-worsen-health-crisis> (<https://www.hrw.org/news/2023/11/14/gaza-unlawful-israeli-hospital-strikes-worsen-health-crisis>)

^[3] https://www.btselem.org/gaza_strip/20231207_humanitarian_catastrophe_as_policy

Exhibit 2 To The Statement Of Glenn Taubman To
The United States House Of Representatives
Committee on Education and Workforce Subcommittee
On Health, Employment, Labor and Pensions

Hearing: September 9, 2025 –
Unmasking Union Antisemitism

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Jewish educators in NYC say they're leaving teacher union due to antisemitism

Story by Luke Tress • 2h • 2 min read

Summarize



Jewish educators protest outside the United Federation of Teachers in New York City, August 28, 2025. (Luke Tress/Times of Israel)

Several dozen Jewish activists gather outside the office of a leading teachers union in New York City to protest against alleged antisemitism by the union. The protest takes place outside the office of the United Federation of Teachers in lower Manhattan.

Jewish teachers hold signs that say, "UFT leadership: Failing Jewish students. Failing New York," and, "Educate against hate." The protesters chant "Enough is enough."

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Some of the protesters are UFT members who wear the union's shirts, but write, "UFT doesn't represent me" on the back of the shirts.

The activists accuse the UFT of a "pattern of silence and inaction that has eroded trust with Jewish teachers, students, and parents," such as endorsing New York City mayoral candidate Zohran Mamdani, a harsh critic of Israel.

Karen Feldman, co-founder of the New York City Public School Alliance, an advocacy group established after Hamas's October 2023 attack on Israel, says she was a union member for 26 years before leaving due to antisemitism.

"We are gathered here today because students and educators in New York City public schools no longer feel safe," she says, citing incidents in which a Jewish teacher was surrounded in a cafeteria and derided as a "Zionist," the slogan "From the river to the sea" posted in a hallway, and a Jewish student group that was excluded from student equity meetings.



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Moshe Sporn, a history teacher with the United Jewish Teachers group, shows the crowd a stack of about 50 opt-out letters from Jewish union members who are leaving the union in protest. He says another 100 educators have reached out to him about leaving.

"Why is the Jewish community always ignored? Just talk to us, stand up for us," he says. "We'll come back to this union, we're not done, we believe in the union, but only when the union wants to make a difference for Jewish educators, all educators and our students."

The protesters demand the UFT adopt the IHRA definition of antisemitism; ban classroom content that demonizes Jews, Zionism or Israel; provide antisemitism training to UFT members; retract endorsements of politicians who "normalize antisemitic slogans," such as "Globalize the intifada" — a reference to Mamdani; and audit UFT materials for antisemitism.



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Betterment

The protest is organized by an array of groups opposing antisemitism and bias in schools, including the New York City Public School Alliance, the Lawfare Project, EndJewHatred, Parents Against Antisemitism and SAFE Campus for Equality.

The post Jewish educators in NYC say they're leaving teacher union due to antisemitism appeared first on The Times of Israel.

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College-Age Jews Are Heading South

Opinion by Rose Horowitz • 1h • 9 min read

Summarize

College-Age Jews Are Heading South

© Illustration by The Atlantic. Sources: Getty.

Jewish college students are going south.

Even before the Ivy League upheavals of the past two years, Jewish students had been slowly drifting away from the elite campuses of the Northeast. Now, as some seek respite from the protest movement that erupted after the Israeli response to the October 7, 2023, Hamas invasion of southern Israel, the drift has become more like—sorry—an exodus. And selective colleges outside the Northeast, sensing an intensifying disdain for Ivy League schools among Jewish teens and their parents, are tripping over one another to recruit these students.

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The recent wave of anti-Israel campus activism, and accompanying incidents of anti-Semitism, have mostly taken place at a [small number](#) of hyper-selective schools. And high-school seniors have noticed. The population of Jewish undergraduates at Harvard, Columbia, Cornell, and the University of Pennsylvania shrank by 3 to 5 percent from 2023 to 2025, according to data gathered by Hillel, the national Jewish student organization. (Only Hillel tracks these numbers, because colleges generally don't monitor religious affiliation.)

Of course, many Jewish students still apply and get admitted to the Ivies, and anyone who gets into these top colleges is still very likely to attend. But anecdotal reports suggest that a significant number of high-achieving Jewish teenagers are deciding not to apply to them at all. In Hillel's 2024 [survey](#) of 427 Jewish parents, nearly two-thirds said that they had eliminated a college from their child's application list because of concerns about anti-Semitism. And nearly every rabbi and professor I spoke with for this article knew students who, once admitted to an elite northeastern college, opted to go somewhere they perceived as more welcoming. Ramaz, a Modern Orthodox school in New York, usually sends more than a dozen graduates to Columbia each year. Last year, it sent zero.



Key consideration...

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To selective colleges elsewhere in the country, the situation presents an opportunity to poach talented Jewish students who might previously have gone to an Ivy League (or so-called Ivy Plus) school. These schools have cracked down on protests and taken pains to differentiate themselves from their Northeast peers. "We absolutely are hearing from our administration partners at strong schools in the South and Southwest that they want to take advantage of this moment to recruit top Jewish students," Adam Lehman, the CEO of Hillel International, told me. "And, by the way, they're succeeding." Vanderbilt Chancellor Daniel Diermeier told me, "We want to create a place where there's thriving Jewish life, just like we do for all the other students. But again, it's particularly salient right now because of the contrast with other universities."

[Rose Horowitz: The elite-university presidents who despise one another]



This Quiz Reveals How...

Noom

Historically, one or two Ramaz graduates in a given year would apply early-decision to Emory University, the head of Emory's Chabad chapter told me. Last year, 12 did. (Chabad is a Hasidic group that focuses on outreach to nonobservant Jews.) Jewish-student interest in Emory, as well as in Vanderbilt, has more than doubled since October 7, 2023, rabbis at the universities told me. Vanderbilt's Hillel had to hire new staff to host all the prospective students who wanted tours; the university's undergraduate Jewish population has grown by 20 percent in the past two years. The University of Florida's Hillel chapter experienced a 50 percent increase in student participation from 2021 to 2025. Clemson University—a South Carolina school not often associated with vibrant Jewish student life—saw its Hillel grow fourfold over the same period. Southern Methodist University, near Dallas, now appears to have more Jewish students than Harvard, Hillel data show.

These colleges are recruiting Jewish students not out of pure munificence or southern hospitality, but because it can be very good for their bottom line. "Jewish families are historically philanthropic and give back, Jewish students are more likely to pay full tuition, and having a substantial percentage of Jewish students helps create a more successful university environment," Mike Uram, a Jewish nonprofit leader and the former head of the University of Pennsylvania Hillel, told me. This strategy was once used by Ivy League colleges to rise in the rankings. Now southern schools are running the same playbook.

The history of Jews in the Ivy League is long and tumultuous. The universities capped the number of Jewish students they admitted from the 1920s to the '60s. According to former Harvard President A. Lawrence Lowell, this was for Jews' own good: "The anti-Semitic feeling among the students is increasing, and it grows in proportion to the increase in the number of Jews," he wrote in 1922, by way of justifying discrimination. To keep that number under control, admissions offices emphasized "character," a code word for WASPiness. But in the following decades, Jews—who make up only about 2 percent of the U.S. population—reached a representation of 20 times that on some Ivy campuses. The achievements of Jewish academics, and donations from Jewish alumni, helped place America's top universities among the best in the world. By the turn of the century, according to Hillel, UPenn was one-third Jewish.

That didn't last. In 2010, the University of Pennsylvania was about 20 percent Jewish, and six years later, 13 percent. Hillel data suggest that Yale, Harvard, and Columbia also all saw significant declines in their Jewish population from 2015 to 2023. Dartmouth and Princeton, which enrolled fewer Jews to begin with, saw their shares drop a few percentage points too. (The dynamic wasn't universal; at Brown and Cornell, the Jewish population grew over the same period.) Leonard Saxe, a social-policy professor at Brandeis University, attributes much

focus on recruiting first-generation, international, and racial-minority students.

At the same time, southern colleges began courting Jewish students in an effort to raise their academic standing. Schools such as Duke, in North Carolina, and Vanderbilt, in Nashville, built out their Kosher dining halls and Jewish-studies programs. “Yes, we’re targeting Jewish students,” then-Vanderbilt Chancellor Gordon Gee [said](#) in 2002. “That’s not affirmative action. That’s smart thinking.” Tulane, in New Orleans, pioneered this tactic; its undergraduate population is now 40 percent Jewish, according to Hillel. (“We’re not trying to recruit Jewish students per se,” Tulane President Michael Fitts says, “but we’re trying to create a supportive community, and we will act affirmatively against anti-Semitism and other forms of discrimination.”)

[Franklin Foer: The golden age of American Jews is ending]

The chaos on left-leaning campuses during the 2023–24 academic year gave southern universities the recruitment opening they had been waiting for. At Harvard, protesters accosted an Israeli American student who later sued the university for allegedly not disciplining his attackers. At Columbia, 13 Jewish students told the student newspaper that they’d faced attacks or harassment in the days after October 7. The percentage of Ivy League Jewish students who reported censoring their opinions multiple times a week rocketed from 13 percent in 2023 to 35 percent the next year, according to a survey by the Foundation for Individual Rights and Expression (FIRE).

Some Jewish students began looking for a way out. In October 2023, Lauren Eckstein was attending Pomona College, in California, one of the few elite liberal-arts colleges on the West Coast. The day after the Hamas attack, pro-Palestinian student groups released a post justifying the violence. A few weeks later, several of Eckstein’s professors, including much of the history department, signed on to an anti-Israel letter arguing that “the ongoing violence and terror inflicted by the Israeli state must be understood in the context of this settler-colonialism and Israel’s apartheid regime,” and that “condemnations only of specific acts of violence perpetrated by Palestinian armed groups can serve to disavow the roots of violence.” Her grandparents had recently made a \$1.2 million [donation](#) to Pomona, but she nevertheless decided to look into finishing her degree elsewhere.

Around the same time, Washington University in St. Louis opened a midyear transfer program. Andrew Martin, the university’s chancellor, released a statement touting his campus’s tough response to protests that violated university policy. When protesters set up an encampment, for example, WashU swept it within hours. “We had no tolerance,” Martin told me. Daniel Diermeier, the Vanderbilt chancellor, issued a similar statement. The University of Florida, meanwhile, started a program on Jewish classical education. Clemson University launched a partnership with Israeli universities.

“Jewish students add value to a campus community in terms of their academic work, in terms of their overall commitment to elevating campus life through community service and partnerships, and through the way they stay connected to their alma maters—including

as donors,” Lehman, the Hillel CEO, told me. Publicly, the leaders of these southern universities say that these choices are simply the right thing to do. But talk to administrators in private, and it becomes clear that they see in the struggles of elite northern universities a chance to steal away students who can help make their campuses more competitive.

It might be working. “From what I hear, the overall consensus is that the top schools for Jewish students to go to now are WashU, Emory, Vanderbilt, Tulane,” Eckstein told me. “It’s very different than when I was younger and so many Jewish students wanted to go to the Ivy League.” She said that she’d transferred to WashU so that she could fully focus on her studies and extracurriculars. I heard this sentiment over and over from Jewish leaders at southern schools; they told me that students chose their university because it gave them the opportunity to be apolitical. “It’s not so much that they want to go to a school that’s pro-Israel,” Zalman Lipskier, the head of Chabad at Emory, told me. “They just want to be left alone and be able to pursue their education, and pursue their goals and dreams without having to worry about if they’re going to get sucker-punched or harassed on their way to class.”

Whether such worries are wholly realistic is up for debate. The line between criticism of Israel and anti-Semitism is nearly always contested; the anti-Israel protest movement on some campuses counts many Jewish students among its ranks. Meanwhile, southern colleges are [becoming more popular](#) with northeastern students of all backgrounds. No doubt some Jewish students have opted out of the Ivy League simply because they think the South is the place to be.

Even so, an atmosphere of fear has clearly taken hold among many Jewish families. Jewish leaders at Columbia, Harvard, and Yale told me that just about every parent of a prospective student asks if their child will be safe on campus. (Here I will resist the temptation to make any quips about Jewish moms.) Of course, the parents who reach out to campus rabbis in the first place are a nonrepresentative subset of Jewish families. Anxiety around anti-Semitism is concentrated among students who are religiously observant and more likely to participate in Jewish organizations, several of the rabbis told me.

Meir Posner, the head of Chabad at Yale, told me that he doesn’t think Jewish students’ physical safety is at risk on campus. But anti-Semitism shows up in subtler ways. “There is a perception that engaging or aligning oneself with any particular Jewish organization on campus is somehow an implicit political alignment,” he said. Posner and other Ivy League Jewish leaders stressed that there are still thriving Jewish communities on their campuses. But they fear that if the decline continues, it will lead to a kind of doom loop.

That point is, by all accounts, still a long way off. So many Jews apply to Harvard that it could probably fill its entire freshman class with Jewish students if it wanted to. Michael Courtney, the director of college counseling at the Modern Orthodox school Salanter Akiba Riverdale Academy, in New York, said that even though more kids are looking at southern schools, the best students still tend to end up in

graduate schools and employers; his students don't want to cut themselves off from those opportunities. And many Ivy League campuses have taken steps to address anti-Semitism. Harvard, for example, recently promised to cover the cost of security for its Hillel chapter. In the most recent FIRE survey, 19 percent of Jewish students said that they often self-censor—closer to the 13 percent prior to October 7, 2023, than the 35 percent the year after.

[Franklin Foer: Can this man save Harvard?]

But holding back the competition will be difficult. The upstarts are sending recruiters to Jewish day schools in the Northeast, flaunting the strength of their Jewish communities in interviews and public statements, and portraying themselves as the antidote to Ivy League liberalism.

Several close observers I spoke with believe that a durable realignment is under way. Jewish students being welcomed across the country is in many ways a good thing, of course. But the partnership between Jews and the Ivy League, which has been fruitful for both, might be coming to an end. "There is something very poignant, and maybe even sad, about seeing a community that was excluded for so long from fair participation in elite university life, and then overcame those barriers and flourished so much on those campuses—then seeing their numbers decline so precipitously afterwards," Mark Oppenheimer, a professor of religion and journalism, told me. "It was a great triumph of American opportunity that Jews sparked the explicit design of restrictionist, anti-Semitic admissions policies in the years after World War I, and then overcame them and really took to higher ed like no minority group ever had before." Oppenheimer taught for years at Yale. Now he's at WashU.

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'Jews Were Intensely Immersed in the Muslim World. There Was Movement Between the Religions'

Story by Shany Littman • 3d • 20 min read

'Jews Were Intensely Immersed in the Muslim World. There Was Movement Between the Religions'

For centuries the lives of Jews and Muslims in Arab lands influenced each other far more than we think – until the advent of nationalism

August 23rd, 10AM August 24th, 07AM

Reading verses describing the creation of the world in the second surah, or chapter, of the Quran, two Israeli scholars encountered a word that appears only once in that holy book: mosquito. "God does not shy away from citing the example of a mosquito, or anything above it," the text reads.

313

Why, when the text is talking about the creation of the world, wondered Prof. Omer Michaelis of Tel Aviv University and Dr. Orit Malka of the Hebrew University of Jerusalem, is it necessary to

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Stanford's Graduate Student Union Tries to Stifle Dissent

The university may fire me because I won't pay dues to a labor organization whose views I find repugnant.

By Jon Hartley

Aug. 29, 2025 4:27 pm ET



Stanford University campus in Stanford, Calif., March 28. PHOTO: JUSTIN SULLIVAN/GETTY IMAGES

I'm working as a teaching assistant while studying for a doctorate in economics at Stanford, but a campus union is trying to get me fired. The Stanford Graduate Workers Union wants my head on a plate because I refused to sign a membership form and pay dues. I won't fund an organization whose values and tactics I don't support.

Similar unions across the country are using their bargaining power not to improve working conditions but to coerce ideological conformity. This isn't solidarity; it's suppression. Shame on Stanford for going along with it.

In June, the union began seeking to bar graduate students who refuse to pay dues or agency fees from working as teaching or research assistants. That threat is now a

reality. The university has told me and several other teaching assistants that we will be fired unless we pay up.

At the University of Chicago, graduate students in a similar position have taken their union to federal court, arguing that forced support of the union violates their constitutional rights. In *Graduate Students for Academic Freedom v. Graduate Students United*, the plaintiffs—including Jewish students—say they are being compelled to fund a union that promotes the boycott, divestment and sanctions movement against Israel, a stance they view as antisemitic.

The graduate unions at both Stanford and Chicago are registered as local chapters of the United Electrical, Radio and Machine Workers of America, a national union that funds progressive activism. In 2015, it became the first national union to support the BDS movement. The Chicago lawsuit, filed in July 2024, invokes *Janus v. Afsme*, the Supreme Court's 2018 ruling that public employees can't be forced to subsidize political speech they disagree with. The Stanford Graduate Workers Union similarly adopted an anti-Israel statement in 2023.

At both Stanford and Chicago, union leadership insists that such coercion is routine—part of collective bargaining. But there's a world of difference between negotiating wages and punishing dissenters. When students are told they can't work, teach or study unless they pay dues to a political organization, it's no longer about labor rights—it's about freedom of association, conscience and speech.

Graduate students first formed a union at Stanford in July 2023, and the school signed a collective-bargaining agreement in October 2024 to avoid a strike. The agreement mandates financial support of the union as a condition of employment at the university. The national union supports progressive causes such as abortion, public subsidies for “gender-affirming care,” and defunding the police. Because the union's advocacy contravenes my Roman Catholic faith, I am seeking a religious-objector accommodation under Title VII of the Civil Rights Act. Stanford claims qualification for such an accommodation is at the discretion of the union.

Campus labor groups once motivated by economic fairness are increasingly governed by ideological litmus tests. When students push back or refuse to participate financially, their academic futures are threatened. University administrators should stand up for their students and ensure that union membership and fee payments are voluntary, protect the ability of students to work and study regardless of political affiliation, and enforce constitutional safeguards on compelled speech and

association, especially at private institutions that contract with and receive grants from the federal government.

Graduate student unions can play a vital role in advocating for fair treatment. But they must not become engines of progressive coercion. Freedom to dissent—including from union politics—is foundational to the academic enterprise. No student should face financial retaliation for exercising that freedom.

Mr. Hartley is a doctoral candidate in economics at Stanford.

Appeared in the August 30, 2025, print edition as 'Stanford's Union Tries To Stifle Dissent'.

Videos

Exhibit 5 To The Statement Of Glenn Taubman To
The United States House Of Representatives
Committee on Education and Workforce Subcommittee
On Health, Employment, Labor and Pensions

Hearing: September 9, 2025 –
Unmasking Union Antisemitism

From: MIT GSU <dues@mitgsu.org>
Date: Mon, Jun 2, 2025 at 12:52 PM
Subject: Second Notice of Back Dues/Agency Fees Owed
To: FNAME <>

[View this email in your browser](#)

6/2/2025

RE: Second Notice of Back Dues/Agency Fees Owed

Dear .,

This is the second letter you are receiving because you have outstanding dues or agency fees, and/or have not authorized dues or agency fees to be deducted from your paycheck, and have not made other arrangements to pay dues or agency fees to UE Local 256, MIT GSU.

With this letter the union invites you to join the overwhelming majority of your coworkers and join UE Local 256 so that your voice and vote are included and counted as graduate employees work together to improve our workplace and to protect everyone's rights. You can join the union at <https://member-portal.mitgsu.org/dues>.

The collective bargaining agreement between UE Local 256 and MIT requires all bargaining unit employees to either join the union and pay dues or pay equivalent agency fees to the union. Actual membership in the union is not required. However, a non-member is required to pay agency fees by the end of the current

month in which the employee is working. You can sign up for payroll deduction of agency fees at <https://member-portal.mitgsu.org/agency>.

You are currently not listed as a member in good standing. According to Article 3 of the collective bargaining agreement between the union and MIT:

Section 1. Membership

Subject to applicable law, all employees of MIT covered by this Agreement who are members of the Union in good standing on the effective date of this Agreement or who become members of the Union in good standing following the effective date of this Agreement shall as a condition of employment (i.e., appointment) remain members of the Union in good standing insofar as the payment of periodic dues and initiation fees, uniformly required, is concerned.

Subject to applicable law, all present employees of MIT covered by this Agreement who are not members of the Union and individuals hired after the effective date of this Agreement shall as a condition of employment (i.e., appointment), beginning on the thirtieth (30th) day following the effective date of this Agreement or the thirtieth (30th) day following employment, whichever is later, become and remain members of the Union in good standing insofar as the payment of periodic dues and initiation fees, uniformly required, is concerned, or in lieu of such membership, pay to the Union an agency fee. The amount of such agency fee shall be established by the Union in accordance with applicable law, but in no event shall such fee exceed full union dues.

Section 4. Future Appointments

Non-payment of union dues or agency fees pursuant to Section 1 of this Article will result in the ending of an employee's appointment one week early during the

second appointment period for which the employee does not pay union dues or agency fees, with such periods understood to be September 1 through January 15, January 16 through May 31, and June 1 through August 31. The affected employee shall be eligible for a new bargaining unit appointment in a future appointment period, including the appointment period immediately subsequent to the second period referred to above.

The union's constitution states that union dues shall be 1.44% of gross pay per month per capita, or, if the union has not been provided with a bargaining unit member's documented pay information, 1.44% of gross pay of the highest-paid member per month per capita. The constitution further states that agency fees shall be set to an amount equivalent to union dues. The total monthly non-member objector financial core fee for the 2024 dues year is 1.14% of gross pay per month per capita, or, if the union has not been provided with a bargaining unit member's documented pay information, 1.14% of gross pay of the highest-paid member per month per capita.

The union does not have all of your documented pay information. As such, for the months that we do not have your pay information, your dues rate is 1.14% of gross pay of the highest-paid member per month per capita. You may provide your pay stubs to the union to have your dues rate adjusted to 1.14% of your actual gross pay per month per capita. To ensure your dues/fees are calculated accurately in the future, please fill out your union FERPA release available in the Atlas app. Since we have not yet issued Beck packets for 2025, we are only including months in 2024 below.

On 4/30/25 the union notified you of your contractual obligation to pay the union dues or agency fees. However, you have failed to make arrangements to pay the dues/agency fees that you owe to UE Local 256.

You currently owe UE Local 256 \$398.73 in dues/agency fees. This breaks down as follows:

06/24, Amt Owed: \$63.79; 07/24, Amt Owed: \$63.79; 08/24, Amt Owed: \$63.79;
09/24, Amt Owed: \$51.84; 10/24, Amt Owed: \$51.84; 11/24, Amt Owed: \$51.84;
12/24, Amt Owed: \$51.84

You may pay the amount you owe by check or money order, with payment made out to "UE Local 256" and mailed to UE Local 256 at [552 Massachusetts Ave #204, Cambridge MA 02139](#).

To pay future dues or agency fees owed, you can join the union and sign up for payroll deduction of dues at <https://member-portal.mitgsu.org/dues>. Otherwise, you can pay agency fees by signing up for payroll deduction at <https://member-portal.mitgsu.org/agency>. To pay by check or money order, the payment should be made out to "UE Local 256" and mailed to UE Local 256 at [552 Massachusetts Ave #204, Cambridge MA 02139](#). You may also pay by credit card or bank transfer at this link: <https://tinyurl.com/mitgsu-pay>.

If you fail to pay the arrears of \$398.73, the union will take the necessary steps to enforce the union security clause of the collective bargaining agreement by requesting that your appointment be ended early. These are extreme steps we hope we would not have to take.

Please respond by July 1st, 2025 to dues@mitgsu.org to make arrangements to pay the amount you owe in back dues or agency fees and begin timely payment of future dues or fees.

If you have any questions or concerns about the amount you owe, please let us know at dues@mitgsu.org.

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Sincerely,

Nadia Zaragoza
Vice President
UE Local 256 MIT GSU



Follow us on social media!



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Our mailing address is:

contact@mitgsu.org

UE Local 256 - MIT GSU

[552 Massachusetts Ave #204](#)

[Cambridge, MA 02139](#)

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You can [update your preferences](#) or [unsubscribe from this list](#).

Exhibit 6 To The Statement Of Glenn Taubman To
The United States House Of Representatives
Committee on Education and Workforce Subcommittee
On Health, Employment, Labor and Pensions

Hearing: September 9, 2025 –
Unmasking Union Antisemitism



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
REGION 01
Thomas P. O'Neill Jr. Federal Building
10 Causeway St, Room 1002
Boston, MA 02222-1001

Agency Website: www.nlr.gov
Telephone: (617)565-6700
Fax: (617)565-6725

August 28, 2025

Heidi E. Schneider, Attorney
Glenn M. Taubman, Attorney at Law
National Right to Work Legal Defense Foundation, Inc.
8001 Braddock Road, Suite 600
Springfield, VA 22160
hes@nrtw.org
gmt@nrtw.org

Re: UNITED ELECTRICAL WORKERS AND
UE LOCAL 256, MIT GRADUATE
STUDENT UNION
(Massachusetts Institute of Technology)
Case 01-CB-356961

Dear Counselors:

We have carefully investigated and considered your charge that the above-named Union has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

Your charge alleged that the Union violated Section 8(b)(1)(A) of the Act by providing insufficient *Beck* information to meet its disclosure requirements.

The investigation disclosed that you received a packet of information from the Union after you notified them of your *Beck* objector status. In order to satisfy its notice requirement to objectors, a union must provide sufficient information to enable an objector to make a "reasonable judgment" whether to challenge the calculation. *Teamsters Local 443 (Connecticut Limousine Serv.)*, 324 NLRB 633, 634–35 (1997). Among the information provided to you was the percentage reduction in your dues and fees, the basis for the calculation, a listing of its major categories of expenditures (designating which ones it deems chargeable and nonchargeable), and information on your right to challenge those figures. *Teamsters Local 75*, 365 NLRB No.48 at 4 (2017). See also *California Saw & Knife Works*, 320 NLRB 224 (1995). Under these circumstances, the information supplied to you was wholly sufficient for you to decide whether to challenge the Union's calculations.

UNITED ELECTRICAL WORKERS
AND UE LOCAL 256, MIT
GRADUATE STUDENT UNION
(Massachusetts Institute of Technology)
Case 01-CB-356961

August 28, 2025

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Accordingly, I am dismissing your charge.

Charging Party's Right to Appeal: The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible. Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at www.nlrb.gov. See [User Guide](#). A video demonstration which provides [step-by-step instructions](#) and frequently asked questions are also available at www.nlrb.gov. If you require additional assistance with E-Filing, please contact E-Filing@nlrb.gov.

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me. The main telephone number for the Office of Appeals is (202)273-3760.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on **September 11, 2025**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than September 10, 2025. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before September 11, 2025**. The request may be filed electronically through the **E-File Documents** link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after September 11, 2025, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

UNITED ELECTRICAL WORKERS
AND UE LOCAL 256, MIT
GRADUATE STUDENT UNION
(Massachusetts Institute of Technology)
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August 28, 2025

Confidentiality: We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,



John D. Doyle, Jr.
Acting Regional Director

Enclosure

cc: Ellen Mcclintock, HR Department
Massachusetts Institute of Technology
77 Massachusetts Avenue
Cambridge, MA 02139

Margot Nikitas, Esq.
United Electrical, Radio and Machine
Workers of America
4 Smithfield Street, 9th Floor
Pittsburgh, PA 15222
margot.nikitas@ueunion.org

Sophie Coppieters T'wallant
UE Local 256, Mit Graduate Student Union
252 Massachusetts Avenue, Suite 204
Cambridge, MA 02139
gst@ueunion.org



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

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Boston, MA 02222-1001

Agency Website: www.nlr.gov
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Fax: (617)565-6725

August 26, 2025

Glenn M. Taubman, Attorney
Heidi E. Schneider, Attorney
National Right to Work Legal
Defense Foundation, Inc.
8001 Braddock Road, Suite 600
Springfield, VA 22160
gmt@nrtw.org
hes@nrtw.org

Re: United Electrical, Radio & Machine Workers
of America (UE) and UE Local 261
(Dartmouth College)
Case 01-CB-356898

Dear Counselors:

We have carefully investigated and considered your charge that the above-named Union has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

Your charge alleges that the Union violated Section 8(b)(1)(A) of the Act by: (a) enforcing "window periods" that limit when bargaining unit employees can claim *Beck* objector status; and (b) requiring bargaining unit members to opt-out of paying for non-representational activities, instead of opting in to making such payments

The investigation revealed insufficient evidence to support your charge. Specifically, the investigation established that you received a *Beck* rights notice from the Union which included a 30-day filing window to submit an objection. Your objection was not received by the Union until after the close of the 30-day filing window and was thus rejected as untimely. It is well-settled that unions may require nonmembers to register *Beck* objections during a specified annual 30-day window period. *California Saw*, 320 NLRB 224, 236 (1995) (one-month annual window period lawful except as applied to employees who resigned union membership after expiration of annual window period). See also *Transport Workers (Johnson Controls)*, 329 NLRB 543 (1999) (Union can require window period for filing objections but can't impose new window period on those who resign after the window period has expired). When you submitted a timely objection during the

United Electrical, Radio & Machine
Workers of America and UE Local 261
(Dartmouth College)
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August 26, 2025

next window period, your objection was accepted. As for your contention that the Union's requirement that bargaining unit members opt-out of paying for non-representational activities violates the Act, this argument is unsupported by extant law. *Communications Workers of America v. Beck*, 487 U.S. 735 (1988); *California Saw*, supra.

Accordingly, I am dismissing your charge.

Charging Party's Right to Appeal: The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible. Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at www.nlr.gov. See [User Guide](#). A video demonstration which provides [step-by-step instructions](#) and frequently asked questions are also available at www.nlr.gov. If you require additional assistance with E-Filing, please contact E-Filing@nlrb.gov.

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me. The main telephone number for the Office of Appeals is **(202)273-3760**.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on **September 9, 2025**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than September 8, 2025. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before September 9, 2025**. The request may be filed electronically through the **E-File Documents** link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after September 9, 2025, **even if it is**

United Electrical, Radio & Machine
Workers of America and UE Local 261
(Dartmouth College)
Case 01-CB-356898

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August 26, 2025

postmarked or given to the delivery service before the due date. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,



John D. Doyle, Jr.
Acting Regional Director

Enclosure

cc: Elora Greiner, President
GOLD-UE, Local 261
One Medical Center Drive
Rubin 7th Floor, HB 7937
Lebanon, NH 03756
elora.c.greiner.gr@dartmouth.edu

Margot Nikitas, Esq.
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Workers of America
4 Smithfield Street, 9th Floor
Pittsburgh, PA 15222
margot.nikitas@ueunion.org

Sara Lester, Chief HR Officer
Dartmouth College
Office of Human Recourses
7 Lebanon Street, Suite 203
Hanover, NH 03755

Exhibit 7 To The Statement Of Glenn Taubman To
The United States House Of Representatives
Committee on Education and Workforce Subcommittee
On Health, Employment, Labor and Pensions

Hearing: September 9, 2025 –
Unmasking Union Antisemitism

6/3/25, 9:39 AM

Cornell Mail - David Rubinstein Religious/Moral/Ethical Objection

Cornell

David Rubinstein [REDACTED]

David Rubinstein Religious/Moral/Ethical Objection**Objections Processing** <objections@ueunion.org>

Tue, Jun 3, 2025 at 9:32 AM

To: David Rubinstein [REDACTED]

Cc: communications@cornellgradunion.org, CGSU Data <CGSU.data@gmail.com>

Good morning David,

Requests to be a religious objector are evaluated on a case-by-case basis by the UE national union. Please send a written request specifying your objection, with details regarding the nature of your religious belief and why you assert it prevents you from paying union dues/fees, including answers to the following questions:

1. Please describe your religious belief in detail and why you assert it prevents you from paying union dues/fees.
2. Are you a member of a particular religious denomination or faith group? If so, has this group historically held conscientious objections to joining or financially supporting labor organizations? Please describe.
3. Do you observe any specific religious tenets and practices which relate to your objection to paying union dues/fees?
4. Do you attend religious services? If so, please include the name and address of the organization sponsoring the services you attend and the name of the faith leader(s).
5. How long have you held your religious belief?

Please include your name, address, telephone number, and email address, and send your request via email to objections@ueunion.org or mail to:

Religious Objections
United Electrical, Radio & Machine Workers of America (UE)
4 Smithfield Street, 9th Floor
Pittsburgh, PA 15222

The UE national union will review your religious objection upon receipt and may have follow-up questions. After the review is completed, you will receive a written response.

On Mon, Jun 2, 2025 at 4:25 PM David Rubinstein [REDACTED] > wrote:

Dear Mr. Dinkelaker, Ms. Lovely, and Dean Boor,

Please see attached.

Thank you,
David Rubinstein

--
David Rubinstein
Ph.D. Candidate, History
Cornell University

--
Jordan Romanus
Membership Coordinator
United Electrical, Radio & Machine Workers of America (UE)
4 Smithfield Street, 9th Floor
Pittsburgh, PA 15222

**Exhibit 8 To The Statement Of Glenn Taubman To
The United States House Of Representatives
Committee on Education and Workforce Subcommittee
On Health, Employment, Labor and Pensions**

Hearing: September 9, 2025 –
Unmasking Union Antisemitism

EEOC Form 5 (06/22)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: _____ Agency(ies) Charge No(s): _____ EEOC	
_____ New York State Division of Human Rights _____ and EEOC State or local Agency, if any			
Name (indicate Mr., Ms., Mrs., Miss, Mx., Dr., Hon., Rev., etc.) Mr. David Rubinstein c/o Alexander Ioannidis		Home Phone 703-321-8510	Year of Birth
Street Address, City State and ZIP Code 8001 Braddock Road, Suite 600 Springfield, VA 22160			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name Cornell Graduate Students Union-UE Local 300 a/w United Electrical Workers		No. Employees, Members Unknown # of Employees; Appx 1,400 Members	Phone No.
Street Address, City State and ZIP Code 909 Tioga Street Ithaca, NY 14850 communications@cornellgradunion.org			
Name 		No. Employees, Members 	Phone No.
Street Address, City, State and ZIP Code 			
DISCRIMINATION BASED ON Religion		DATE(S) DISCRIMINATION TOOK PLACE Earliest 6/3/2025 Latest Continuing	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): See Attached			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements NYS - Onondaga County	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
Date 06/18/2025		SIGNATURE OF COMPLAINANT 	
Charging Party Signature 		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year) 06/18/25	

ANGELA K. EPOLITO
 Notary Public, State of New York
 Qualified in Onondaga Co. No. 01EP6214945
 My Commission Expires February 2, 2026

1. I am a PhD graduate student and instructor of history at Cornell University (“Cornell”), placed within a bargaining unit represented by United Electrical, Radio & Machine Workers of America (“UE”) and its affiliate, CGSU-Local 300 (“CGSU”).
2. I am Jewish and believe that Israel is the biblical and historical homeland of the Jewish people. My sincerely held religious beliefs require me not to join or fund organizations, including the UE and CGSU, that oppose the existence of Israel as a Jewish nation. Nor does my faith allow me to take actions that undermine the Jewish state’s security, prosperity, and independence. Both nationwide and on the Cornell campus, the UE, CGSU, and their other campus affiliates have been at the forefront of demonizing Israel, seeking its destruction, and supporting Hamas’s violent and barbaric terrorism against Israel and its inhabitants. These stances are profoundly antisemitic, evidencing an obsessive hatred for the Jewish religion, the Jewish people, and their nation-state of Israel.
3. In 2025, Cornell entered into a collective-bargaining agreement with the UE and the CGSU (collectively “unions”), which essentially required all covered employees, including me, to pay money to these unions as a condition of employment.
4. On June 2, 2025, I sent a detailed letter to UE General Secretary-Treasurer Andrew Dinkelaker, to CGSU, and to Cornell, stating my religious beliefs, observances, and practices, and explaining my religious objections to affiliating with the unions or paying them any money. As noted in the letter, my religious objections were based on the unions’ history of antisemitism and their anti-Israel stances and activities, all of which violate my sincerely held religious beliefs, observances, and practices.
5. The unions had no objective or bona-fide reasons to doubt the basis for my accommodation request or to question my sincerely held religious beliefs, observances, and practices. But, on or about June 3, 2025, the UE issued a response that ignored the substance of the letter that I had sent. My letter clearly communicated that my religious beliefs, observances, and practices were in direct conflict with the unions’ positions. In effect, the UE’s response rejected my clearly-communicated need for an accommodation.
6. Instead of granting my requested accommodation, the UE demanded—in bad faith—that I complete a “questionnaire” consisting solely of dilatory questions that were immaterial to accommodating my religious beliefs, observances, and practices. This “questionnaire” also demanded that I repeat information I had already provided in my original accommodation letter. The UE’s demand that I complete this bad-faith questionnaire and comply with dilatory demands to provide immaterial information, after I provided the information necessary for my accommodation, is designed to avoid the unions’ affirmative duty to accommodate me, restrain my need for accommodation, and discriminate against my sincerely held religious beliefs, observances, and practices as a Jewish person.

7. Neither union made a good-faith attempt to accommodate my religious beliefs, observances and practices after I communicated them in my letter and put them on notice of my need for an accommodation. Through the questionnaire, the unions frustrated, deterred, unnecessarily complicated, obstructed, and restrained me, and others, from seeking and securing an accommodation.

8. The unions' use of often-unnecessary questionnaires—after religious objectors have already provided sufficient information to support an accommodation—is part of a nationwide pattern and practice to avoid their affirmative legal duties to accommodate religious objectors. The questionnaires unnecessarily impede and deter religious objectors from seeking religious accommodations. The UE and its affiliates have engaged in similar unlawful conduct against religious objectors at other campuses, including MIT and Stanford.

9. By these acts, both unions avoided my need for a religious accommodation, failed to comply with their affirmative legal duties to accommodate me, and discriminated against my religious beliefs, observances, and practices in violation of Title VII of the Civil Rights Act of 1964, as amended, and under parallel state laws.

Chairman ALLEN. Thank you, Mr. Taubman, for your testimony. Under Rule 9, we will now question witnesses under the 5-minute rule. I will recognize myself for 5 minutes. Obviously, we sit here today thousands of years after Abraham's covenant with God, and the battle still reigns.

Ms. Mann, you and many of your Jewish coworkers were supportive of the union before October 7, 2023. Have Jewish colleagues

withdrawn from union activities or stopped attending meetings due to fear of harassment or hostility?

Ms. Mann.

Ms. MANN. Yes.

Chairman ALLEN. How does the union's cultivation of this hostile office culture weakened Jewish members' ability to benefit from union representation and collective bargaining?

Ms. MANN. Yes. I, along with several other Jewish members have obtained religious objector status because we do not believe the union can fairly represent us. Some Jewish members only attend on Zoom because they cannot face the hatred in person. In 2025, A Better NYLAG went on strike for a week. Their No. 1 sticking point was not salary, healthcare, or case load. It was free speech in and out of the office. The ability to support Hamas over its Jewish workers.

The union has targeted Jews and sent emails members have sent emails to other staff members, excluding all Jews in the office. There has been no declaration that this was intentional, but it cannot be a coincidence that only Jewish members have been left off of these emails, thank you.

Chairman ALLEN. Mr. Rubinstein, you have filed discrimination charges against the union with the EEOC, which you included as an attachment to your written testimony. How did the unions and Cornell's actions give you no choice but to file charges with the EEOC?

Mr. RUBINSTEIN. Cornell could have denied the union's demand for mandatory dues but instead made me proactively seek out a religious exemption. Upon contract ratification, Cornell claimed I had nothing to worry about because I could religiously object by ticking a box on a form. That never materialized.

Instead, I had to beg union bosses for permission by sending a highly personal letter detailing the private details of my religious beliefs and practices. It felt deeply humiliating and degrading to need to beg for permission from those engaged in Jew hatred. Even that was not enough for these union bosses, and they demanded further irrelevant personal information, not only about myself, but also about my synagogue and my rabbi.

At that point, because Cornell was forcing me to pay dues, and the union was demanding information they had no right to, I had no other choice but to press charges.

Chairman ALLEN. Thank you. Mr. Taubman, you represent several employees seeking religious accommodations from the unions that represent them. Could you discuss whether Title VII of the Civil Rights Act provides sufficient protections for people of faith in unionized workplaces? Is there anything we can do to strengthen legal protections for religious workers in unionized workplaces?

Mr. TAUBMAN. Title VII provides some protections, but as Mr. Rubinstein just said, the problem with Title VII is these employees are essentially required to beg their tormentors. I will say that again. You have to ask the entity that is harassing you and tormenting you on your workplace for a religious accommodation. That is the worst part of this because Title VII requires you to prove to certain level your sincerely held beliefs. Who do you have to prove it to? To the union that is tormenting you.

This should be something that Congress can fix, by making it easier for people to assert their religious rights.

Chairman ALLEN. Could you define tormenting? I mean.

Mr. TAUBMAN. Tormenting meaning ostracism, shunning, pro-Hamas activities, telling your graduate students pay dues or be fired, while we are out fomenting pro-Hamas activities. Hamas is a meaty evil killing terrorist group on the U.S.'s watch list, but suddenly its protected labor free speech to support an anti-American murderous media evil terrorist group. That is what the labor laws bring to the situation.

Chairman ALLEN. Thank you. That concludes my questions, unless the panel has anything else you would like to offer. Okay. Well, I will yield my time to Mr.—Mrs. Lee of Pennsylvania.

Ms. LEE. Thank you, Mr. Chairman. I think it is important that we are clear about what is really going on here. Republicans are committed to eroding labor protections in this country, and they will do anything, and use anything to that end. The attacks on workers are relentless, and let us be clear, when they attack unions, they are attacking Jewish workers and Black workers, and white workers, and disabled workers—all workers.

Just last month the Department of Veterans Affairs terminated collective bargaining agreements for workers at the Pittsburgh VA Medical Center in my district, abandoning groundskeepers, transportation workers, nurses, and doctors. Unions, just like our government, are democratic institutions.

Workers choose to unionize based on majority support, just like Cornell graduate workers voted to unionize 1,873 votes to 80. Unions are also a channel for their members to debate and voice beliefs and political issues, just like when UAW debated and voted to adopt a cease-fire resolution, 1,067 votes to 570.

In democracies we are supposed to accept the outcome of a vote, even if we disagree with it. As democratic institutions unions bear responsibility for protecting their members from acts of hate, absolutely, while fostering environments for critical and constructive discourse because union members will never agree on every point, and they are not meant to.

Being engaged in a union where you have a stake and a say means having uncomfortable conversations, but discomfort and danger are not the same thing, and at a time when those in power are looking for any excuse to undermine worker protections, it is more important than ever that we understand and make that distinction.

Those of us who believe strongly in unions recognize that while organized labor may have had a complicated legacy, especially considering its history, dealing with, and even excluding marginalized groups that today they work to remedy that because they know, and we all know that for marginalized groups, it is the No. 1 pathway to economic security and a place in the middle class. We fight and we work every day with unions, just like we do with our own nation's governments, and make sure that they live up to their true ideals.

Unions are institutions that reflect the demographics and the diversity of our workplaces, and we have more work to do, just as we have more work to do to make our country that more perfect

union. There is no question that if we actually want workers to be protected, we need unions.

If we want unions to be equitable, we cannot ask them to be apolitical. Dr. McCartin, can you speak briefly about the history of workers taking political stances through their unions at critical times in history?

Dr. MCCARTIN. Thank you. Thank you, Congresswoman, I'm happy to. Unions, from their formation in the United States have realized that they have to take political stands to effectively defend and advance the interests of their members. That was true in the 1820's when the first unions helped to launch their own political parties, working men's parties.

That was true in the early 20th Century when Samuel Gompers drafted labor's bill of grievances because the courts were attacking workers' rights to strike effectively, to organize, and they knew they had to get political to fight back against that. That was true in the 1960's when the labor movement supported the Civil Rights and the Voting Rights Act because they understood that what could be won at the bargaining table could be undermined by politics if workers didn't have a democratic voice there.

That has been the labor movement's history. That is its stand even today.

Ms. LEE. Yes, and if I could ask you another question very quickly. Historically, how has social inequality coincided with the strength or lack thereof of labor unions?

Dr. MCCARTIN. Social inequality has been in inverse proportion to union strength. When union strength is strong, social inequality is weak. When union strength weakens, social inequality grows. That was true in the 1920's when the labor movement hit one of its low points, inequality surged.

After World War II, when the labor movement was strong, inequality dropped. Economists talk about the period of the Great Compression because the poorest 20 percent of Americans saw their income rise most then. When unions weakened in the 20th and early 21st Century, however, we have seen inequality surge. Perhaps members here know of the recent study by the Rand Corporation, which documented that if we had merely retained the distribution of income we had in 1973 to the present day, the lowest 90 percent of Americans would have earned 79 trillion dollars more than they ended up earning. That is because of union weakness.

Ms. LEE. May I, if I can conclude. I just want to say that this is obviously not about protecting workers, it is about silencing dissent, criminalizing free speech, and chipping away at the foundation of our democracy in order to accelerate a shift toward authoritarianism.

Unions are the first line of protection against that, and we have to speak out against these attempts to suppress these unions. Thank you, and I yield back.

Chairman ALLEN. Thank you. The gentlelady yields. Now, I call on our great Chairman for his questions.

Mr. WALBERG. Thank you, Mr. Chairman. Now, let me make it very clear. We are not attacking unions. We are attacking abusive union leadership that are not doing what they are supposed to do for their union membership. I thank unions for the working condi-

tions I had at U.S. Steel South Works because of what my dad as a union organizer and others did.

We are talking about the backing away of protecting union workers. We are not attacking unions here, and I think that is why the Republican party is now being seen as the party of the working man and woman. The rank and file. Randi Weingarden has not said anything, anything about antisemitism. To raise her name, raises my ire.

Ms. Mann, your testimony is very clear. Let me go back. Have there been instances where the union has chosen to advance the interests of those engaging, and I am talking about the union leadership, protecting the interests of those engaging in harassing conduct over the interest of union's Jewish members?

Ms. MANN. Yes. Very sadly, the union has doubled down on protecting its members' ability to promote antisemitism and images that make Jews feel threatened in the workplace. As soon as our poster policy was enacted, requiring that the office simply be neutral, that nobody posts anything related to the Gaza Israeli conflict.

Mr. WALBERG. What is wrong with that?

Ms. MANN. Exactly, that is all we are asking for. We just do not—at 5 p.m. when you leave the office, you should be free to say whatever you want about whatever issue it is. You have complete free speech.

Mr. WALBERG. American liberty.

Ms. MANN. When you are in the office you do not have a right to free speech, and that is all that NYLAG management asked to be done. As soon as that happened, ABN posted watermelons all over our office, a symbol of Palestinian solidarity, and over the watermelons it says, "NYLAG violates free speech. NYLAG silences workers." They continued these tactics, holding lunchtime pickets where they walk around the office in Keffiyehs holding Palestinian flags.

They pose for pictures in our reception area. These images are visibly seen by clients, not just Jewish members, but we serve the most vulnerable populations in New York City, and they too are traumatized by walking into our office.

We have to shield them from the images that surround our cubicles and try as quickly as possible to get them to a conference room without seeing so many of the intimidating, harassing materials that surround the office.

Mr. WALBERG. Cowardly union leadership that is encouraging this type of thing to go on, as well as entities that do not stand up against it, so I appreciate that. Mr. Rubinstein, United, as you have indicated, United Electrical Workers Union leadership and the Cornell Graduate Student Union leadership chose to help fellow graduate students avoid university discipline, and expulsion, and deportation by the U.S. Government.

This student engaged in disruptive anti-Israel advocacy on campuses, as well as cheering for the, and I quote, "End of the U.S. empire," celebrating Hamas' actions on October 7th, and tweeting that Zionists are a "moral less, soul-less, cowardly, inhumane bunch."

What do you think of the union leadership using its resources to defend this graduate student?

Mr. RUBINSTEIN. Well, that is certainly the union's prerogative to defend such an individual. I want to be clear, I am not antiunion, and I believe in free speech, so if they want to support someone like that, absolutely fair game, but Jewish students should not be forced to financially support that. We should certainly not be forced to beg for permission to not do so, as Cornell is currently forcing us to do.

Mr. WALBERG. Thank you for nailing that home, the issue that we are talking about there. That goes back to free speech and freedom in American, thank you. Mr. Taubman, the duty of fair representation doctrine was intended to protect workers in a bargaining unit who may be in the minority in the union and to force unions to represent those people fairly as well, even if the union leadership did not like those workers or agree with their views.

Have you seen unions violate the duty of fair representation with respect to Jewish employees?

Mr. TAUBMAN. The duty of fair representation, if properly interpreted, would prevent exactly what Ms. Mann and Mr. Rubinstein are seeing on their campus, or their workplaces. The problem is that over the years the duty of fair representation has been watered down, and it is very difficult for employees to use that to protect themselves from this sort of antisemitic atrocities in the workplace.

Mr. WALBERG. Thank you. My time has expired. I yield back.

Chairman ALLEN. I was a little lenient on our chairman there on time, but anyway.

Mr. WALBERG. Less lenient than one of our other members, take it from Mr. Wilson.

Chairman ALLEN. All right. Mr. Wilson is next. All right. I will now recognize Mr. Wilson, from the great State of South Carolina, for his line of questioning.

Mr. WILSON. Thank you very much, Chairman. I am very grateful to share a district with you, North Augusta, Augusta, South Carolina and Georgia working together. Indeed, Mr. Taubman, I appreciate your service as the staff attorney for the National Right to Work Legal Defense Foundation.

For decades, the National Right to Work Committee has been a successful champion across the country for workers who have the freedom to join or not join a union. The Right to Work Committee is just such an example of freedom and so thank you for what you do.

With that in mind, your written testimony says that some unions are weaponizing our labor law to harm Jewish employees in the workplace. How are they doing that, and can you give examples?

Mr. TAUBMAN. Sure. As I said in my opening, Federal law allows forced representation. Nobody tells you, Congressman, that when you want to sell your house you must use a certain representative who may hate you and may trash your people and your religion. In the union context, Federal labor law allows for forced representation. These people are required to be represented by a hateful organization. That is the first Federal law's protections of unions.

Then the second one, of course, is forced dues. They are told that they have to pay for the privilege of being harassed by these unions. This is all a matter of Federal labor law.

Mr. WILSON. I want to thank you too for bringing up the issue of Hamas. We are not talking about people who are disagreeing with issues. Hamas, the covenant of August 1988 was very clear. Article 7, it states that every Jew is to be chased behind a rock or tree until you find the last Jew behind a rock and kill him. That is their covenant.

That is their plan. From the river to the sea, means the elimination and death of the Jewish people. We are not talking about just a disagreement of a policy. Ms. Mann, some unions have chosen to mount defenses of antisemitic activity in their units, and in some cases advocate on behalf of union members who have engaged in antisemitic conduct outside the workplace, particularly something that sounds so innocent, such as pushing the anti-Israel boycott divestment and sanctions, BDS policies.

What do you feel can be done? Does this undermine the National Labor Relations Act?

Ms. MANN. I believe that unions should stick to negotiating wages, healthcare, employment conditions. The union should not have a political view that is unrelated to its members well-being in the workplace. Just because unions were once politically active, historically, does not mean that they need to be now. Times change. We should not have to vote about political resolutions on anything about foreign policy that has nothing to do with representing individuals in New York City.

The resolution that was mentioned by Ms. Lee was a resolution that was sent by ABN less than a month, or sorry, just over a month after 10/13, asking union members to vote on whether they support calling the Israeli—sorry, calling Israel's attack on Palestine a genocide.

We should not be forced to answer such questions. It does not matter to our workplace. It does not matter to what we do for our clients. Political foreign relations should not be a part of the union's purview.

Mr. WILSON. How sad, indeed, genocide of the population of Gaza has increased substantially. There is not a genocide, and how sick for people to misconstrue what's going on. Mr. Rubinstein, you say in your written testimony that you did not believe graduate students should be considered employees under the National Labor Relations Act.

Why do you think the graduate students like yourself, as young as you are, should not be covered by NLRA?

Mr. RUBINSTEIN. As Ph.D. students, we are provided with teaching assistantships to support ourselves while we work toward our degree. Our work as teaching assistants serves as a derivative of our primary status as students. Since unionization, our primary role as students has become a derivative of our part-time job as teaching assistants, meaning that we now have a non-academic, third party that holds power over the primary purpose for which we came to study in the first place.

Mr. WILSON. Well, thank you for bringing that to the attention of the American people. I yield back.

Chairman ALLEN. Okay. The gentleman from South Carolina yields. Now, we go to Chairwoman Emeritus Foxx from North Carolina, for questions.

Mrs. FOXX. Well, thank you very much Mr. Chairman. I appreciate that. I appreciate our witnesses being here today. I know this is a very tough issue for you all to be dealing with, especially Ms. Mann and Mr. Rubinstein because they are so much involved with this, so I really appreciate your being here.

Ms. Mann, your written testimony discusses how Jewish employees are afraid to speak up about the toxic workplace the unions created. Why do you believe they are afraid to speak up?

Ms. MANN. I believe they are afraid to speak up because they have already experienced the feeling of being ostracized. We never considered ourselves as a separate group in the office, but we have essentially been pushed into our own little Jewish ghetto, where we can only discuss matters of the office with each other.

We do not feel that the union has our back, and in fact, before this last strike many of my Jewish colleagues who had not yet obtained religious objector status, felt that the union was pressuring them to go on strike because their primary goal was not increasing our wages or getting us better healthcare.

It was fighting the NYLAG management policy that posters not be posted in the office about anything related to this conflict. They argued again that they have the right to free speech in the office, and the union has misled them because there is no right to free speech in a private workplace.

The union has told them that the poster policy is an "egregious infringement on our members' speech and a violation of labor law."

Mrs. FOXX. What you are talking about sounds so much like what happened in Germany a long time ago, and we have all said never again this kind of thing can never happen again. Mr. Rubinstein, your written testimony includes exhibits of many emails documenting how the union and Cornell have tried to enforce the forced dues clause in the collective bargaining agreement.

Could you discuss whether the union has communicated to graduate students clearly and honestly what their rights and obligations are with respect to the union?

Mr. RUBINSTEIN. It has not. We have the right to object to union dues on religious, ethical, or moral grounds, and yet the union has consistently represented that all graduate students are forced to pay dues or agency fees to the union, negating that third option.

Mrs. FOXX. What do you think could be done to make sure that people in unionized workplaces like yours know their rights?

Mr. RUBINSTEIN. Well, the first answer to that is that one should not be forced to go through a burdensome and time-consuming exemption procedure in order not to fund a union that one does not wish to support. Union dues should be voluntary. While Cornell is locked into a contract with forced dues, the university should make clear that all exemptions will be recognized.

That the individuals do not need to beg for the unions' permission, with the union being given free rein to obstruct, ignore or deny visa exemptions. The university can recognize them.

Mrs. FOXX. Mr. Taubman, Mr. Rubinstein's written testimony and what he has said verbally, discuss receiving an intrusive questionnaire from the union, which he is alluding to again when he tried to obtain a religious accommodation. What responses have

your clients at other workplaces received when they invoke their rights under Title VII of the Civil Rights Act?

Mr. TAUBMAN. The first response that the UE union gave my clients at MIT, who were Jewish, was to write them a letter saying, "Jews can't object to our union because our founder was Jewish." They told these people that they know more about their Judaism and their religious beliefs than they do.

Since that time, the union has been sending these invasive questionnaires, and this has happened at Stanford. This has happened at Cornell. This has happened at other schools. They try to conduct a little mini inquisition to harass and delay and prevent these people from exercising their religious liberties under Title VII.

Mrs. FOXX. Thank you, and I think the term you used earlier about torture is certainly very appropriate. Mr. Chairman, I ask unanimous consent to insert in the record an article from the Wall Street Journal, August 29th, Stanford's Graduate Student Union Tries to Stifle Dissent.

Chairman ALLEN. Without objection.

[The information of Mrs. Foxx follows:]

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Stanford's Graduate Student Union Tries to Stifle Dissent - WSJ

Stanford's Graduate Student Union Tries to Stifle Dissent

The university may fire me because I won't pay dues to a labor organization whose views I find repugnant.

By Jon Hartley

Aug. 29, 2025 4:27
pm ET



Stanford University campus in Stanford, Calif., March 28. PHOTO: JUSTIN SULLIVAN/GETTY IMAGES

I'm working as a teaching assistant while studying for a doctorate in economics at Stanford, but a campus union is trying to get me fired. The Stanford Graduate Workers Union wants my head on a plate because I refused to sign a membership form and pay dues. I won't fund an organization whose values and tactics I don't support.

Similar unions across the country are using their bargaining power not to improve working conditions but to coerce ideological conformity. This isn't solidarity; it's suppression. Shame on Stanford for going along with it.

In June, the union began seeking to bar graduate students who refuse to pay dues or agency fees from working as teaching or research assistants. That threat is now a reality. The university has told me and several other teaching assistants that we will be fired unless we pay up.

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Stanford's Graduate Student Union Tries to Stifle Dissent - WSJ

At the University of Chicago, graduate students in a similar position have taken their union to federal court, arguing that forced support of the union violates their constitutional rights. In *Graduate Students for Academic Freedom v. Graduate Students United*, the plaintiffs—including Jewish students—say they are being compelled to fund a union that promotes the boycott, divestment and sanctions movement against Israel, a stance they view as antisemitic.

The graduate unions at both Stanford and Chicago are registered as local chapters of the United Electrical, Radio and Machine Workers of America, a national union that funds progressive activism. In 2015, it became the first national union to support the BDS movement. The Chicago lawsuit, filed in July 2024, invokes *Janus v. AFsme*, the Supreme Court's 2018 ruling that public employees can't be forced to subsidize political speech they disagree with. The Stanford Graduate Workers Union similarly adopted an anti-Israel statement in 2023.

At both Stanford and Chicago, union leadership insists that such coercion is routine—part of collective bargaining. But there's a world of difference between negotiating wages and punishing dissenters. When students are told they can't work, teach or study unless they pay dues to a political organization, it's no longer about labor rights—it's about freedom of association, conscience and speech.

Graduate students first formed a union at Stanford in July 2023, and the school signed a collective-bargaining agreement in October 2024 to avoid a strike. The agreement mandates financial support of the union as a condition of employment at the university. The national union supports progressive causes such as abortion, public subsidies for "gender-affirming care," and defunding the police. Because the union's advocacy contravenes my Roman Catholic faith, I am seeking a religious-objector accommodation under Title VII of the Civil Rights Act. Stanford claims qualification for such an accommodation is at the discretion of the union.

Campus labor groups once motivated by economic fairness are increasingly governed by ideological litmus tests. When students push back or refuse to participate financially, their academic futures are threatened. University administrators should stand up for their students and ensure that union membership and fee payments are voluntary, protect the ability of students to work and study regardless of political affiliation, and enforce constitutional safeguards on compelled speech and association, especially at private institutions that contract with and receive grants from the federal government.

Graduate student unions can play a vital role in advocating for fair treatment. But they must not become engines of progressive coercion. Freedom to dissent—including from

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Stanford's Graduate Student Union Tries to Stifle Dissent - WSJ

union politics—is foundational to the academic enterprise. No student should face financial retaliation for exercising that freedom.

Mr. Hartley is a doctoral candidate in economics at Stanford.

Appeared in the August 30, 2025, print edition as 'Stanford's Union Tries To Stifle Dissent'.

https://www.wsj.com/opinion/stanfords-graduate-student-union-tries-to-stifle-dissent-f7f4072?gaa_at=eafs&gaa_n=ASWzDAJ_VLnYLVaglrB_CkunV0c... 3/3

Mrs. FOXX. Thank you, Mr. Chairman. I yield back.

Chairman ALLEN. The gentlelady yields back. Next is Ranking Member Scott for 5 minutes.

Mr. SCOTT. Go ahead. Could you call on Mr. Courtney?

Chairman ALLEN. Mr. Courtney is recognized for 5 minutes.

Mr. COURTNEY. All right. Thank you, Mr. Chairman, and thank you to Ranking Member Scott. I apologize, a lot going on today, but I did read, again, the witnesses' statements, and again, you know, I want to thank all of you for being here, and the effort that you put into your testimony.

Ms. Mann, in particular, I found your testimony to be actually quite powerful in terms of just telling your story. As a former public defender, I sort of identify a little bit, at least with the mission of the legal aid, and you're obviously very passionate about your clients in terms of trying to, you know, advocate for fairness and justice, you know, in the system.

You know, that is not for the faint of heart. I can personally attest to that. Obviously, you also, you know, described your sort of, you know, your sort of foundational feelings about unions a little bit. I guess the one question I just really wanted to ask you was that you know, after reading your testimony, and you know, there are some really important issues that everybody has raised in their testimony.

There is obviously also another sort of agenda here, which is to pass a National Right to Work Law, and I just was curious just to hear what your thoughts were about whether or not that somehow, you know, would be a solution to you know the problem that has been identified here because that would be a fairly blunt instrument, you know, in terms of the rights of workers who again belong to unions that are actually doing good things for themselves.

Ms. MANN. Yes, there is—the union members that I work with, while they have been told that they are aware of their rights, most of them did not know that they had the right to file for religious objector status.

Mr. COURTNEY. I understand that. I am really talking about, like we are here as Members of Congress to deal with legislation, and there is a bill to pass a National Right to Work Law, and that is really my question. I mean do you feel that that is something Congress should take up, and that would be a solution in terms of, you know, really radically rewriting the labor laws of this country?

Ms. MANN. I think as Mr. Rubinstein said, the labor laws need to be addressed under the current framework, and then NLRB should take up the claims that we filed with them about an unfair representation and the duty to represent.

Mr. COURTNEY. Thank you. Right to work, I mean it is really just, as I said, it is a far blunter sort of instrument in terms of addressing this issue, and I certainly agree with you about, you know, having the NLRB act swiftly. It did not help matters that the President almost the day after he was inaugurated, basically fired a member, and they do not have a functioning quorum, so that, you know, the goal of actually having timeliness in terms of taking up issues has been paralyzed by this administration.

Dr. McCartin, as some of my colleagues know, I kind of always track the Gallup poll in terms of American public opinion regarding labor unions. They have been asking this question since the 1930's. Actually a few days ago they did their 2025 update, and again it was a 68 percent approval rating.

It is eight straight years now that it has exceeded 60 percent, and I have been around long enough in this Committee to remember when it was much lower than that. I just wondered if you would just sort of comment in terms of particularly at a time when we are watching health care get cut through H.R. 1, the exchange premiums are about to be devastated, and rates are going to skyrocket literally within days. We are going to get those numbers.

In terms of just what is driving that popularity because of the economic insecurity that working people feel in this country.

Dr. MCCARTIN. The weakening of unions in general is one of the things that is contributing to growing inequality to the impact, the adverse impact, of the kind of cuts that you are talking about, and what they will have. Fighting for a National Right to Work Act, as Mr. Taubman is calling for, is not going to solve the problem of antisemitism or improve the bargaining power of workers.

It is really a non sequitur when it comes to the question that we are considering here today as well. That is, the unions promote antisemitism. Union members have rights. There has been lots of talk that—unions are not properly defending their members, representing them today.

I would assert that they represent their members as well as anybody on this panel represents their constituents. That does not mean that your constituents agree with everything you do, they do not. That does not make your positions any less legitimate. That is what unions are about: representing people. They might not do it to the satisfaction of every member.

We have heard from both Ms. Mann and Mr. Rubinstein that they do not want to support an organization, okay, that they object to, and they are not. They have the right not to and they are not.

Mr. ONDER. [presiding]. The time has expired. The Chair now recognizes himself for 5 minutes. Thank you to all the witnesses here today. I will begin with the principle that I think everyone should agree with, no employee should be required as a condition of their employment to financially support a political agenda or candidate that he or she opposes.

This is an application of the First Amendment, and a cornerstone of American liberty. The Supreme Court agrees in *Janus v. AFSCME*. The Supreme Court recognized that Federal employees' First Amendment rights are violated when employees who are not members of the union are forced to pay agency fees.

The Court said that such agreements violate, "the free speech right of non-members by compelling them to subsidize private speech on matters of substantial public concern." Given that government unions, everything they do have to do with matters of public concern, free speech would be violated.

It is great that government employees' First Amendment rights are protected, but what about private sector workers? The Supreme Court case, *Communication Workers of America v. Beck*, partially protects employees from being forced to contribute to political causes they disagree with.

It is clear from the witness testimony today that Beck is not strong enough. At Cornell University, Mr. Rubinstein and his Jewish friends were continually harassed by their graduate student union for refusing to fund their affiliate union's pro-Hamas agenda.

At the New York Legal Assistance Group, Ms. Mann and her Jewish colleagues fear expressing support for Israel in their office because of the antisemitic climate created by the union, even though she was exercising her back out, opt-out rights. Mr. Taubman, you helped litigate *CWA v. Beck*, why is Beck insufficient today for Jewish employees and those who for other reasons do not want to support their union's politics?

Mr. TAUBMAN. Beck is inadequate first of all because many employees have no idea that it exists, and unions have no incentives to tell them because if they find out then the union gets less money. Second of all, look at what happened with UE at MIT. People filed Beck objections in 2004 and 2005, and the UE gave them financial disclosure from 2018 and 2019—five and 6 year old financial disclosure, so how are people supposed to know what the union is doing with their money when the union will not open up their books to tell them?

I just want to address this point about right to work that Congressman Courtney paints this as some kind of radical thing. Right to work. It is called free choice in America. No one tells you what church to join. No one tells you to join the Elks Club or not join the Elks Club. No one tells you to join the AAA for your car, but Federal law tells you join this union, this Hamas supporting terror organization, or we will get you fired.

I could show you hundreds of threats to get employees fired. That is American. Okay. Free choice in America to join a private organization. Unions are not government. Unions are a private organization, and I think it is a disgrace that any American has to fund a private organization that they do not want to.

Mr. ONDER. It is sometimes said that these unions have been chosen in a certification election, but many times that happened decades, or even generations ago. Do you care to comment?

Mr. TAUBMAN. I think the last statistics I saw was that 90-some percent of employees have never voted for the union that represents them, and even if they have, I can tell you from experience trying to decertify a union is difficult, if not impossible.

Mr. ONDER. I think Mr. Rubinstein alluded to this, and you may know the law on this. I have not heard of this phenomenon before of having to go to your union and apply for a religious exemption. What is that all about?

Mr. TAUBMAN. What that is all about is under Title VII, you have to show that you have a sincerely held religious belief. Who do you go to to apply and prove that you have a sincerely held religious belief? The party that is forcing you to pay the dues. In this case, it is either Cornell and/or the union.

Mr. ONDER. The party that is taking your money. Well, thank you. I yield back. Ranking Member Scott is recognized for 5 minutes.

Mr. SCOTT. Thank you, and I thank all our witnesses for coming. Mr. McCartin, we have heard a lot about the Right to Work Law and some of the things that people do not like about it. If you are in a right to work State and not joining the union, did not pay any dues, do you get the benefits of all of the benefits that have been achieved by the unions, like higher pay, safer workplace, better benefits? Do you get individual?

Dr. MCCARTIN. Yes, you do.

Mr. SCOTT. Do you get individualized representation to the same degree as dues paying members?

Dr. MCCARTIN. That is correct.

Mr. SCOTT. I do not hear any complaints about that?

Dr. McCARTIN. No. In fact, right now if Mr. Rubinstein had a grievance with Cornell University, the union that he is attacking would be compelled to defend him in that grievance.

Mr. SCOTT. Thank you. If you find that you said if you have found religious or racial discrimination in a union, you can go to the EEOC. Is that right?

Dr. McCARTIN. That is correct.

Mr. SCOTT. The funding in the Republican budgets have cut the EEOC?

Dr. McCARTIN. Yes, they have.

Mr. SCOTT. Okay. Now, antisemitism is a problem in society. Is it more or less of a problem in unions?

Dr. McCARTIN. I would say that it is less of a problem in unions because unions have long understood that antisemitism is a threat to the whole idea of a union.

Mr. SCOTT. Are there problems with racism, Islamophobia, homophobia, gender-based discrimination in society?

Dr. McCARTIN. That is true, and unions have understood that they needed to fight those.

Mr. SCOTT. Is that problem more or less than in society?

Dr. McCARTIN. I would say less. The union movement has been a force against all of those things.

Mr. SCOTT. Were gender and racial pay differences, on the pay differences, more or less in unions or in the general public?

Dr. McCARTIN. They are less in unions.

Mr. SCOTT. That is because everybody gets equal pay for equal work in a union contract?

Dr. McCARTIN. Unions fight for their members on a basis of equality.

Mr. SCOTT. We have heard about the religious exemption. Is there a similar exemption if a Black person were to decide that the union was run by racists. Do they have a way to get out?

Dr. McCARTIN. They can go to the EEOC, but to my knowledge not a similar way.

Mr. SCOTT. Thank you. I yield back.

Mr. ONDER. The gentleman yields back. The Chair next recognizes Mr. Fine for 5 minutes.

Mr. FINE. Well, thank you Mr. Chairman. Look, I want to start by apologizing to those of you, particularly the two of you on my left. You have had to deal with this. I understand what it is like to deal with antisemitism. I dealt with it my whole life. Ironically, you know, the institution I went to 35 years ago where the problem is widespread today, it does not really exist today.

I am also angry. I mean what is clear is that Muslim terror has come to the United States, and it exists in our universities. I noted in your testimony, just to give a couple of interesting points about it before I get to my question. Ms. Mann, you talked about the first example of pro-Muslim terror stuff in your institution on October the 13th. Mr. Rubinstein, in your testimony you talked about it on October 25th at Cornell. I read your statements before I got here.

Israel did not send ground forces into Gaza until October the 27th, so to be clear, the Muslim terrorists were focused through your institutions on spewing their propaganda and hate before

Israel had even responded, and that just shows you how the kind of evil that we are dealing with.

The good news is thanks to the Chairman and others up here we are willing to fight that fight. I have few questions for you, for the two of you. Ms. Mann, you testified about how the union contributed to the culture in your workplace. Could you tell us—the best is not the right word, the worst examples in the communication of antisemitic tropes or conspiracy theories in the multitude of things that you have gone through?

Ms. MANN. I would say that the posters that said, “From the river to the sea,” were definitely the worst of what I saw, or.

Mr. FINE. How do you interpret from the river to the sea? What does that mean to you?

Ms. MANN. To me, that means it is a call for the destruction of Israel, for the elimination of Israel, for the elimination of Jews. I interpreted that as them calling for my removal from existence.

Mr. FINE. By the way, you would not be wrong in having that view. That is exactly what it means because if you look at places where those folks have taken over, the best example for example is Bethlehem when it was under Israeli control was 85 percent Christian, and now it is 10 percent today. That is a part of from the river to the sea that they have taken control of, and they have endeavored to effectively launch a genocide of those who are not like them.

You have accurately described what is going on. Mr. Rubinstein, in your written testimony, you include an attachment, a petition that Cornell graduate students signed to express opposition to Cornell entering into a union shop agreement with the graduate student union.

Half the students who signed the petition signed it anonymously. They did not—they put their academic department, but they did not put their name. Why do you think so many students signed that petition anonymously?

Mr. RUBINSTEIN. Yes. I actually signed that petition anonymously myself in early 2024. The reason being after students became signing that petition the union dispatched its’ agents to meet with friends, with colleagues of signatories in order to turn those closest to them against them.

The union is engaging in this targeted personal harassment of anyone who publicly stands against them, and many people simply did not feel comfortable exposing themselves.

Mr. FINE. Then in an institution that wants to parade around talking about academic freedom, and let us all, you know, peace, love and talk, you are saying that graduate students, not like 18-year-old freshmen, but graduate students did not feel like they could put their own name on a petition without facing harassment from those behind Muslim terror?

Mr. RUBINSTEIN. Cornell cannot claim to support academic freedom when it lets its students be harassed for expressing their views, and when it additionally forces students to support an ideological organization.

Mr. FINE. We know why the unions do this. We have talked a lot about it today. Why do you think in your case, Mr. Rubinstein,

why do you think Cornell puts up with it? I mean why do they allow it?

Mr. RUBINSTEIN. Cornell knows that this is wrong. President Michael Kotlikoff actually put out a very strong statement against mandatory dues, which—

Mr. FINE. He is weak?

Mr. RUBINSTEIN [continuing]. As a violation of academic freedom, but ultimately Cornell is responsive to public pressure. After the union threatened to strike, President Kotlikoff reneged on his promises to protect us, and I think that public pressure is the only thing that will force Cornell to change course now.

Mr. FINE. Well, public pressure or the law. I think this Committee under Chair Walberg has made clear that we are coming for the universities that will not protect their Jewish students, and maybe Cornell will find themselves in your seat here in the not too distant future. I do not know. I again, I am angry for you. I have two Jewish children too, and I know what it is like to go through what you all have gone through myself, having dealt with it my whole life.

I am sorry we have failed you to solve the problem, but rest assured there are me and my colleagues who are determined to get to the bottom of it and put an end to their scourge. Thank you for being here, and Mr. Chairman, I yield back.

Mr. ONDER. The gentleman yields back. The Chair recognizes Ranking Member DeSaulnier for 5 minutes.

Mr. DESAULNIER. Thanks. I defer to Mr. Owens and wait my turn.

Mr. ONDER. The Chair recognizes Representative Owens for 5 minutes.

Mr. OWENS. Thank you. Thank you, Mr. Chair, I appreciate you convening this hearing today on union antisemitism, and I want to thank the witnesses for coming here to testify. I just want to start off by saying that Utah is a right to work State. It is also one of the most attractive states in the union because unions there know they have to compete for their people to pay them.

If they are antisemites, or if they are antiblack, then we just do not—they do not pay in, they do not survive, so that is the very good thing to bring in, the competition piece of this. It is really disgusting that some unions are spending their time advancing antisemitic and anti-Israel priorities instead of addressing the immediate needs of their members.

Imagine the same unions would have advocate the issues that actually impact the well-being of their members, all their members, instead of paying for the support of hateful leftist politicians or politics. I hope that these union leaders are watching and will get the message. Do your job. Stop the antisemitic activity among your ranks.

You are paid a very good salary to protect your members against hate. Your failure to do so now, and your cowardly silence is deafening. Let me just start of Mr. Taubman, I just want to ask you real quickly, I know you have been addressing this a little bit already.

The way it is set up right now, if there was a union that was run by KKK supporters, the way it is set up right now, would I be

forced if I worked for that company to pay these KKK folks to continue moving on? Is that the way it is set up at this point? Do I have a way of getting out of that?

Mr. TAUBMAN. Well, that is the way that you would have to pay if you worked in a right to work State. If you are in the 25 or so states that have forced unionism, and you have a KKK union, you will pay them or you will be fired. Yes, you could try to exercise Beck rights. Yes, you might be able to try to exercise Title VII rights, but the bottom line is the default position is pay that union or you will be fired.

Mr. OWENS. It is amazing that those who are pro-Hamas, who are nothing but KKK, feel they have a right to demand people paying them when they hate them. It is amazing to see that we are having this in 2025, we are having this conversation. Mr. Rubinstein, you mentioned requesting religious accommodation. Can you kind of go through that process?

You mentioned that it was very frustrating, but tell us what that looked like for you to try to get something in this process done

Mr. RUBINSTEIN. Upon contract ratification, Cornell University promised that I could religiously object by doing no more than ticking a box on a form, and yet that form never materialized, and instead I needed to beg union officials for permission to object by writing a highly personal letter, detailing private information that's none of their business.

Even after I did that, they demanded further intrusive information that they have absolutely no right to, at which point I decided that if I did not want to pay the union, I had no choice but to file legal charges against them. That is not the ticking a box on a form that Cornell promised.

Mr. OWENS. Well, I am going to give my time away, and I will give it back, but I just want to say this. We are in 2025, I am so thankful that we have a President, we have a body now that understands this, and we are going to have the right people sitting in front of us explaining why allowing unions to hate their folks, and continue to survive, how that happens in 2025, so thank you guys for being here before us, and we are going to continue to followup on this conversation big time, and I yield back.

Chairman ALLEN. I thank the gentleman for yielding, and now I will call on Ranking Member DeSaulnier for his questions.

Mr. DESAULNIER. Thank you, Mr. Chairman, and I want to thank the witnesses and Ms. Mann and Mr. Rubinstein. As a very pro-labor person, and as someone who was a member of the Teamsters and the AFL-CIO, I am appalled at what happened to you, and I would love to discuss it individually if you would care to.

Mr. McCartin, I could spend more than 5 minutes, we will talk later, but the history, as Santayana said, "For those who forget history, they're condemned to repeat it." This is a pattern, so if we want to talk about unions as a countervailing institution, I am particularly interested. I have a chart I use regularly at town halls reflecting what you said about union membership and opportunity in this country for the middle class, they track evenly.

Samuel Gompers, I have to talk about this just because as someone who loves Teddy Roosevelt. There, Gompers is showing Teddy Roosevelt the tenements not far from his house, as a son of privi-

lege. That instance where Roosevelt switched from being a Harvard son of this caste system in America, to understanding of what it was like to live in those kind of environments, and how that changed the American union movement.

Talk a little bit about, we could easily be having a hearing right now, with all due respect, about the business community and anti-semitism in corporate board rooms, but let us talk about the context of why unions are important for equality. Can you give us a little framework on why it is so important, and how people like Samuel Gompers, not just him, and you alluded to this in your, you did not allude to it, you mentioned it in your opening comments, that they were part of the fabric of creating a strong middle class.

Without them Jewish Americans, and the labor movement, we would not have had the American middle class that now is under attack again. We are at the second coming of the Gilded Age, which created that moment of history in southern Manhattan when Gompers took Teddy Roosevelt to the cigar manufacturers.

Dr. MCCARTIN. Thank you, Congressman. Yes, what unions did is they brought diverse workers together to give them bargaining power, and that is what built the middle class that you are talking about. To do that they had to bring diverse people together to do it.

They often faced being caricatured in the way we have heard today, as they attempted to do that. For example, the idea of unions as an outside agitator. Samuel Gompers was often called that. The idea that unions are somehow disconnected, that they are union bosses.

You know, it has been a lot of energy talking about the United Electrical Workers here today. Mr. Rubinstein, Mr. Taubman together had 255 pages of testimony about the UE. Not once in those 255 pages did the name Carl Rosen appear. Who is Carl Rosen? He is the son of a Jewish worker. He leads that union now, and he has been attacked here as a supporter of Hamas.

I would urge anybody on this Committee to go to the website of the United Electrical Workers and see if they endorse and embrace Hamas. Since Samuel Gompers's time, and you will find that they do not. Since Samuel Gompers's time, this is the kind of attack labor has faced.

Mr. Taubman has told you for 43 years he has fought unions. He says these unions are not your father's labor unions. He did not like our father's labor unions either. He was fighting them 43 years ago. Then he might not have been talking about antisemitism, now he is.

At the very moment that he is bringing these cases forward, he is also bringing another case forward at Cornell of a student who is not alleging antisemitism at all, but just does not believe that they should be in a graduate student union. Mr. Taubman at one point said that Samuel Gompers said unions ought to be voluntary.

Samuel Gompers might have, if you pulled that out of context somewhere, said something like that, but he fought his whole life for the idea of a union shop being a very American thing. That was what he was dedicated to. To portray him in this way, to caricature him, and to caricature so many of the people we have heard

caricatured here. It breaks face with that image that we are talking about Congressman, of Gompers enlightening Roosevelt.

We need a little bit more of that kind of enlightenment I would say.

Mr. DESAULNIER. I just conclude by the observation of somebody who is a proud Californian, in the fourth largest economy in the world, that is very strongly union, over 65 percent of the U.S. GDP comes from states that are not right to work states. I yield back.

Chairman ALLEN. The gentleman yields. Now, we will call on Ms. Stefanik from New York for your questions.

Ms. STEFANIK. Thank you, Mr. Chairman. I want to direct my questions to Ms. Kyle Koeppel Mann, regarding the concerning rise of antisemitism in certain union organizations in New York State. Give me one moment here.

Last week a group of Jewish educators rallied outside their union headquarters in New York City. The members of the UFT, an affiliate of NYCT, AFT, and the NEA were rightfully upset that the union called an emergency meeting to vote to endorse candidate Zohran Mamdani.

They felt Mr. Mamdani's support of the term "globalized intifada," is antisemitic and antizionist, correctly. While the educators were at the rally, AFT President Randi Weingarten was at a rally right down the street with Mr. Mamdani. Considering the union members' opposition and the recent rise of national antisemitism, are unions required to make political endorsements?

Ms. MANN. No, unions are not required to make political endorsements, and it is inappropriate for them to do so.

Ms. STEFANIK. Mr. Glenn Taubman, I wanted to ask your response to that?

Mr. TAUBMAN. No, they are not required to, and in the current world that we live in, it is divisive and hateful to support Hamas and Communist, antisemites like Mr. Mamdani.

Ms. STEFANIK. Is there any mechanism today for Jewish teachers to opt out of paying dues to unions that support antisemitic causes? If not, how is that remotely constitutional, Mr. Taubman?

Mr. TAUBMAN. For public sector employees like the New York City teachers, they are covered by the Janus ruling, which says you have a right, as a matter of free speech and association, to not pay the union. For private sector employees, if they are not in a right to work State, they can be forced to pay or be fired.

It would be nice to apply Janus to the private sector, where private people's constitutional rights could also be protected.

Ms. STEFANIK. Do you believe that unions like the NEA and AFT are functioning as ideological enforcement arms rather than neutral labor advocates, especially in their treatment of pro-Israel educators?

Mr. TAUBMAN. I have been at this for 43 years. When I started, I used to say unions were representatives who did politics on the side. Now, they are political powerhouse parties that do a little collective bargaining on the side, and that is what the NEA and the AFT and unions like that are all about.

It is all about power and money to them, and the collective bargaining is a secondary thing to their political power and their money.

Ms. STEFANIK. Thank you. I yield back.

Chairman ALLEN. The gentlelady yields back. I believe that is the conclusion of our questioning, and I call on Mr. DeSaunier to give his closing comments.

Mr. DESAULNIER. Thank you Mr. Chairman, and again I want to just say that I am happy to work with you if we really want to approach antisemitism in any institution or field, in a serious, serious way, and that is not to diminish the comments from Ms. Mann and Mr. Rubinstein's right today.

It is crucial to emphasize that combatting antisemitism transcends, or should, transcend political divisions. It is a moral imperative that demands unwavering commitment from all Americans. However, as Dr. McCartin noted in his testimony, "The historical record clearly shows that the labor movement has been a bastion of opposition to antisemitism through its modern history and remains so today."

America's union movement not only uplifts workers who have been left behind but also gives all workers the power to higher wages, better benefits, and safer workplaces. That benefits everybody in America, including employers.

At the time of great economic inequality, where life is unaffordable for millions and millions of working families, we should be working to strengthen workers' union rights, and ensure all their rights are made reality, and make sure that cases that have been brought up today about antisemitism or hate in any institutions are dealt with directly and forcefully.

Unfortunately, since returning to office, President Trump has attacked workers' rights to organize, and undermined the agencies intended to protect them. In closing, I just want to end with a quote from Samuel Gompers. You can tell I am a fan.

He said, "What does labor want? We want more schoolhouses and less jails, more books and less arsenals, more learning and less vice, more leisure and less greed, more justice and less revenge." Mr. Chairman, I yield back.

Chairman ALLEN. I thank the Ranking Member. With that I will issue a closing statement as well. We are living in different times today. I appreciate the history of all the great history of our country, but unfortunately, our country is very divided today.

From a standpoint of history, as I said earlier, this goes back thousands of years. The battle rages on, and you know, God will deal with this. I want to thank our witnesses for sharing their experiences and perspectives on unions fomenting antisemitism. Today's hearing makes it clear that our labor laws must respect the choices of Jewish workers, and workers who do not support their union's actions and political priorities.

Unions are no longer a bastion of fighting discrimination. That is clear by this testimony today. No worker in America should have to pay dues to a union that celebrates violence against Jews or any other group and seeks the destruction of Israel to get or keep their job.

You have to be kidding me. Really? As witnesses testified today, NLRB should implement policies that allow employers to protect their Jewish employees at work and that free graduate students from the tyranny of antisemitic unions. Unions should not be al-

lowed to play additional burdens on employees seeking exemption from funding the union's political or hateful activities.

My State of Georgia is a right to work State. That means that you do not have to pay union jobs to hold your dues—pay union dues to hold your job. Unions should be required to represent all their members fairly, even those who have different political or religious views.

I look forward to working with the members of the Subcommittee and the administration to advance the freedom of dignity of workers in America, and shield Jewish workers from hate and harassment at work. I will say this, this administration is the pro-worker administration. Again, that has changed drastically, and we will continue to fight for workers and against antisemitic or any other hateful activity.

Thank you and I yield to—thank you to our witnesses, and again, for your time and testimony in the Subcommittee today. Without objection, there being no further business, the Subcommittee stands adjourned. Thank you.

[Whereupon, at 11:48 a.m., the Subcommittee was adjourned.]

[Additional submissions from Chairman Allen follows:]

September 2, 2025

To whom it may concern,

I am writing to share my experiences and concerns regarding how CGSU-UE's presence has negatively affected my time as a graduate student at Cornell University. I am a fifth-year Ph.D. student, allowing me the opportunity to witness the environment at Cornell before the union was recognized here.

When I first arrived at Cornell, I felt a strong sense of belonging. I was afforded the opportunity to pursue my Ph.D., while being paid a wage that allowed me to live comfortably and attain financial stability. Moreover, we were given free platinum-level health insurance, allowing academics, research, and future career aspirations to be the only thing we needed to worry about. I viewed this as an incredible stepping-stone in my life.

As a Jewish student, I have experienced increasing discomfort as well as alienation, particularly due to the CGSU-UE's involvement and endorsement of various protests and activities that spread Jewish hatred. At times, these events have limited my ability to roam freely around campus. I have never hidden my Jewish identity and I continue to wear my Star of David necklace proudly, but this has caused me to need to avoid areas on campus when the union hosts its growing number of antisemitic events.

Earlier this year, I was required to submit a letter requesting a religious exemption from joining and financially supporting CGSU-UE. Upon ratification of the contract, we were told we would only need to check a box to say we were religiously objecting from joining the union, but this is not what happened. I never imagined having to justify why, as a Jew, I could not support a union who supports and endorses Boycott, Divest, and Sanction (BDS) movement, which advocates for the economic and cultural isolation of Israel, with their goal being to end Israel's existence. Moreover, I received a follow-up questionnaire that demanded I prove the extent of my Judaism through deeply personal questions—questions no one has the right to ask, let alone those who perpetuate Jewish hatred. It was a painful experience and beyond anything I ever imagined I would be asked to justify.

Additionally, after I signed a petition addressed to the Cornell administration opposing a union shop for CGSU-UE, I learned a union organizer met with a friend of mine, informed her that I signed the petition, and attempted to convince her that I was wrong for opposing a union shop clause and that union shop is consistent with American democracy. The union is bullying and employing intimidation tactics, trying to silence and discredit those who do not agree with them. That is not consistent with our freedoms as Americans, and it was honestly frightening to feel like the union was trying to turn my friends

against me.

Prior to CGSU's ratification, I had contemplated staying for a sixth year to increase my research and publication record, but the last two years have been so emotionally draining that I've decided to graduate after five. I'm aware that this may impact my future opportunities, and I'll need to work harder to catch up. But I cannot stay where I no longer feel welcome, nor can I continue expending my energy fighting a union who has made their objective clear. I hope that one day graduate students can return to focusing on why they came to Cornell University and similar institutions—to pursue research and work towards their future career aspirations, without the distractions and toxic environment imposed by CGSU-UE.

Sincerely,

Keri D'Angelo

U.S. House of Representatives
Committee on Education and the Workforce
Subcommittee on Health, Employment, Labor and Pensions

Unmasking Union Antisemitism

September 9, 2025

Written Testimony

My name is Shelley Goldfarb. I have worked at New York Legal Assistance Group (NYLAG) for the last nine years. I work as an immigration attorney for low-income survivors of domestic violence.

My job is very rewarding, primarily because I am able to help abuse survivors leave unhealthy situations to become self-sufficient. It is most rewarding to witness clients access their legal rights in the U.S. whereas previously, they had little to no rights in their home countries. My job can also be very difficult, as many clients experience on-going trauma. Further, professionals at legal service agencies such as NYLAG are paid relatively low wages and have high caseloads and low retention rates. In 2019, our office unionized and our union is called A Better NYLAG (ABN). The ABN is a chapter of United Autoworkers of America (UAW) Local 2325, the Association of Legal Aid Attorneys (ALAA). I voted to unionize, as it was my expectation that a union would help us bargain for higher wages, improved benefits, and a better work environment. Recently, however, instead of primarily helping union members with better wages, caseloads, and benefits, ABN has focused a disproportionate amount of its time on anti-Israel activities. These activities have created a hostile work environment for its Jewish and Zionist members and allies.

Shortly after October 7, 2023, the worst attack against the Jewish people since the Holocaust, ABN increased its anti-Israel campaign. On October 12, 2023, NYLAG's President and CEO sent an all-staff email expressing sympathy and safety concerns for Jewish employees concerning the next day's anti-Israel "global day of rage" protest in New York City. Citing a briefing from the New York Police Department (NYPD), the email also offered staff to work from home on October 13, 2023, for those that wished to avoid the planned protest for that day.

On the evening of October 13, 2023, still not one week after the terrorist attack, ABN responded with an all-staff email of its own. In the union's email, they minimized threats of antisemitism and also blamed the NYPD's supposed motivation to "turn out in force" at the protest on the NYPD being "frequent collaborators with the IDF." To my absolute horror, I

received ABN's email in the middle of streaming a Sabbath memorial service for the victims of October 7, 2023. I did not go in person to this memorial service, because I was too afraid of the security risks for that day, so I decided to stream it online. This was the first Sabbath since the terrorist attacks, so emotions were still very raw. The ABN's decision to send an email minimizing antisemitic threats during the first Sabbath after the terrorist attacks was incredibly insensitive to its Jewish members.

Imagine the feelings of betrayal when I discovered that a union which purported to represent me was doing the exact opposite. When I voiced my concerns to union members about their email minimizing antisemitism, I was met with hostility. I have since learned that this is a common phenomenon; when you call them out, they may deflect and instead reverse the situation by accusing you of trying to silence them, to sabotage them, which ironically, is another antisemitic trope. It is also very ironic that while they claim "free speech," for themselves, they actively silence the opposing views from Jewish or Zionist ABN members or their allies. Zionism is the right of the Jewish people, who have indigenous rights in Israel, to self-determination, just like any other people. If I express this view to the union, I fear retaliation from the entity charged with supporting all its members.

As of today, ABN members, with the ABN's full support, display posters, flyers, buttons, and attire, demonizing Israel and justifying terrorism against Jews. One button states, "Resisting colonialism is not terrorism." Other signs state, "Long live the resistance!" or "Respect existence or expect resistance." In the past, there were posters with images of a Palestinian state whose boundaries cover all of Israel. Another poster used language to "abolish the settler state" and called for "Ceasefire, Intifada Now." These three posters all call for the destruction of the State of Israel. Additionally, I have seen a poster that states, "Liberation now, united against U.S. imperialism, from Colombia to Palestine."

Acting to remedy this antisemitic and toxic work environment, consistent with state and federal laws, NYLAG management announced on May 10, 2024, a policy prohibiting the display of "any posters or other postings regarding the Israel/Gaza conflict" in the office. The ABN had a duty to all of its members to ensure an inclusive and non-discriminatory work environment. However, rather than stand with its Jewish members, the ABN filed a charge with the National Labor Relations Board (NLRB) on June 20, 2024, and amended it on August 16, 2024. The NLRB charge alleged a violation of the ABN members' right to engage in "concerted activities for the purpose of collective bargaining or other mutual aid or protection." The NLRB charge remains pending.

Meanwhile, the ABN has actively ignored NYLAG's poster policy to protect ABN's Jewish members. On September 17, 2024, the ABN conducted a "lunchtime picket" outside NYLAG's office to protest the poster policy. The ABN had "Wear your Keffiyeh to Work Days" on October

21 and October 29, 2024, and documented these protests on their Instagram account. On November 7, 2024, the ABN delivered a letter to NYLAG management and organized a protest inside NYLAG's office, in which more than 50 staff members marched and chanted. The ABN also compiled a list of Jewish and Zionist staff members. To this day, the ABN continues to put up highly offensive posters to flout the poster policy and harm its Jewish and Zionist members. NYLAG management tries to take them down, but it remains a constant battle, as the posters mysteriously reappear.

The ABN's signs and actions demonstrate propaganda meant to demonize Jews, Zionists, and Israel. I am unable to work in this environment, so I often work in areas of the office without so many signs and hostility. These signs are having the discriminatory effect of pushing Jewish people and Zionists out of these spaces. As a Jewish person, I should not have to work in such close proximity to signs that direct hatred toward me. Additionally, the anti-American signs demonstrate propaganda against the U.S., meant to turn Americans against their own country. Consistent with my understanding of the union's legal purpose, I did voice concerns to ABN to help me with my very high caseload. However, the ABN never responded to my request for work-related help.

With its actions, the ABN is violating its duty of fair representation to those Jewish ABN and non-ABN members employed by NYLAG. The "speech" at issue has nothing to do with improving working conditions for NYLAG employees. It is not protected conduct designed for the employees' "mutual aid or protection."

Antisemitism is a shape-shifting virus that falsely accuses Jewish people of evil and/or the worst offense(s) of the day. Today, it can come in the form of disproportionate or demonizing criticism of Israel or the elimination of Israel. In any case, antisemitic tropes and sentiments are created to elicit an extreme emotional response from people. I have experienced this extreme emotional response directed towards me on at least two separate occasions in the office. Antisemitism is so ancient that it exists on all sides of the political spectrum. It is deeply upsetting that this type of antisemitism feels like a domestic violence situation—similar to that of my clients—where the perpetrators are coming from inside a space that used to feel safe.

Thank you to this esteemed body for reading about my experiences with antisemitism in my union and for taking these issues seriously.

Testimony of Karin Yaniv
University of California at Berkeley

United States House of Representatives Committee on Education and Workforce
Subcommittee on Health, Employment, Labor, and Pensions

Hearing: September 9, 2025
Testimony Submitted: September 23, 2025

Chairman Allen, Ranking Member DeSaulnier, and the Honorable Members of the Committee,

Thank you for the opportunity to share my story. My name is Karin Yaniv, and I am a postdoctoral fellow in UC Berkeley's Department of Plant and Microbial Biology. I was born in Israel, where I earned my doctorate in biotechnology engineering from Ben-Gurion University and worked on bacterial communication and the early detection of Covid-19.

I came to UC Berkeley in 2022 to study bacterial resistance to antibiotics. My research is not political; it is about saving lives. I want to improve the lives of people in Israel, in America, and throughout the world regardless of race, color, or creed.

But my union's treatment of me, which I believe is discrimination on the basis that I am Jewish and Israeli, stands in my way.

How the Union Turned Against Me

The United Auto Workers Local 4811, which represents me and nearly 50,000 other University of California employees, has a long history of anti-Israel sentiment. And over the past two years, I have witnessed that sentiment escalate into what I have alleged is outright hostility and anti-Semitic discrimination. It has even spawned what I can only describe as a totalitarian effort to purge Jews and Israelis from Berkeley's academic life.

Days after Hamas's terror attacks against Israel on October 7, while the Jewish community was experiencing heartbreak and fear, the UAW released a statement that condemned Israel and blamed it for the "escalation" of violence [Exhibit A].

To me and other Israelis at UC Berkeley—some of whom had family members killed or taken hostage by Hamas—it was like a knife in the back. The union that claimed to represent us was condemning our homeland in our name.

UAW officials soon put actions to their words. They promoted anti-Israel protests and walkouts on social media and established a self-described "Union Village" within one anti-Israel encampment on campus [Exhibit B]. And at rallies, union officials and members chanted offensive slogans including, "From the river to the sea, Palestine will be free"—a phrase that many Jews, including me, hear as a

call for the elimination of Israel. In fact, in 2024, the House of Representatives passed a resolution formally condemning that slogan as anti-Semitic.

This was the environment in which Jewish and Israeli faculty and students were expected to study, work, and teach—an environment I believe the union helped foster, even as each of us in the bargaining unit must accept the union as our exclusive representative.

Israelis and Jews Faced Alleged Discrimination from Union Officials

Faced with this hostility, I and other Israelis and Jews reached out to union leaders to ask for dialogue. We wanted to defuse tensions and create an environment where everyone could feel safe. But the union told us if we were not dues-paying members, they would not listen.

So, I chose to join the union. I naively thought that by showing union officials our common humanity, we could find common ground.

I was wrong. Instead, I experienced more hostility and abuse. And I found a union aligned around a goal that would identify and ostracize Jews at Berkeley.

It quickly became apparent that the union had no intention of listening to us. In union meetings, Israeli members who spoke up were mocked and laughed at. One Israeli member whose family members were kidnapped by Hamas on October 7 was openly ridiculed when she voiced her objections. Watching her pain treated with cruelty was devastating.

The harassment was so relentless that I stopped turning on my camera during Zoom meetings. The mockery and interruptions were simply too much. Meanwhile, union officials did nothing to stop it.

Beyond the verbal abuse, the union also found procedural ways to exclude us. They withheld meeting agendas and disguised what topics meetings would cover in order to control meeting turnout. They even rewrote rules regarding meeting participation in ways that sidelined Israelis and Jews. When I joined the structure-mapping subcommittee of the union's BDS exploratory committee, I was cut out of communications and related activities. A union official told me directly it would be "illegal" to keep me off the main BDS exploratory committee, suggesting, though, that they would find ways to exclude me from the subcommittee.

In the end, it was clear that Israelis and Jews were not full participants. We were treated as second-class members.

Boycott, Divestment, and Sanctions by Another Name

In public, union officials passed resolutions in support of the boycott, divestment, and sanctions (BDS) movement and claimed to target programs connected to Israel's military. But their actions showed that they were really aiming at programs and academic partnerships that had *any* connection to Israel or its culture [Exhibit C]. Union officials also pushed the university to adopt BDS precepts through collective bargaining and sought to inspire other unions to do the same. The UAW plainly

stated its intention to “set a crucial precedent for all unions in the higher education sector to wage effective BDS campaigns.”

When union officials realized they were unlikely to convince UC Berkeley to openly adopt BDS, I discovered that the union was hoping to accomplish the same goals through other means.

Union members drafted a report called “Who Rules the University of California?” that echoed conspiracy theories about Jewish control of world institutions [Exhibit D]. The report identified members of UC Berkeley’s Board of Regents who had the slightest connection to Israel—a list of Jews for themselves or potentially others to investigate and target.

The report also listed American or Jewish American philanthropic organizations that have donated money to UC Berkeley, including:

- The Shusterman Family Foundation, a Jewish family foundation from Oklahoma that supports education, democracy, and criminal justice reform.
- The Hewlett Foundation, a California-based foundation that supports environmental programs, the arts, gender equity, and racial justice.

These organizations, together with others listed in the document, are not agents of Israel’s military. They are respected American charities that support educational and social causes. Yet the union lumped them together as “Israel-connected” and, therefore, suspect. To me, the message was unmistakable. This was not about policy disagreements with the Israeli government. This was about targeting and excluding Jews, Jewish organizations, and anyone who dared to collaborate with them.

Though UC Berkeley’s chancellor personally rejected BDS before this committee this past July, the union continues to push this agenda using different language. In its current bargaining campaign, the union is demanding that the university reveal funding sources for research projects and academic partnerships “to empower workers to follow their conscience.”

It sounds like transparency, but I believe the union intends to use this information to create another target list. This one would include research programs conducted by Israelis or connected to Israel or to Jewish philanthropic organizations and would threaten the careers of hundreds of academic personnel, including Jews, Israelis, and those of many other backgrounds.

Let me be clear, the union is not asking for across-the-board transparency. It’s answer to “Who rules the University of California” is straightforward: the Jews. The union only shows interest in exposing Jewish or Israeli connections. This is BDS by another name.

Academic Freedom Under Attack

Ultimately, these actions threaten far more than individuals like me. They undermine academic freedom itself.

Academic freedom is supposed to allow scholars to pursue the truth wherever it may lead, without fear of reprisal. But when unions target research funding linked to Jewish or Israeli organizations,

they imperil entire labs and academic programs. When they create what look like “hitlists” of Jewish regents or Jewish foundations, they create an atmosphere of intimidation. When they mock and silence Israelis during meetings, they replace dialogue with fear.

I worry that these actions are laying the groundwork for driving Jews and Israelis out of the University of California. And union officials have said they want their campaign to serve as a model for other academic unions across the country.

If that happens, Israeli scholars will think twice before pursuing their careers in the United States. Jewish students will question whether they belong here. And American universities will lose the openness and diversity of thought that make them world leaders.

Litigating to Defend My Civil Rights

I did not come to America expecting to file a lawsuit. I came to study science. But when my union crossed the line from speech into discriminatory actions, I had no choice. With the help of the nonprofit law firm the Fairness Center, I [filed](#) a federal anti-discrimination lawsuit against the union under Title VII of the Civil Rights Act of 1964.

After I filed suit, the union sought a protective order barring me from publicly disclosing the identities of those involved in my discrimination claims or even from speaking to law enforcement. Thankfully, the judge in my case rejected the proposed order.

My concern is not the union’s speech, which it is free to do. My concern is the union’s conduct—my allegations involve discrimination, exclusion, harassment, and an overall hostile work environment.

The UAW’s attack on Jews and Israelis as alleged in my case is also an attack on academic principles. It threatens not just individuals like me, but the free exchange of ideas—and the practice of science itself.

I urge the committee to recognize what is happening: that while unions are engaged in public BDS campaigns, they may be cleansing universities of Israelis and Jews through other means.

Thank you for the opportunity to share my story with you and for considering this important issue.

Exhibit A

[JOIN YOUR UNION](#)

DEMAND A CEASEFIRE AND AN END TO THE OCCUPATION OF PALESTINE

by UAW2865 | Nov 4, 2023 | Default

October 13, 2023

We mourn the tragic loss of both Palestinian and Israeli lives this week, and we unequivocally condemn the decades-long violent occupation of Palestine that has led to this escalation of horrific violence. As leaders of a diverse and global workforce, and as people of varied faiths and backgrounds, conscience demands that we say clearly: our hearts break for the Israeli families who have lost loved ones, and only break further as these deaths are now used to justify the siege, bombardment, forced transfer, and impending genocide of two million Palestinians in Gaza, over half of them children.

We are proud to continue the UAW's history of standing up for the rights of the oppressed and working classes around the world by calling for urgent and immediate de-escalation and the dismantling of the occupation and apartheid system in Israel-Palestine. Such a resolution is made more difficult with each day and every dollar of continued US military support for Israel's far-right government. But even in the darkest moments we believe in the power of working people to author a just and peaceful future — and just as apartheid fell in South Africa, so are peace and reconciliation possible in Israel-Palestine.

UAW 2865 Executive Board

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Exhibit B



Exhibit C

EC Meeting - 26 February 2024 - Notes

	Intro/Settle-in • Facilitator: Henry Liu • Timekeeper: • Notetaker: Chris Geary • Zoomrunner: Iris RS • Next Facilitators: Attendance: Henry (he), Meabh (s), Gabe (h), Iris (s), Olive (t), Fatima (s), Jake (h), Ali (h), Lou (s), Bethany (s), Chris (h), Rikhav (h), Shivani (s), Connor (h), ... Next meeting roles: • Facilitator: Iris and Ali • Timekeeper: • Notetaker: • Zoomrunner: • Next Facilitators:	Henry Liu
	Code of Conduct • EC Tentative Code of Conduct Presenting this here as a draft for comments. Questions: Ali: Should we have a mechanism to share our work with similar groups on other campuses? Proposed edit: Appoint fixed individual(s) as liaison with other groups, who can report back to committee. Connor: Like, but maybe simpler to have a whitelist of ppl and groups we can more freely share with. Iris: Since committee is open to all members, perhaps we	Henry Liu

	should specify that nothing should be shared with non-members. Gabe: On one hand, there are ppl within the union who we don't want to share with, and on other, there are e.g. faculty on campus who we could collab with. Henry: Proposed edit: no sharing without authorisation of the committee. Iris: If urgent, could have approval over listserv. Ideally, in person in meeting tho. Rikhav: 24-hour unanimous voting. Anyone can object and if more than 2 object, veto sharing until next meeting. Consensus: Simple maj to approve sharing in regular meeting. Ali: Various campus groups pursuing BDS. Would be good to think more broadly about interfacing with such groups beyond sharing notes, etc. Thinking of GSJP. Iris: Amr is dedicated liaison with GSJP. He seems like natural point person. Motion to adopt: Chris. Rikhav second. No objections. Adopted. Addendum: Jake - If sharing this agenda on UAW drive, isn't this counter to code of conduct just adopted? Iris: We did discuss this proposal at last meeting - prevents us from losing docs by 1 person going rogue, and don't depend on one person owning the doc. Lou: Who's in the google group m? Iris: In shared drive, elected officers from UCB have access too. Olive: Motion to authorise sharing docs on UAW Listserv. Maebh: Clarify who? Olive: Head stewards, unit chair, rec sec, and statewide EB (Pres, VPs, trustees). Chris: Second. Lou: Objection - I think we should share based on reqs rather than passively. Iris: I am open to this. This was only for security reasons. Gabe: Unlikely that Fatima or I will go rogue, but doubly safe. Bethany: Could we not make a shared drive not through the union. Olive: Can only have one owner on a google doc etc. Owner is a union email. Ali: Object to having this on union sharedrive. Last JC, things got nasty re BDS. Tension with people on EB. Gabe: Propose tabling this for now, to give time to think of alternative. [Consensus].	
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	UC Structure Report Structure WG: summary for 2/26 meeting Gabe: Regents are highest power. 18 appointed by CA governor (often having donated to campaign). 7 are ex officio (e.g. President, Governor). 1 student regent. 4 non-voting regents. Make biggest financial decisions - tuition, investments, hiring and firing major administrators. UCOP is exec arm of regents. Manages budget, intellectual property, investments (UCRP and endowment), and labor rels. Not sure what supplementary authority over "fees not reserved to the regents". [Iris: Probably referring to things like IREF.] Campuses and national labs. At campus level, Chancellor appointed by regents. Has full control over campus. Right below chancellor at UCB is the EVCP in charge of day to day ops and academic programs, e.g. hiring faculty. Day to day ops means quite a lot - includes land use, for instance. Each campus has a foundation for its particular endowment and fundraising, which has a board of trustees, which also advises the chancellor. Board self-elects its members. National labs - LBL, and comanages Lawrence Livermore, Los Alamos and is associated with Sandia - these are the main labs for nuclear weapons research. UC used to be sole entity managing these labs, but now does it through an LLC. For Los Alamos, LLC comprises UC, Texas AM, and a private company called Battelle. [Bashi: Why this LLC structure? - Gabe: Not sure. Henry: LBL does not do weapons research. Has specific prohibitions on scientists there receiving DoD grants. Hence easier to get security access. Gabe: LANL and LLNL seem to have split off from LBL over doing weapons research. But need more info on what LBL does and doesn't do. Re Sandia, used to be managed by UC, but now managed by Honeywell, company which invented the cluster bomb. Stuff we still don't know: - More info into UCOP's investment process. - [Fatima: Jagdeep has a lot of unilateral authority delegated from regents. - Jake: Thought Jagdeep was responsible for	Gabriel Woolls
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	UCRP not endowment. - Fatima: Seems to be endowment too. - Contracting process - Research grant overhead mechanism, distribution, allocation - IP control and revenue - Structure of labor relations governance, mediation between levels of bureaucracy - Sandia Questions? - Fatima: We saw two investment officers - what are their different roles? - Gabe: One seems to be for input, one for output. Former seems more relevant for us rn.	
	UC Academic/Public-Private Partnership Report Summary Report: Academic and Public-Private Partnerships Fatima: Focusing on corporate affiliate programs. These offer benefits such as board memberships, access to pre-publication research, and facilitation of technology licensing. Didn't see any Israeli companies, but a lot of the huge firms are on the BDS list. Sent a FOIA req to tech licensing office but doubtful that they'll get back to me. Audrey focused on Zionist donors or foundations. Found two main donors - Koret foundation (which also funds AIPAC) and Schusterman foundation (which also funds a prof in Education). Also Diller foundation, funding Anchor House (also used to fund Canary Mission) - LSJP is also trying to mobilise pressure against them, but donor of c. 300 million. Also looked at study abroad programs and fellowships. Caitlin: Looking into real estate and leases was challenging. Colleague at Centre for Human Rights specialised in digital open source research, found proxy voting info shared with investments group. Some companies there are real estate ones (e.g. Electra), could be good lead, but may be difficult. Iris: Most egregious dept-level research partnership was Helen Diller Institute (sep from Diller foundation), established by profs as LLM program (international law degree) in partnership with Tel Aviv University.	Fatima Yousuf

	- Caitlin: Friend told me that we could spend a lot of time looking into Berkeley Law, a lot of connections with Israel. - Ali: Goldman School also has a lot of connections too. Funded by Goldman foundation, but not sure if it's limited to UCB. Fatima: Amr was looking at professors' conflicts of interest. Big leak of these from before 2019. Found one individual faculty member with substantial stake in Raytheon, another in Honeywell. Lots of tech companies also have given stakes to indiv faculty. But don't want to target indivs, want bigger institutional targets. What we still need: - More info on real estate - Tech licensing - Better list of private donors - Better powermap of research funding - Proportion of funding coming from partnerships Questions: - Rikhav: Most of focus here on money coming into UCB. Any info coming from UCB going to academic partnerships in Israel. - Connor: Potential lead for leases is FOIA, given that UC is a state-run nonprof. - Caitlin: Friend recommended that FOIA req needs to be super specific if it's going to be productive and timely. They're down to consult though if we find more specifics. - Ali: Can we make FOIA reqs collectively? Would be good to protect us from doxxing. Thought could be to have union (or union email) file request. - Bashi: There may be other paths to get this info than a FOIA req. - Iris: Could discuss this as a subgroup.	
	UC Financial Investments Report UC investements group one-pager Connor: We looked at two-three things. Feasibility of divestment in modern era, and UC's public financial ties to objectionable corporations. Divestment used to be more straightforward in the 1980s during the anti-apartheid campaign. Today, most UC holdings are indirect, through hedge funds and index funds (direct only c. 1 bil; rest c. 80	Jake Orbison & Connor Luellen

	bil is indirect). Some direct holdings are targets: Coca Cola, Exxon, GE. But this small potatoes comparatively speaking. c. 20% of capital is in private equity - this very opaque, can't be FOIA'd. Rest is public equity (c. 45 bil). Most in index funds, which spread investment risk across market in general, rather than in specific companies. Holdings change frequently if held through index funds, but still grant proxy votes based on holding size. Used database of proxy votes from Caitlin - went through these meeting records. Found UC has proxy votes in 41 companies profiting from Israeli occupation. Vast majority of these holdings stem from two index funds, which invest in 9-10k "Developed World" firms. UC's investment in these two funds is its largest, 33 bil. The problem here is that UC can claim that they don't actively invest in Israeli Occupation, that they don't have the power or authority to direct the investment strategy of private firms managing funds, that these investments are the safest and most adhere to their fiduciary duty, that divesting from these funds would mean divesting from global economy and investing in less profitable, smaller boutique funds, with higher risk profiles. Going forward, could continue to explore divestment, and maybe prioritise smaller targets for pressuring to divest (cf. UCD). Alternatively, could try to explore broader campaign against financialisation. - Maebh: UC's funds exclude tobacco and firearms but not defence contractors, so guns bad, missiles good? Is this not an opening for us? - Connor: True, but not sure we could sway the regents so much. - Gabe: Oil and gas too. - Connor: UC agreed to divest from fossil fuels but still has holdings in Exxon. - Jake: Bigger problem here is that after apartheid campaign, UC put up a firewall. - Iris: Clarify: How is a direct holding in compliance with fossil fuel divestment commitment? - Connor: Probably isn't. - Henry: UCOP has a webpage on climate change divestment, but it's pretty barebones and pro forma (link). - Connor: Seems like a straight up lie still. - Gabe: So point here is that, even if they were telling the truth about divesting direct investments, it	
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	wouldn't mean much given the spread of their investments into say fossil fuel companies through index funds. - Ali: Question of alternative investment if they did divest. Not sure this is our problem to figure out. We can keep making the negative case rather than finding clean investments. - Lou: Agree, not our problem and also puts us in the gross position where we're advocating a "good" or "ethical" investment. Problem with divestment campaigns. I would be in favour of pushing definancialisation avenue, though this feels unrealistic. Do we want another group on definancialisation, thinking through how to redirect resources from private transnational capital markets back into institution. - Iris: I agree that defi could be a great goal. Next steps though are to target winnable egregious cases, as per official BDS recommendations. We might be jumping to the end of a campaign, rather than the start of it. GSJP for instance is thinking of something like UC Davis. - Jake: My sense is that something like Davis is already in the works for Berkeley, so we can focus on the step after next, and thinking more specifically about what we can do as a union. Would be worthwhile to begin contemplating a huge task for a union, but which is not impossible. - Connor: Responding to Ali's "not our problem" point, the reason to locate alternatives is important as a reply to what the UC will say in response that this is impossible. - Ali: I understand that, and where the money goes is actually our concern. We should target specific pools of money, and maybe we can draw on UAW International's rhetoric of a "Just Transition".	
	MMM report back prep • What are some goals for the report back? • What are some things that should go in the report back? • Who wants to draft? MMM is a week from next Wednesday (March 6). Connor: Proposal to condense our reportbacks from today into a 1-2pp info sheet to share with members.	Henry Liu

	Iris: Agree. We don't seem to have action items yet for a campaign. Should give an update, identify further avenues of inquiry, and encourage more ppl to get involved. Lou: Can we get more than 5 mins. It could be good to have more discussion among members around some of the strategic questions we're refining. Might be good to get more input, rather than just report facts. Need to make sure there's lots of room for questions. Ali: More engagement is definitely good, and could be especially good to try to draft more specialist skills. Rikhav: We could ask membership for help with specific tasks, e.g. filing a FOIA req. Iris: Should have a plan by next Wednesday. Volunteers for draft: Connor, Fatima, Rikhav, Iris, Gabe, Lou Jake: Should the subgroups meet again? Gabe: Could do round two of what we just did. Investments could take on the task of thinking more about what a broader definancialisation campaign would look like. Consensus: Sounds good. Ali: Announcement: Come disrupt an evil Zionist speaking at Wheeler tonight at 6.30! Henry: Next meeting - two weeks from today.	
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First meeting (2/12/24) proposed agenda:

- Intros
- Discuss broad goals
- Discuss code of conduct
- Discuss structure & how to break into working groups. Could do this by topic of research, e.g some combination of:
 - **Academic and public-private partnerships:** document UC partnerships that may be of interest, particularly those with connections to the military industrial complex or to Israel.
 - **Investments:** document UC investments (in whatever form they take -- company shares, real estate, hedge funds, the endowment, the retirement plan) and uncover connections to MIC or Israel
 - **Structure mapping:** divisions and sectors of UC, who has power over what. Start making a graph. Also study the breakdown of UC's sources of funding (California state appropriations, DOE and DOD, patents and other IP, tuition, returns on investment, philanthropy, etc)
 - **Admin:** investigate important UC admin, uncover conflicts of interest.
 - **DOD - UC lab connections:** map out what labs on campus accept DOD funding, what they do with it, any existing partnerships between individual UC labs and national defense labs (Livermore, Los Alamos, Sandia, etc)
 - **Tactics history:** study past campaigns for divestment or other relevant struggles, and document the tactics that past organizers have taken.
 - **Leasing Real Estate:** it seems that a significant number of off-campus properties and student housing is owned by Blackstone or a subsidiary of Blackstone (or a company that has a history of doing joint ventures with Blackstone). The UC also gave \$4 billion dollars to Blackstone a while ago. Blackstone has publicly expressed support for Israel (and does a decent amount of business in Israel). Blackstone's CEO was a major Trump confidante who also opposed rent control protections in CA. The Vice Chairman Thomas Nides was formerly the US Ambassador to Israel.
 - *Maybe:* **Research methods** (ideally spend no more than ~2 weeks on this, so we can put the methods to use): look at already existing studies of other universities (Columbia, UMichigan, previous UC pamphlets), or resources like LittleSis, and compile a list of recommended investigation tools for our organizers to use.
 - These groups will necessarily be fluid -- some things fall under several umbrellas, and findings in one category will inform the others. All that matters is that we carefully document our findings (basically, keep track of sources and make our writing + analysis clear).
- Get into the main document and spreadsheet, briefly familiarize ourselves with some of the research that's already been done
- Discuss methods for research.
- Coalition-building: recruit more folks? Ally ourselves with other groups?

-
- Decide communication method, set next meeting time
-

agenda item: broad goals -

discussion on question: what do you mean by "occupation of Palestine?" when you say "let's investigate the connection between the UC and the Israeli occupation of Palestine"

e.g. if UC regent has stock in company that sells weapons to Israel

this is not currently a space to productively do a complete audit of Israeli society

impossible to separate money going to Israel that is used for healthcare system vs military

what is being proposed is the military ties.

but if one of the major ties is through financialized ties to Blackrock, we can't say that's off the table just because of their contributions to the Israeli infrastructure

"if the military is a target, then that's fine, but we should clearly state our targets for UC ties to contributions to the war"

we should democratically decide what we consider to be the occupation of Palestine, what valid targets are, etc. to make decisions and move forward

the parameters stated in the resolution that created this group are actually very specific

in our resolution we referenced 2004 PACBE / 2005 BDS call ... we are not reinventing the wheel; parameters are already laid out for what counts as complicity, etc.

when we get to a point that there is any ambiguity about what matches those parameters then we discuss it. but discussion of the parameters is not pertinent because it has already been decided by the MMM body.

- agenda item : code of conduct -

to be a member of this committee you cannot engage in doxxing or harassment

priority: privacy of members of the committee

it should not be acceptable to join the committee in bad faith just to find out the identities of the members and put it on the internet - not acceptable

suggestion: use non-berkeley email addresses / accounts, because UC can monitor our @berkeley.edu accounts

suggestion: we should stick to union practices of keeping files on the union google drive, using non-university resources whenever possible

"what does bad faith mean?" here it was used to mean someone joining the meeting for the purpose of doxxing can we stipulate that folks on the committee should be in support of the goals? it would not be democratic given the membership mandate that the committee pursue the stated goals

objection: that if someone has an opposed opinion, then they can't contribute to the committee? you want to exclude people who don't agree with the mission?

we are a working group: we are not a group setting out to make policy decisions. if folks are opposed to the mission, you should be allowed to attend, but you should not be wasting our time to discuss your opposition to the mission. the way that we should use our time as a group should be to advance our mission, not to discuss whether or not this group should exist.

the goal and mandate for this working group were democratically set out at the MMM.

given that this was created as a working group with a particular goal, it could be considered bad faith to not be in support of BDS.

we are mandated to make a monthly report back to the MMM. any recommendations of the WG would be put up for a vote by the members.

as a WG we have no power or authority. we are a fact-finding mission. idea: dissent mechanism; at the end, we will produce a set of documents to propose to the union, ... if we vote yes on the deliverables, when the findings are discussed at MMM those who dissent would be welcome to state their dissent at the presentation. when we compile a report, take a vote and majority passes, and those who disagree can still speak their mind. when we are in this space, we have a responsibility to work towards our mandated goals. question of conduct, not rules.

- agenda item: WG structure -

academic & public-private partnerships; investments; admin; structure mapping, inspired by 1968 Columbia document; DOD-UC lab connections; tactics history; real estate; research methods (?).

no need to have a "research methods" group because there is a core set of resources and methods by American Friends Service Committee and Israeli peace activists who put together Who Profits from the Occupation?

question about number of subcommittees vs number of people on the committee

idea: take these up somewhat sequentially rather than all at once in parallel

point: structure-mapping will probably come naturally from other points. there may be ways that these naturally lead into one another

idea: it may make sense to have some work ongoing on each topic before starting deep dive to make sure that we have leads

three natural places to start: first task of each is to do a rapid survey of the topic. we need to know who makes decisions, org charts, that level of survey. investments- UC investment portfolio, we are public so disclosure should mean that we can get lists of holdings etc (except LBNI maybe) and just pull up documented complicit/problematic connections. academic and public-private partnerships may require more work; start with rough accounting of how many there are and what kind, donor sources, etc

idea on the table: 1. study structure of UC: who makes decisions / has power? 2. study investments of UC; 3. partnerships that the UC has

summary of many many resources available thanks to preliminary research

proposal: initial task of subcommittees is to synthesize the material linked in the big doc related to their purview.

report format: aim 1-2 pages not longer; what is known? what is left to know? extra credit: resources to find out more.

by next meeting, each subcommittee meets and has a bottomliner to ensure that report gets done.
everything should be cited.

bottomliners: Gabe, structure; Fatima, partnerships; Jake & Connor, investments.

meeting frequency: every two weeks so subcommittees can meet. meet again on Feb 26. Feb MMM is on the 28th

contact bottomliner (need emails) to get involved in their work; bottomliners email the list to solicit involvement.

bottomliners will make group chat and coordinate efforts, we will meet back in two weeks' time.

Exhibit D

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Who Rules the UC?

Updated automatically every 5 minutes

Who Rules the University of California?

Report by the BDS Exploratory Committee of UAW 4811 (January 2024–November 2024).

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Who Rules the UC?

Updated automatically every 5 minutes

Did the UC truly divest from fossil fuels?
Why did the UC divest at all? 65

Pamphlets, graphics, and public spreadsheets

In the course of doing this research the Exploratory Committee produced smaller, more shareable materials to present some of our findings.

Investments:

- UC investments pamphlet (bit.ly/uc-bds-money)
- UC Investments info sheet (bit.ly/uc-bds-money-doc)
- UC "stakeholders" slides (bit.ly/uc-bds-structure)
- UC military industrial complex holdings ([spreadsheet link](#))

Proxy votes:

- UC investor proxy votes sheet ([spreadsheet link](#))
- UCOP proxy vote data: Israeli firms ([spreadsheet link](#))

Funding & contracts:

- UC sponsors of contracts & grants ([spreadsheet link](#))
- 2023 UC Single-Audit Report analysis ([spreadsheet link](#))

Summary by section

Section I: The UC investment portfolio

The UC portfolio is a UC-system wide investment portfolio controlled by the Regents. In 2023 the portfolio [stood](#) at a total of \$164 billion. (A more up-to-date figure from 2024 is [\\$180 billion](#), but we use the 2023 figures here.) The portfolio can be broken down as follows:

- *Endowment: \$23.4B*
 - Individual UC campuses have their own, separate endowments, which they may invest in the UC-wide general endowment or manage separately. This \$23 billion thus includes part but not all of the individual campuses' endowments.
- *Retirement: \$122B*
 - This includes the pension (UCRP) and defined-contribution plans (UCRSP).
- *Working capital: \$18.7B*
 - This functions roughly like the UC's checking and savings accounts.

Direct investments: Less than 1% of the UC portfolio is in direct ownership of company stocks. When our committee originally wrote this report in spring 2024, [four of the companies](#) the UC directly owned stock in could be viewed as legitimate BDS targets: Exxon Mobil (\$3.9M), Honeywell International (\$867K), General Electric (\$879K) and Coca Cola (\$1.1M).

More recently, as of the UC's quarterly [13F filing in August 2024](#), nearly all of the UC's direct investments were shown to have been [reclassified^{\[1\]}](#) or possibly liquidated, leaving no clear BDS targets among the handful of UC's directly-owned stocks. Pending another change in the university's investments, our efforts must therefore focus on the UC's indirect investments.

Indirect investments: The vast majority of UC investments are held indirectly, through passive investments like index funds or actively-managed ones like mutual funds, hedge funds and private equity funds.

Private equity and other forms of "alternative investment" can be nearly impossible to track, particularly as these sorts of firms generally do not disclose what they invest in. On the other hand, the UC's holdings in public equity provides the university with [proxy voting](#) shares (shares granted to an indirect investor when the size of their investment would have given them a full voting share in a company if invested directly) and we can use those to see that the university has voting shares in [at least 41 companies](#) directly profiting from the Israeli occupation (per WhoProfits.org) and at least 143 Israeli companies. For instance, the UC used its proxy votes in Elbit Systems as recently as April 2024.

The index fund investments are the easiest to extract numbers from. The two largest public equity index funds that both the GEP and UCRP (the only UC investment pools with publicly listed holdings) are invested in are the S&P 500 and the MSCI funds. Then, since we can look up the weighting of each index fund for particular publicly-traded companies, we can calculate *lower bounds* for how much the UC has invested in each company through the GEP and UCRP.

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UC Merced, the CIO of the UC's Investments Committee claimed that if "all the demands of the students were met" the University would have to sell \$32 billion of its portfolio. He did not give detailed data. These are the figures the CIO quoted:

- \$3.3 billion in industries categorized as relating to weapons manufacturing;
- \$12 billion in U.S. treasuries;
- \$163 million in BlackRock and \$2.1 billion managed by BlackRock;
- \$8.6 billion in Blackstone;
- \$3.2 billion in 24 companies that student protestors demanded divestment from.

Section II: The UC Berkeley Foundation and Berkeley endowment

The UC Berkeley Foundation is a public-private partnership that exists to encourage private philanthropy, solicit donations and gifts, and serve as an advisory council to the Berkeley Chancellor and campus. The Foundation is also responsible for overseeing UC Berkeley's \$7.4 billion (as of June 2023) endowment. The endowment portfolio is managed by the *Berkeley Endowment Management Company (BEMCO)*, a "nonprofit subsidiary" of the Foundation. The Foundation, through BEMCO, has investments in private equity, real estate, hedge funds, infrastructure, real assets, natural resources, publicly traded equities, fixed-income securities, cash, and other alternative asset classes.

The Foundation is required to comply with public records requests by law. However, because the endowment is technically managed by BEMCO and not directly by the campus foundation, obtaining information via public records requests can be and has been challenging. In this section, we summarize our experience obtaining records from the Foundation and present some of the data we obtained, including their IRS Form 990 and 990-T annual filings and a list of all of their investment holdings as of June 2023.

IRS Form 990 filings must include a schedule of contributors to the UC Berkeley Foundation. However, during the process of requesting public records, we found that the names of donors in the Schedules of Contributors were all redacted to protect the anonymity of donors. Instead, we compiled a list of private foundations known to support Zionist causes. Then, we searched through publicly available tax records for each of these foundations and searched for evidence that they have awarded funds to the UC Berkeley Foundation. In this section, we present a summary of our findings, which include several significant private donors that have a history of supporting organizations like Friends of the IDF, the American Israel Education Foundation, the Anti-Defamation League, and others in addition to donating to the UC Berkeley Foundation.

Section III: The UC administration

The Board of Regents is the highest governing body of the UC. The Regents set student tuition, approve campus developments, set the budget for the entire UC system, control the University's investments, supervise the making of contracts between the UC and private companies, and dictate administrator salaries. The Regents can hire or fire the President, any of the ten Chancellors, the director of LBNL, or any of the Principal Officers of the Regents.

The Regents rarely get directly involved in university affairs; more often they simply establish policy and let administrators handle day-to-day operations accordingly. In broad strokes this takes the following form:

- The UC Office of the President (UCOP), headed by the President of the UC, implements the policies of the Regents. UCOP controls the budget, manages investments, bargains with unionized employees of the University, handles UC intellectual property, and so on.
- Each of the ten campuses has a Chancellor. The Chancellors are appointed by the Regents, and are charged with setting the policies and internal administration of their respective campuses, in keeping with the budget and policies approved by the Board and/or the President of the University.
 - Below the Chancellor is the array of campus-level administrators like the Provosts, Vice Chancellors, and advising bodies like the Board of Visitors.

These high-level administrators are essentially career business-people; their main occupation is hopping from one corporate board of directors to another. Most of them come from the world of business, consulting, real estate, or investment banking. They are what UC Berkeley professor Michael Burawoy has called a class of "spiralists" -- people who spiral in from outside, develop signature projects and then hope to spiral upward and onward, leaving the university behind to spiral down."

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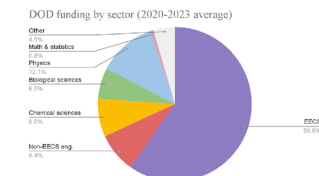
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UCOP's response to the request for data on research funding coming through the UCOP's research contracts and grants, either directly from the DOD or via a pass-through entity (like another university or a private corporation). Thus, according to the SARs, in fiscal year 2023 the UC received a gross total of \$316.5 million in DOD contracts and grants, \$50 million of which the UC then passed on to other entities (award sub-recipients).

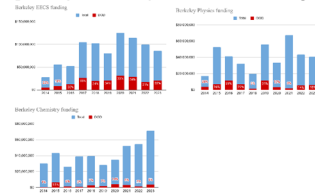
This is roughly consistent with other sources. The NCSES HERD Survey reported that in FY2022 the UC received \$369 million in DOD R&D expenditures. UCSD got the most (\$105M), followed by UCLA (\$55M), UCSF (\$50M), UCB (\$48M), UCSB (\$43M), UCd (\$28M), UCI (\$19M), UCR (\$10M), UCSC (\$9M) and UCM (\$2M).

UCOP and UC Berkeley's Sponsored Projects Office also report limited amounts of their own data; which tend to disagree with each other and with the other sources. Still, if we take them at face value, just about 3-4% of UC Berkeley's research funding in FY2023 came from the DOD: \$33 million out of a total \$1 billion. Most of this (\$21M) went to Electrical Engineering & Computer Science alone. The next biggest recipients were Physics (\$6M), Chemistry (\$4M), and the Center for Effective Global Action (\$1M).



See [UC's Sponsors of Contracts and Grants](#) for data and corresponding plots.

According to Berkeley's data, the EECS department in particular is quite dependent on Pentagon funding: for the past ten years, the fraction of EECS research funding coming from the DOD has hovered between 25-30%. The same figures for Physics and Chemistry are around 15-20% and 5-10%, respectively.



Every source of data we looked at, without exception, disagreed at least a little with all the others. One should take these figures with a grain of salt.

Militarized research on campus can also be supported via public-private partnerships between the university and military contractors, or 'corporate and industrial affiliate programs'. Multiple laboratories on campus offer membership packages to companies, offering benefits such as board memberships, access to pre-publication research, and streamlined technology licensing or 'tech transfer' in exchange for research funding. We identified several corporate affiliate programs between research laboratories at UC Berkeley and private companies that are targeted by the BDS National Committee, such as Siemens, Chevron, and Intel. We also found information on public-private partnerships between UC campuses and private companies through UCOP's Sponsored Projects Office, which, until late 2024, published data on the UC's research contracts and grants.

Section V: The UC in the nuclear weapons complex

Here is an excerpt from International Campaign to Abolish Nuclear Weapons' [report in 2012](#):

"The University of California arguably has the longest-standing and highest profile connection to the nuclear weapons complex of any university. While the UC administration has continued to pursue such connections, it has done so at points without the support of many of its constituent faculty and students. In 1970, student protests caused university officials to consider whether to maintain its ties to the weapons labs it managed, ultimately deciding to do so. [46] When the

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below, but this [“Report on Effective University-National Laboratory Partnerships”](#) indicates it no later than on page 2: **for national defense research laboratories, universities are “the key contributors and collaborators [for] research, the principal source of the [STEM] talent pipeline, and an important source of peer review.”**

Another reason is that such partnerships can help to “accelerate technology deployment” through technology commercialization to benefit Sandia, partner universities, and commercial partners, which they achieve through intellectual property bundling and company formation.

Moreover, ties to well-regarded universities bring credibility to the labs, which can then be leveraged to attract employees and secure more funding. In exchange, universities get access to potential channels of funding, access to research facilities, and career opportunities for students.

The University of California is special: it is one of just two U.S. universities that is directly involved in managing nuclear weapons labs. The UC directly manages **Los Alamos and Lawrence Livermore**; it also has partnerships with **Sandia**. These three national labs are overwhelmingly funded by the NNSA’s Weapons Activities Appropriations program.

NNSA Site Funding, FY 2019*

Site	Funding (FY 2019)
Los Alamos National Laboratory	\$2,489
Sandia National Laboratories	\$2,000
Lawrence Livermore National Laboratory	\$1,400
Pacific Northwest National Laboratory	\$1,300
Kansas City National Security Campus	\$1,200
Naval Air Station, Dayton	\$1,100
Naval Air Station, Orlando	\$1,000
Naval Air Station, Pensacola	\$900
Naval Air Station, Jacksonville	\$800
Naval Air Station, Norfolk	\$700
Naval Air Station, Kings Bay	\$600
Naval Air Station, Beaufort	\$500
Naval Air Station, Jacksonville	\$400
Naval Air Station, Jacksonville	\$300
Naval Air Station, Jacksonville	\$200
Naval Air Station, Jacksonville	\$100

ICANW 2019 Report “Schools of Mass Destruction” (pg. 10)

Note that the NNSA is responsible for R&D of the nuclear warheads themselves, whereas the DoD is in charge of warhead delivery systems (missiles, aircraft, submarines). “Both sides of the nuclear weapons complex partner with universities.” (ICANW, p. 10) R&D funding from the DoD to higher education has increased by more than 60% in the past 30 years.

- **Los Alamos National Laboratories:** The UC is a member (along with Texas A&M and defense R&D firm [Battelle](#)) of Triad National Security, LLC, which manages Los Alamos and provides other services in “national security” and “stockpile stewardship and management.”
- **Lawrence Livermore National Laboratories:** the UC is a member of LLNS, LLC, which is contracted by the NNSA to manage Lawrence Livermore.
- **Sandia National Laboratories:** The UC has not directly managed Sandia National Labs since 1949; its relationship to Sandia is now partnership-based rather than direct management. Sandia is currently operated by NTESS, a subsidiary of Honeywell International (in which the UC invests both directly and indirectly).
 - UC Berkeley, UC Davis and UCLA are partners in Sandia’s University Partnerships Network, which has the goal of expanding collaboration between PIs on Laboratory Directed Research & Development (LDRD) projects, facilitating recruitment to Sandia, accelerating tech R&D, and producing jointly held Intellectual Property.
 - Seven of the ten UC campuses are members of the Universities Research Association (URA), which is subcontracted by NTESS to support its university partnerships, promote the “talent pipeline,” and facilitate “strategic engagement within academia.”

I. UC investments

In 2023 the [UC investment portfolio](#) stood at a total of \$164.1 billion. The more up-to-date figure, [as of August 2024](#), is \$180 billion. However, as most of the available financial documents are dated 2023, here we look at the fiscal year (FY) 2023 figures.

The portfolio is composed of six investment pools:

- **Endowment: \$23.4B**
 - General Endowment Pool: **\$20.7B**
 - [Public data on GEP holdings](#)
 - Blue & Gold Endowment: **\$2.7B**
- **Retirement: \$122B**
 - Pension i.e. UC Retirement Plan (UCRP): **\$88.3B**
 - [Public data on UCRP holdings](#)
 - UC Retirement Savings Plan (UCRSP): **\$33.7B**
- **Working capital: \$18.7B**

https://docs.google.com/document/u/1/d/e/2PACX-1vSLL3RiQR6LLuBuTX7ADYeo1ACy5kd1Wpinzo-k-WyFgP7QAeO3MsDeeEjJW6CODpAnvP... 5/39

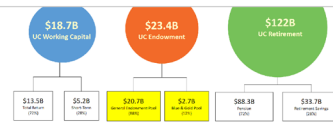


Image taken from a [presentation](#) for the Regents meeting on 9/19/23

This portfolio, which is controlled by the Regents and managed by the UC Investments office in UCOP, is a UC-wide pool of money. In addition to this, each campus has separate investments it can manage with some autonomy: this is what the campus Foundations are for.

In the next two sections we'll (1) briefly outline what each of the funds in the UC portfolio consist of, and then (2) summarize our findings with regards to companies the UC is invested in. Some of this information has already been published in a more digestible [information sheet](#) and [digital pamphlet](#).

Breakdown of the UC portfolio

Endowments

In this section our main source is the [UC Annual Endowment Report for fiscal year ended June 30, 2023](#), which we abbreviate as “AER”.

An endowment is a collection of funds and assets donated to a university to support its operations. These assets are typically invested, and the returns are used to support the university's programs and operations in perpetuity. Each campus within the UC system has its own endowment, which is managed by that campus Foundation.

These ten individual **foundation endowments** are relatively small, however, compared to the UC-wide **General Endowment Pool (GEP)**. The GEP is controlled by the Regents and managed by the UC Investments Office, not by the campus foundations. In fact, each campus endowment is at least partly invested in the GEP. Each campus allocates different proportions of its endowment (i) to be managed by the Regents but not through the GEP, (ii) to be directly invested in the GEP or the STIP, or (iii) to be managed by the campus' Foundation itself.^[2]

At least half of every campus' endowment is either handed off to the Regents for management or invested in the GEP or STIP (see the table below). For instance, UC Berkeley has an endowment of \$7.4 billion, but **\$4.5B of it** is held by the Regents, while the **remaining \$2.9 billion** is managed by the UC Berkeley Foundation.

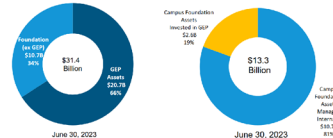
Total University Endowment Assets by Designation to Regents and Foundations
(Market Values \$ Thousands)

Company	June 30, 2013				June 30, 2012			
	Programs	Foundations	Corporate Foundations	Other Foundations	Programs	Foundations	Corporate Foundations	Other Foundations
Enbridge	4,840,102	6,900,000	2,906,750	2,724,900	4,200,000	5,500	10,000	2,619,000
Petro-Canada	1,000,000	90,000	30,750	317,750	4,200,000	404,000	10,000	10,000
Imperial Oil	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Canadian National	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of Montreal	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of Nova Scotia	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
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Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the West	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the North	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the South	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Bank of the East	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1		

¹ Assets managed by Regents in GEP for the benefit of the campuses excluding investment allocations to the GEP by the campus Foundations. Values provided by JC Investment Management.

Source: AER, pg. 3

The GEP is worth \$20.7 billion.^[3] If we add to this the portions of the campus Foundations' endowments that are *not* in the GEP (and therefore not counted in the \$164B UC portfolio), which make up another \$10.6 billion, then the UC-wide total endowment assets are some **\$31.4 billion**.



Source: AER, pgs. 4-5.

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University of California, General Endowment Pool
Asset Allocation
June 30, 2023

	Assets (\$M)	Actual Allocation	Target Allocation ¹	Over/Underweight Relative to Target	Policy Range (Lower)	Policy Range (Upper)	Policy Range Compliance (Actual Allocation)
Public Equity	\$8,129	39.2%	40.0%	-0.8%	30.0%	60.0%	Yes
Liquidity (monies)	\$1,443	7.0%	8.0%	-1.0%	5.0%	15.0%	Yes
Private Equity	\$4,723	22.6%	24.0%	-1.2%	10.0%	30.0%	Yes
Alternative Return	\$970	4.7%	10.0%	-5.3%	5.0%	15.0%	No
Real Estate	\$2,702	13.0%	8.0%	5.0%	4.0%	12.0%	No
Real Assets	\$733	3.5%	4.0%	-0.5%	0.0%	8.0%	Yes
Private Credit	\$1,108	5.3%	6.0%	-0.7%	0.0%	9.0%	Yes
Cash	\$905	4.6%	2.0%	2.6%	1.0%	5.0%	Yes
Total Assets	\$28,741	100.0%	100.0%				

Source: AER pg. 20

In addition to the GEP, the UC has the **Blue & Gold Pool (BGP)**, which acts as an endowment but is more liquid than the GEP ([Less is More 2023](#)). An internal [slide show](#) from a 2023 Regents meeting described the BGP like this: "An investment vehicle that helps our campuses increase their revenues while reducing reliance on state funds." The BGP was created in 2019 to be [passive, cheap to maintain, and liquid](#), with higher returns than other short-term cash management vehicles like TRIP and STIP. It's therefore much newer than the GEP and much smaller: **\$2.7 billion** in 2023.

Retirement funds

- The **UC Retirement Plan (UCRP)**, or UC's pension fund, was [worth](#) \$88.3 billion in 2023. The pension has 258,485 members, 134,900 of them active in 2023.
- The **UC Retirement Savings Program (UCRSP)** happens to be the second largest public defined contribution plan in the U.S., after that of the federal government. It stood at \$33.7 billion in 2023, with 335,000 UC participants.

Working capital

The working capital is essentially like UC's checking and savings account. The CIO [put it](#) like this: the STIP is "like a checking account, which campuses should use for at-the-ready cash," whereas the TRIP "provides a better return on capital than our UC clients might not need right away," not unlike a savings account.

- Short Term Investment Pool (STIP): **\$5.2B** in 2023.
 - STIP is used to meet short-term operational liquidity needs. Cash for operations and bond proceeds for construction expenditures are invested in STIP.
- Total Return Investment Pool (TRIP): **\$13.5B** in 2023.
 - "TRIP provides the opportunity to enhance returns on long-term capital by taking advantage of the economies of scale of investing in a large pool across a broad range of asset classes." (Single Audit Report 2023)

Summary of UC direct & indirect investments

Direct Investments

Only a small part of the UC's holdings are in direct ownership of company stock: less than \$1B out of their \$164B portfolio.^{[16](#)}

Nevertheless, four of the companies the UC does own direct stock in have a history of profiting from Israeli apartheid or are part of the weapons manufacturing industry. In its 2024 Q1 report, the UC reported owning 8879% in General Electric shares, 8867% in Honeywell, \$1.1 million in Coca Cola, and \$3.9 million in Exxon. This information can be found on [Form 13-F](#), which the university is required to file with the SEC each year ("informationtable.html" to see stock information). These holdings are also listed on websites like [WhatIsEndowon](#) and [Finviz](#).

- **General Electric** (\$879K) is one of the world's largest military contractors. It provides [aircraft engines](#) and systems for "multiple weapon systems that are routinely used in war crimes against Palestinian civilians" and [turbinas](#) for wind farms in the Israeli-occupied Syrian Golan Heights.
 - GE been marked by the AFSC as [one of several](#) companies that has supplied weapons or has otherwise profited from the Gaza

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UNIVERSITY OF CALIFORNIA, BERKELEY

INVESTMENT MANAGEMENT, INCLUDING UCOP

National Laboratories, which is officially in partnership with several UC campuses. See the "UC in the nuclear weapons complex" section later in this document.

○ Honeywell was also one of the UC portfolio's top increases last quarter.

• Coca Cola's (\$1.1M) Israeli franchisee operates a production facility in a settlement in Israeli-occupied East Jerusalem and sources raw materials from settlements in the Israeli-occupied West Bank and Syrian Golan Heights.

• Exxon Mobil (\$3.9M) has previously provided Israel with fuel for fighter jets, bombers and attack helicopters, which have been used by the Israeli air force against Palestinian civilians in well-documented violations of humanitarian law.

○ It is also worth mentioning that the UC ostensibly committed to divest from fossil fuels in 2020, seemingly in contradiction with both its holdings in Exxon. See the section below on UC's decision to divest.

Indirect investments

The vast majority of UC's holdings are held *indirectly* through index funds and other large asset managers. These indirect investments are hard to track. Upon submitting a Public Records Access request to UCOP we were told that, though "some records related to alternative investments are exempt from disclosure pursuant to CA Government Code section 7928.710(a),² they could share these two documents:

- [Alternative Investment Fees & Expenses, Inception to 6/30/23](#)
- [Private Equity Investments as of June 30, 2020](#)

Since the firms listed in those documents do not (as far as we could tell) themselves disclose any information about their holdings, the two documents above tell us little.

Out of the six investment pools listed at the top of this document, only the [General Endowment Pool](#) (GEP) and [UC Retirement Plan](#) (UCRP) have publicly listed holdings. These documents are shared on the UC Investments Office website.

Proxy votes

The UC's public equity provides the university with [proxy voting](#) shares. These proxy shares, granted to an indirect investor when the size of their investment would have given them a full voting share in a company had it been invested directly, are a matter of [public record](#). Through this database we can see that the UC had the right to vote in at least 41 companies which directly profit from Israeli occupation (per the WhoProfits database), and at least 143 Israeli companies between Q3 2017 and Q4 2024. [Here is a spreadsheet](#) of data web-scraped from the UC's proxy votes interface and cross-referenced with WhoProfits. We can see, for instance, that the UC used its proxy votes in Elbit Systems as recently as April 2024.

Public equity estimates

To get a quantitative lower bound on the UC's indirect investments in particular companies, one thing we can do is track the public equity index funds we know the UC has investments in. For instance, the two single largest public equity index funds that both the GEP and UCRP are invested in are the S&P 500 and the MSCI (in particular, the "MSCI All Country World Index (ACWI) Investable Market Index (IMI) Tobacco and Fossil Fuel Free") funds.^[1]

Then, since we can look up the weighting of each index fund for particular publicly-traded companies, we can calculate lower bounds for how much the UC has invested in each company through the GEP and UCRP funds. [Here is a public spreadsheet we compiled that does just that](#). In this spreadsheet we find the following UC investments through public equity index funds:

- The world's 5 largest weapons manufacturing companies:
 - **Lockheed Martin: \$73M**
 - **RTX (formerly Raytheon): \$99M**
 - **Northrop Grumman: \$52M**
 - **Boeing: \$77M**
 - **General Dynamics: \$48M**
- These companies the UC also owns stock in (see "direct investments" above):
 - **General Electric: \$135M**
 - Honeywell: \$94M
 - Coca Cola: \$185M
- **Elbit: \$3.6M**

https://docs.google.com/document/u/1/d/e/2PACX-1vSLL3RiQR6LLuBTX7ADYeo1ACy5kd1Wpinzo-k-WyFgP7QAeO3MsDeeEjJW6CODpAnvP... 8/39

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Also a [major contractor](#) for the U.S. border security apparatus.

Incidentally, UC Davis Chancellor Gary May is [on Leidos'](#) [Board of Directors](#).

Intel: **\$131M**

In December 2023 Intel decided to invest in a [\\$25B chip factory](#) in Israel. It has been [flagged](#) by the Palestinian BDS National Committee for a boycott campaign.

Update: In June 2024, Intel [halted](#) this investment.

***IHQ: \$20M**

[Provides](#) multiple services for the Israeli military

***Microsoft: \$2.2B**

[Major investor](#) in Israel and has a history of working with the IDF.

***Caterpillar: \$136.5M**

[Provides](#) machinery used to demolish Palestinian houses, build settlements on occupied Palestinian land, build the Separation Wall in the West Bank, and build the wall surrounding Gaza. Also a long-standing supplier of the Israeli military.

***L3Harris: \$31M**

[Provides](#) surveillance technology for Israeli military checkpoints and the U.S.-Mexico border.

***Palantir: \$21M**

[Provides](#) data analytics software for US Immigration authorities and Israeli security forces.

BlackRock: \$87M

[Famous](#) for [many](#) reasons. BlackRock is the world's largest asset manager — [\\$10 trillion](#) assets under management as of 2023. It has tens of billions invested in weapons manufacturers and hundreds of billions in fossil fuels; it alone owns over 6% of Lockheed Martin, 6% of Chevron, 6% of Raytheon, and so on. It's the [single largest](#) shareholder of Leidos (13%), which is featured above.

The companies marked with an asterisk (*) are listed in either the [AFSC Investigate](#) database or the [WhoProfits](#) Research Center database. If we add up the asterisked numbers, the total amount we have accounted for of the UC's investments in apartheid-profitreering companies (including direct investments) is **\$2.9 billion**.

This is a conservative lower bound—it's only a tiny subset of a subset of the UC's investments. Just two of the six UC investment pools (GEP and UCRP) have public data available; of those two pools, only some investments (the public equity index funds) could be traced at all—the other types of investments are even more opaque. And even of the investments we could track down, the \$2.9B number only includes companies that were specifically flagged by AFSC or WhoProfits for human rights violations; many other worthy candidates are excluded from this estimate.

II. The UC Berkeley Foundation & Endowment

The [UC Berkeley Foundation](#) is a public-private partnership that exists to encourage private philanthropy, solicit donations and gifts, and serve as an advisory council to the Berkeley Chancellor and campus. The UC Berkeley Foundation, or "the Foundation," is a "volunteer body affiliated with the campus and serves as the University's primary vehicle for enlisting fundraising volunteers from the private sector."

As public funding for higher education has declined, many public universities have [increasingly relied](#) on auxiliary foundations for private support. Campus foundations, like the UC Berkeley Foundation, are technically separate legal entities from their affiliated public higher education institutions, incorporated as nonprofit tax-exempt charities dedicated to supporting specific state institutions. By acting through a foundation, a campus can receive, spend, and invest funds directly, often bypassing university governance procedures and the restrictions that would normally apply to state appropriations and to state procurement.

The Foundation is not to be confused with the Berkeley Endowment Management Company, or BEMCO, which is a wholly-owned, non-profit subsidiary of the Foundation. [BEMCO](#) "serves as the investment manager with day-to-day oversight of investment activity and implementation" for the UC Berkeley Foundation's endowment assets, and is overseen by a board of directors which includes multiple trustees of the Foundation.

It is worth noting that university foundations across the country have been the subject of numerous scandals and investigations. For example, in 2010, California State University (CSU) Foundation officials [admitted to mixing public and private funds](#). In 2005, a state audit showed that the University of Colorado Foundation [improperly spent more than \\$700,000](#) on food, alcohol and travel. In 2017, the University of Louisville [almost filed a lawsuit against its own foundation](#). It was at risk of losing its tax-exempt status after audits revealed gross negligence and fraud with unjustifiable expenses generated by President James Ramsey and other Louisville officials, which ultimately led to Ramsey's firing.

https://docs.google.com/document/u/1/d/e/2PACX-1vSLL3RiQR6LLuBuTX7ADYeo1ACy5kd1Wpinzo-k-WyFgP7QAeO3MsDeeEjJW6CODpAnvP... 9/39

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INVESTMENT CHOICES AND USES OF THE ENDOWMENT

- ~~\$2.9B~~ in the UC Berkeley Foundation portfolio, managed by the Berkeley Endowment Management Company (BEMCO).
 - The Richard McKee Transparency Act of 2011 requires the UC Berkeley Foundation to comply with public records requests. However, UC Berkeley Foundation is significantly less transparent about its investments than the UC Investment Office. Because investments are technically managed by BEMCO instead of the Foundation, obtaining records of the Foundation's investment holdings can be particularly challenging.

This UC Berkeley Foundation portfolio is managed by the Berkeley Endowment Management Company (BEMCO), which is a "nonprofit subsidiary" of the Foundation. The Foundation has investments in private equity, real estate, hedge funds, infrastructure, real assets, natural resources, publicly traded equities, fixed-income securities, cash, and other alternative asset classes. BEMCO charges 30 basis points (or 0.3% of the net asset value of Berkeley's endowment) from the Foundation in management fees.

Public Records Requests and Data

We submitted public records requests to the Foundation requesting copies of Forms 990 and Forms 990-T filed with the IRS, as well as details related to short-term and long-term capital gains from investment activities.

For context, the Foundation files Form 990 with the IRS annually, where they list the total capital gain income made via investment activities. We requested (1) a breakdown of what sales of which capital assets that income was derived from and (2) any related statements from their brokers. Moreover, the UC Berkeley Foundation is required to file Forms 990 and 990-T with the IRS every year. These forms are meant to provide the public with information about nonprofit organizations and prevent nonprofits from abusing their tax-exempt status. However, the schedules of contributors/donors on Form 990 are restricted to protect the anonymity of donors. Form 990-T does report income from limited partnerships with investment vehicles, but not necessarily all investment activities.

The Foundation complied with our requests for Forms 990 and Forms 990-T (although the names of donors in the Schedules of Contributors were all redacted). However, the Foundation has been much less cooperative for requests on details of investment activities. *Initially, the Foundation replied that they have not received any statements from their brokers and they did not reply to our requests for further details on their investments. After several correspondences with the Foundation and increasing public pressure due to student protests, the Foundation sent us a complete list of their holdings on July 3, 2024.*

UC Berkeley Foundation Endowment Holdings

A list of the UC Berkeley Foundation's investment holdings as of June 30, 2023 can be found [here](#). The majority of these holdings are in private equity and venture capital funds, which in turn invest in other companies. We do not have access to any information on what companies these firms invest in.

A summary of the UC Berkeley Foundation's reported income from such limited partnerships as reported in their 990-T filings can be found [here](#). Highlighted investment holdings were also reported in the 2022-23 Form 990-T. Only 39/158 investments reported via the PRA request were also reported in Form 990-T for that year.

The list of investment holdings obtained via PRA requests is clearly far more comprehensive than the data we collected from the IRS Form 990-T filings. However, because public records requests can take time and are subject to legal loopholes, looking at an institution's Form 990-T can be a good intermediate step for other researchers struggling to obtain university endowment portfolios.

Transparency

The UC Berkeley Foundation is *significantly less transparent* about its investments than the UC Investment Office. None of the Foundation's investments activities or holdings are made publically available on the Foundation's website. Only some of the Foundation's investment activities are reported in their annual tax returns. These reported investment activities only include certain limited partnerships, primarily including venture capital firms and private equity. It is difficult to track which companies a private equity or venture fund is invested in at any given time, mainly due to relatively weaker disclosure laws. Moreover, only the income gain/loss is reported for each fund, not the total market value of assets held in any particular fund. Unlike the Regents of the UC, the UC Berkeley Foundation does not publicize its proxy voting record.

The endowment is used to support the research and education objectives of the university. The financial means by which those objectives are accomplished must be in line with the values of the university. To that end, *it is imperative that the*

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However, we can build a list of private foundations known to support Zionist causes and search for any evidence that they contribute to UC Berkeley. Private Foundations are required to annually report grants paid in Form 990/990-PF to the IRS. So, once we have a list of offending organizations, we can look at their filed Forms 990/990-PF and find out how much money in grants they awarded to the UC Regents or the UC Berkeley Foundation. The table below summarizes our findings. Please note that the table does not include grants awarded to foundations of other UC campuses (e.g. the UCLA Foundation, the UC Irvine Foundation, etc.). Additionally, note that the table does not constitute a complete list of Zionist donors to UC Berkeley. Rather, it only represents the subset of private foundations that we thought to check and whose information was already made publicly available by the IRS.

Private Foundation	Grants Awarded to the Regents of the UC Reported in Form 990-PF	Grants Awarded to the UC Berkeley Foundation Reported in Form 990-PF	Other Organizations the Private Foundation Awards Grants to or Supports
Koret Foundation	2021: \$1,393,508 (Source) 2019: \$912,500 (Source) 2018: \$7,150,000 (Source) 2017: \$7,150,000 (Source) 2016: \$7,370,000 (Source)	2021: \$2,732,000 (Source) 2019: \$7,500 (Source) 2018: \$5,041,100 (Source) 2017: \$6,288,130 (Source) 2016: \$6,881,630 (Source)	AIEF, American Committee for the Weizmann Institute, Birthright Israel, Friends of the IDF, Israel on Campus Coalition, Zionism Movement
Charles and Lynn Schusterman Family Foundation		2021: \$250,000 (Source)	AIEF, Israel on Campus Coalition, Israel Education Resource Center, Israel Institute, Israel Policy Forum, Jewish Communal Fund, Jewish Federations of North America
Charles Koch Foundation	2017: \$31,000 (Source)	2021: \$180,058 (Source) 2020: \$153,906 (Source) 2018: \$8,000 (Source) 2017: \$7,500 (Source) 2016: \$63,200 (Source)	Donor Capital Fund, which in turn supports the Central Fund of Israel, Christians United for Israel, Shurat HaDin, and more
Blavatnik Family Foundation		2021: \$50,000 (Source)	Birthright Israel, American Friends of Tel Aviv University, Jewish Agency for Israel
Jim Joseph Foundation		2021: \$600,000 (Source) 2018: \$825,000 (Source) 2013: \$1,200,000 (Source) 2012: \$250,000 (Source)	Birthright Israel, Omered Israel, Young Judaea, Israel Institute, Jewish Federations of North America
Younes & Soraya Nazarian Family Foundation	2021: \$8,700 (Source)		Rand Corporation, Beaulieu School of Design. The President of the Foundation is a SVP of the ADL
The Rodan Family Foundation		2021: \$35,000 (Source)	AIEF, Friends of the IDF, New Israel Fund
Rosalind and Arthur Gilbert Foundation	2020: \$5,000 (Source) 2019: \$5,000 (Source) 2017: \$6,385 (Source)	2021: \$20,000 (Source) 2020: \$10,000 (Source) 2019: \$1,260,000 (Source 1, Source 2) 2018: \$255,000 (Source) 2017: \$270,000 (Source) 2007: \$1,000,000 (Source)	AIPAC, Friends of the IDF, Rand Corporation, Open University of Haifa, Jewish National Fund, and more
The Hewlett Foundation	2019: \$470,000 (Source) 2018: \$600,000 (Source)	2021: \$3,076,583 (Source) 2019: \$3,278,704 (Source)	ADL, American Society of the University of Haifa, The Institute for National Security

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		2014: \$15,000,000 (Source) 2007: \$113,000 (Source)	
Israel on Campus Coalition		2022: \$25,000 (Source) 2020: \$25,000 (Source)	ICC coordinates groups and students to respond to anti-Israel activism

AIEF: American-Israel Education Fund; ADL: Anti-Defamation League; IDF: Israel Defense Forces

Several main donors have surfaced thus far:

- **The Koret Foundation** is [one of eight private foundations](#) that fund the American Israel Public Affairs Committee's (AIPAC) trips to Israel for congresspeople, a junket designed to organize support for Israel in Congress. In 2021, UC Berkeley launched a [Koret Discovery Scholars Program](#) that awards fellowships to "highly qualified low-income" incoming freshmen from local high schools.
- **The Helen Diller Family Foundation** supports the Diller Institute for Jewish Law and Israel Studies, donated \$5 million in 2019 to create first endowed Israel Studies chair at UC Berkeley, and in 2021 entirely funded the [Anchor House dorm](#) to the tune of \$300 million – the largest gift to UC Berkeley at the time. Sanford Diller, the foundation's former president who passed away in 2018, was a billionaire who supported a variety of right-wing/Islamophobic/Zionist causes, [including the website Canary Mission](#) that doxxes anti-Zionist students and professors and Regwin, a nonprofit providing legal funds to Israeli settlers suing Palestinians for property. It is worth noting that the Jewish Community Federation of San Francisco, where the Helen Diller Family Foundation resides, has said that it will no longer contribute to those organizations.
- **The Charles and Lynn Schusterman Family Foundation** is [one of eight private foundations](#) that fund the American Israel Public Affairs Committee's (AIPAC) trips to Israel for congresspeople. The Schustermans are also significant donors to the Israel on Campus Coalition (ICC), which coordinates groups and students to respond to perceived anti-Israel activism.

Process of Divestment

The UC Berkeley Foundation has its own [official guidelines for divestment](#). According to these guidelines, the UC Berkeley Foundation may consider divesting the endowment from a "clearly defined group of like companies" if all of the following criteria are met:

1. The company's action or inaction is directly causing social injury, or is violating national or international law;
2. Concern about the company's behavior is broadly and consistently held within the campus community; divestment is not likely to cause deep rifts, reduce free and open debate, or otherwise affect Berkeley's ability to carry out its mission;
3. Divestment will clearly diminish the social injury in question;
4. The Trustees have exhausted other practicable avenues, including the exercise of appropriate shareholder rights, to effect a change in the company's behavior, or have determined that pursuing such avenues would likely be unproductive;
5. The company has been given the opportunity to change its behavior, and has failed to do so in a way that meaningfully reduces the social injury.

Anyone at UC Berkeley can raise the issue of divestment with the ESG Committee of the Foundation. *If* the Foundation agrees to look into the issue, the following legal process is triggered:

- The ESG Committee consults with the Chancellor's Office, the Academic Senate and the ASUC to establish a task force to further look into the issue.
- *If* the task force recommends divestment *and if* the ESG Subcommittee concurs, the recommendation is forwarded to the Foundation's Executive Committee.
- *If* the Executive Committee concurs, then the recommendation is presented to the full Board of Trustees for discussion and vote.

According to the Foundation's guidelines, divestment-related actions would specifically include:

- Divestment of direct investments of a company or group of companies
- Divestment of investment in derivatives based on those securities
- Suspension of further investment in that company
- In the case of commingled funds, discussions with the fund managers.

Notice this last point in particular: divesting commingled funds entails nothing more than a "discussion," and non-commingled indirect holdings, such as index and mutual funds, are not even mentioned. Only for direct investments does "divestment" imply anything of substance. So, as indirect investments make up most of the portfolio, the official divestment process is thereby neutralized: even if all the layers of committees, advisors and trustees voted to "divest," the amount of money actually changing course could be very meager. "commingled funds" can

Board of Regents

The [Board of Regents](#) is the highest governing body of the UC. The Regents set student tuition, approve campus developments, set the budget for the entire UC system, [control](#) the University's investments, and [supervise](#) the making of contracts between the UC and private companies. The Board of Regents is the ultimate decision-making authority, over and above the President and Chancellors—whom it can hire or fire—and the Academic Senate.

For instance, the Board specifically reserves the following [rights and powers](#):

- Approving the University budget and requests for state appropriations
- Approving the annual budget for the Office of the President
- Appointing, demoting or dismissing [and approving compensation for] the President of the University, Chancellors, the Lawrence Berkeley National Laboratory Director and the Principal Officers of the Regents

The UC Board of Regents has [26 voting members](#):

- 18 Regents appointed by the governor of California.
 - The UC can advocate for prospective Board members. It is common for UC Regents appointees to donate generously to the Governor's election campaigns. [cite]
- 1 student Regent selected by the Board on a yearly basis to represent UC students.
- 7 *ex officio* members
 - President of the UC [Michael Drake]
 - President & Vice President of the Alumni Associations [Joel Raznick, Keith Ellis]
 - State Superintendent of Public Instruction [Tony Thurmond]
 - Speaker of the California State Assembly [Robert Rivas]
 - California Governor and Lieutenant Governor [Gavin Newsom, Eleni Kounalakis]
- The Board also has two non-voting faculty reps and two non-voting Staff Advisors.

The Chief Investment Officer (CIO) is one of the Principal Officers of the Board of Regents. The CIO "serves as the chief University official having charge of all investment matters pertaining to the Corporation and University," and "oversees the acquisition, management and disposition of all assets held for investment purposes." See the [UC Investments Office](#) section.

JANET REILLY, Chair, is married to [Clint Reilly](#), a commercial real estate, hospitality and media executive who, until the mid-1990s, worked as a powerful political consultant. As a political consultant, Clint Reilly worked on numerous successful campaigns for Democratic candidates (including Nancy Pelosi, Dianne Feinstein, and Barbara Boxer). He was [campaign chair](#) of Kathleen Brown's (Jerry Brown's sister) unsuccessful 1994 run for Governor of California. Later in 1999, Clint Reilly mounted his own [failed run](#) for mayor of San Francisco. His wholly owned real estate portfolio includes five office buildings in the Financial District and Jackson Square, as well as the historic Julia Morgan Ballroom and Merchants Exchange Club event venues. Reilly's [media holdings](#) include the 156-year old San Francisco Examiner, the SF Weekly and Nob Hill Gazette. In November 2023, the Reilly's [co-hosted a fundraiser for Joe Biden](#) with Governor Gavin Newsom.

MARIA ANGUIANO, Vice Chair, is Executive Vice President of Arizona State University's Learning Enterprise. Previously, she was Vice Chancellor of Planning & Budget at UC Riverside where she managed their \$800 million budget. Anguiano has served as the chief financial officer for the for-profit college/ed-tech capital venture startup [Minerva Project](#), held a senior advisory role at the Bill and Melinda Gates Foundation, and held finance roles at Barclays Capital and Deloitte. In 2020, while Anguiano was a Regent, the Minerva Project announced a [partnership with Berkeley Law](#). The Bill and Melinda Gates Foundation has spent [billions of dollars on failed initiatives](#) to reform public education, including [breaking up large schools, implementing Common Core standards, and evaluating teachers by standardized test scores](#). Anguiano is on the Board of the KIPP Foundation, which manages a network of charter schools. KIPP schools have been the subject of [multiple sexual misconduct investigations](#). In 2022, it was revealed that KIPP's director of technology had [embezzled \\$2.2 million](#) which he spent on cars and sports memorabilia which was intended for laptops and other equipment.

RICHARD LIEB is what one may call a jack of all trades and a master of none. He has worked for a business consulting firm, for a liquid waste recycling facility, for a debt underwriting group, as a political staffer, and as a political fundraiser. In high school, he scored in the [top 2%](#) of the math and English SAT achievement tests and earned a 3.4 GPA. After graduating from UC Santa Barbara, he [worked on Governor Brown's 1980 unsuccessful presidential campaign](#). He ran unsuccessfully for Santa Barbara City Council in a race where he [was accused of being a carpetbagger](#) because he moved into the City of Santa Barbara from nearby Goleta. His background includes serving as [vice president at Lockheed Martin LMS](#) for two years. He also has served as a [director of Green Dot Public Schools](#), a company that operates charter schools. For context, one of the main criticisms of charter schools is that they divert public funds away from

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SOURCE: THE ELLIOTT IS A PART OF UC SACRAMENTO ADVOCATES, LLC, A CALIFORNIA lobbying firm. [Clients](#) of Sacramento Advocates include Israeli company Teva Pharmaceuticals, which is listed as a pressure target by the BDS National Committee. His [area of expertise](#) is in advising on the state budget (which also partially funds the University of California system). He previously served in several high-ranking positions in the California state government, including in Governor Brown's cabinet. In 2014, it was [reported](#) that Gareth Elliott (California Legislative Secretary at the time), California Secretary of Labor David Lanier, and other employees appointed by Governor Brown violated state law and the governor's own conflict of interest policy by failing to turn over complete and accurate financial disclosure records.

MICHAEL COHEN is the CFO and Interim Chief Operating Investment Officer of CalPERS, the largest public pension fund in the United States. According to their [2022-23 annual investment report](#), CalPERS owns \$829,281,590 in securities issued by the Bank of Israel. The University of California's retirement plan (UCRP) has a [reciprocal retirement agreement](#) with CalPERS. For context, a reciprocity agreement allows employees to combine service credit and compensation from both plans. Moreover, Cohen and Gareth Elliott both spent time together from 2013-15 in Governor Brown's cabinet, where Cohen was Director of Finance.

HOWARD "PETER" GRUBER is the CEO of the Mandalay Entertainment Group, which produces films, television series, and sports entertainment. He is also co-owner of the Golden State Warriors, the Los Angeles Dodgers, and Los Angeles FC.

NANCY LEE is the Chief of Staff to Robert A. Iger, CEO of The Walt Disney Company. She is also the Executive Vice President of Disney's International Business Operations.

JOHN A. PEREZ served as the speaker of the California Assembly from 2010-14. However, it is not clear what Perez has been up to for the past decade other than being a Regent (he was [first appointed](#) as a Regent in 2014 and his [term expires](#) in 2036). His [most recent electoral campaign](#) was in 2014 for State Controller, where he finished in third. In 2011, Perez was [caught having lied](#) about earning a degree from UC Berkeley, when in fact he had dropped out and never returned. In 2013, Perez dated Tyler Cassidy, a defendant in a 2009 lawsuit that contends he and his family looted millions of dollars from trust accounts and insurance policies that were supposed to be set aside to pay for people's funerals. Cassidy's father and brother were indicted, while Cassidy himself did not get charged with any crimes. According to Perez's spokesperson, Perez [was made aware](#) of the investigation of Cassidy sometime after they started dating. Despite this, he introduced Cassidy to foreign dignitaries in Israel and the United Kingdom, and he accepted a \$1,000 political donation from Cassidy. Perez has [visited Israel multiple times](#) and [participated](#) in JPAC's Legislators' Trips to Israel in 2008 and 2011. In a recent [Politico interview](#), Perez criticized student protests and acts of solidarity with Gaza as "targeting Jewish students because of their identities." We students reply that John Perez should get a job.

MARK ROBINSON is a [partner at Centerview Partners](#), a leading global investment banking firm, where he primarily advises pharmaceutical, biotechnology, and medical device companies. He [previously was](#) co-chair on the advisory board to the UC Berkeley College of Letters & Science and a trustee for the UC Berkeley Foundation. Yoel Cohen, the former director of Mossad, was [appointed a Senior Advisor](#) of Centerview Partners in 2021.

RICHARD SHERMAN has been the [CEO of the David Geffen Company](#), an investment management firm, since 1992. During the late '90s, David Geffen [was an investor](#) in Digital Entertainment Network, which was founded by convicted sex offender and child molester Marc Collins-Rector. Sherman is on the board of [DreamWorks Animation](#), the Geffen Playhouse, and the David Geffen Foundation. [David Geffen](#) himself is a co-founder of Asylum Records, Geffen Records, DGC Records, and DreamWorks Animation. Geffen is also a [major donor](#) to the University of California (the Geffen Playhouse and Geffen School of Medicine at UCLA are named after him). In 2021, Geffen [funded](#) the construction of a new auditorium in the National Library of Israel. David Geffen was also named in a 2007 [leaked list](#) of potential donors to Netanyahu's campaign.

JONATHAN "JAY" SURES is Vice Chairman and Managing Director of United Talent Agency (UTA). Susan Sarandon, an Academy Award-winning actress, was [dropped by UTA](#) in November 2023 for being critical of the Israeli occupation and genocide. Sures is also the [Chair of the Board of Governors](#) of Lawrence Livermore National Laboratory. Sures has been Chair of the Board of Directors of Triad National Security, which is the governing body of Los Alamos National Laboratory, [since December 2023](#). Both laboratories are primarily responsible for the development and security of the U.S. nuclear stockpile. In January 2024, Sures pushed a [policy](#) that would ban political statements by faculty members on university websites. At the January 2024 Regents meeting, Regent Hadi Makarechian [noted](#) that the policy was brought "because some people were making political statements related to Hamas and the Palestinians." Sures responded by acknowledging that "there was an abuse of the websites and there was not a defined policy in place." If you're confused as to why a Hollywood talent manager is leading two national laboratories in charge of nuclear weapons and is setting policies on academic freedom in universities, then just know that so are we.

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[HUC](#), a space technology company that has contracts with NASA and the Department of Defense, from 2011 to 2012. He was Program Manager, Group Leader and Engineer at Lawrence Livermore National Laboratory from 1985 to 2001. In 2011, Hernandez [unsuccessfully ran](#) as a Democratic candidate to represent California's 10th Congressional District. During his Congressional [campaign](#), he was [criticized for a tax lien](#) imposed by the IRS in 2010 but only paid in 2012.

HADI MAKARECHIAN was founder and Chairman of the board of Makar Properties, overseeing multi-billion dollar commercial, hospitality and land development projects across the United States, [from 2000 to 2008](#). From 1991 to 2008, he was founder, Chief Executive Officer and Chairman of the Board of Capital Pacific Holdings, a developer and home builder that built, sold, and financed over 60,000 high-end homes across California, Arizona, Texas and Nevada. He was first appointed as a Regent in 2008 by Governor Arnold Schwarzenegger, and his current term expires in 2032. In 2010, it was [reported](#) that Makarechian had donated more than \$314,000 to Gov. Arnold Schwarzenegger since 2003 and nearly \$175,000 to ballot measures backed by the GOP governor. Makarechian's contributions to Schwarzenegger included a \$78,800 contribution to his initial campaign for governor in 2003, \$125,000 to Schwarzenegger's California Recovery Team and \$150,000 to Citizens to Save California, the 2005 committee created by the GOP to pass Propositions 74, 76 and 77. All three were rejected by voters. In 2004, it was [reported](#) that Capital Pacific Holdings was one of the top 25 donors to Governor Schwarzenegger while Makarechian was CEO. In 2010, Capital Pacific Holdings was an [investor](#) in the State of California's controversial \$2.3 billion sale of 11 state office buildings. In fact, Regent Michael Cohen (then a Deputy Legislative Analyst for the Legislative Analyst's Office) [described the deal](#) as "poor fiscal policy and represented one imperfect option among many for balancing the state's budget."

ANA MATOSANTOS served as Director of the California Department of Finance in both the Brown and Schwarzenegger administrations. In 2011, Matosantos [oversaw the slashing](#) of hundreds of millions of dollars in spending on public education, including the University of California. In 2010, Matosantos [described](#) a proposal to divest CalPERS and CalSTRS from Israel as "inconsistent with systems' fiduciary obligations." In August 2016, she was appointed by President Obama to serve on the seven-member Puerto Rico Oversight, Management and Economic Stability Board, also known as "La Junta" in Puerto Rico. The Board has been [relentless in defending the public sector](#) in the form of cuts to health care, public pensions, and the public university and dismantling the fragile social safety net of the island. Despite being imposed by Congress and its members being appointed by the federal government, La Junta is not part of the federal government and is instead an independent entity within the Puerto Rican government. This means that all of its expenses, which [exceed \\$1 billion](#) in legal and financial advisors fees alone, are covered by Puerto Rican taxpayers. In 2019, thirteen members of the United States Congress including Alexandria Ocasio-Cortez and Bernie Sanders [signed a letter](#) that demanded that the Board disclose its conflicts of interest.

ELAINE BATCHELOR is a rheumatologist and has been [CEO](#) of Martin Luther King Jr. Community Hospital since 2012. The MLK Hospital was recently in [financial jeopardy](#) due to inflation, rising labor expenses and a significant influx of patients (four times the initial projections). Previously, she was Chief Medical Officer of L.A. Care Health Plan, the nation's largest publicly operated health plan. In March 2022, LA Care was [fined](#) \$55 million by the California Department of Managed Health Care and the California Department of Health Care Services for ["deep-rooted, systemic failures that threaten the health and safety of its members."](#) Batchlor [has also served](#) as a vice president at the California Health Care Foundation, medical director for the Los Angeles County Office of Managed Care, chief medical officer for Prudential Health Care and clinical instructor at the UCLA David Geffen School of Medicine.

CARMEN CHU has been the City Administrator for the City and County of San Francisco since 2021, overseeing an annual budget of nearly three-quarters of a billion dollars. Previously, she was the Assessor-Recorder of San Francisco from 2013 to 2021. She served on the San Francisco Board of Supervisors (2007-13) while Governor Gavin Newsom was Mayor of San Francisco (2004-11). It appears that she has never been affiliated with any political scandals, which is especially remarkable considering that she has worked for so long in a city administration rife with them.

LARK PARK is the Director of the California Education Learning Lab in the Governor's Office of Planning and Research. She previously served as a senior policy advisor in the Office of Governor Jerry Brown, where she has worked on higher education, workforce and childcare/early learning issues since 2015. From 2011 to 2015, she served as a deputy legislative affairs secretary in the Governor's Office, focusing on health and human services issues. Prior to that, she was a consultant to the California State Senate's Committee on Human Services from 2009 to 2011 and the Committee on Health from 2005 to 2009. In 2000, she was editor of equity research at W.R. Hambrecht and Co., an investment bank. Regent Park was a [consultant](#) at Booz Allen Hamilton, a military contractor specializing in intelligence, from 1995 to 1997. During the January 2024 Regents Meeting, Regent Sures proposed a policy that would prohibit faculty from publishing political statements on university webpages. Regent Park [expressed support for the action and said](#), "I do not think it is unreasonable to remind people that there are guardrails and a professional context in the exercise of [the university's tripartite mission of research, teaching, and service]."

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THIS VERY PROHIBITIVE POLICY, THE POLICY FOR THIS ENGAGEMENT, WAS INTRODUCED TO THE tribe by Station Casinos of Las Vegas. With benefits, Sarris made [more than \\$200,000](#) a year at Sonoma State. In April 2003, the Federated Indians of Graton Rancheria announced it had selected Station Casinos to be its partner in developing a casino on its reservation. The casino [opened](#) in 2013 and has been wildly successful (it is among the 5 most successful Indian casinos in the nation) as the closest casino to San Francisco. In 2022, the tribe announced plans for a massive, [\\$1 billion expansion](#) that will almost double its gaming floor and make the Graton Resort & Casino the [second-largest casino in California](#). Interestingly, Regent Sarris' Native American roots have been called into question, since he was raised in a white adoptive family and only came to know of his Indian heritage [in his early 30's](#). His unwed, 16-year-old Jewish mother died less than two weeks after he was born. Only decades later, [through his own research](#), did he learn (through looking at his mother's high school yearbook) that his father was Emilio Hilario, who was part-Filipino, part-Indian descended from Native Americans who inhabited Marin and Sonoma counties. Hilario was deceased at the time that Sarris learned that he was his biological father. He [has not taken a DNA test](#), claiming that his tribe would have to approve such a step. Sarris' second cousin from his biological father's side has also [publicly accused](#) him of lying about his Indian heritage. All that said, proving/disproving Native American ancestry is a complicated subject with numerous political and historical factors at play. Sarris has been a vocal advocate for indigenous and undocumented students in the Board of Regents.

MERHAWI TESFAL is the 2023-24 Student Regent. He is a graduate student at UCLA studying social welfare. Regent Tesfal was born in Eritrea and immigrated to the United States as a child. He is a first-generation transfer student. He previously worked at the Venice Family Clinic where he assisted unhoused patients access Medi-Cal benefits. He also has worked at Venice Community Housing assisting clients in supportive and transitional housing. He served as a counseling intern at CRI-Help Residential Treatment Center and Helpful Hands Intensive Outpatient Program where he facilitated individual and group counseling sessions. He expressed [weak disapproval](#) of Regent Sures' January 2024 [proposal](#) to prohibit faculty from publishing political statements on university websites.

JOSIAH BEHARRY is the 2023-24 Student Regent-designate. He is pursuing a Ph.D. in Interdisciplinary Humanities at UC Merced, where he studies liberatory pedagogy, decolonizing curriculum, and trauma-rooted healing. He is a first-generation student and immigrated from Trinidad during his childhood. He was a mentor and aided in developing the Gateway Scholars program at UC Merced's Bright Student Success Center. He has been involved in organizations such as Central Valley Pride Center, ACLU, UCLA Dream Summer, and APALA National. He expressed [strong disapproval](#) of Regent Sures' January 2024 proposal to prohibit faculty from publishing political statements on university websites.

KEITH ELLIS is the 2023-24 Alumni Regent. He is a vocal advocate for people with disabilities and Vice President of the Alumni Associations of the University of California (AAUC). He currently serves as a Procurement Analyst for the California Department of Rehabilitation where he supports Californians with disabilities. Previously, he worked in disability services at Folsom Lake and Cosumnes River Colleges. In addition to having served on several shared governance committees at Los Rios Community College District, he also served as a campus representative for the Los Rios Classified Employees Association. He has previously served as the Legislative Advocacy Committee Chair for the California Association for Postsecondary Education and Disability (CAPEED). He currently serves on the California Assistive Technology Advisory Commission providing oversight for the implementation of the Assistive Technology Act. He is also legally blind and is usually accompanied by a guide dog named Bubba. In January 2024, Regent Sures proposed restricting faculty from using some university websites to make opinionated and political statements. Regent Ellis said he was concerned that the policy could be used ["as a weapon"](#) against faculty.

JOEL RAZNICK is the 2023-24 Alumni Regent. He is the President and CEO of Undivided, a strategic brand planning and marketing firm that has worked with companies like JPMorgan and Chase & Co. He is also Chief Communications Officer at NEFT Vodka. He is a past president of the UC Santa Barbara Foundation Alumni Board of Directors, and has been a UC Santa Barbara Foundation Trustee since 2019. He is currently the President of the Alumni Associations of the University of California (AAUC).

GEOFFREY PACK is a 2023-24 Alumni Regent-designate and a retired naval officer. His naval career included command of a destroyer, a hovercraft facility, and a squadron of logistics ships, all operating in the Indo-Pacific region. He also served four US ambassadors as Defense Attaché to Denmark and Naval Attaché to Lithuania. He was awarded an honorary knighthood by Queen Margrethe for his contribution to Danish and US security cooperation. He later worked in local government for the City of San Diego in positions including emergency management and violence prevention. In 2014, Regent Pack [was the](#) Supervising Preparedness and Response Officer for the San Diego Department of Homeland Security, which is [funded](#) by the federal Department of Homeland Security. He currently serves as the Secretary-Treasurer of the UC Riverside Alumni Association (UCRAA), where he has served on the Board of Directors for the past six years. He is currently the Treasurer of the Alumni Associations of the University of California (AAUC).

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MEMBER OF THE UC BERKELEY FOUNDATION BOARD OF TRUSTEES. HE SERVED AS THE Acting-Under Secretary for the California Technology Trade and Commerce for Governor Gray Davis. Salazar served as director of the Los Angeles Business Team in the Office of the Mayor Richard Riordan. He also served in various positions in economic development for the City of Los Angeles, including senior business representative, acting director of the U.S. Department of Commerce Economic Development Administration's Infrastructure Grant Program; and coordinator for the Minority Business Opportunity Committee. While a student at UC Berkeley, he [served](#) on a University Task Force advocating for the establishment of an Ethnic Studies requirement (American Cultures).

GAVIN NEWSOM, ex-officio, is the Governor of California. He was lieutenant governor of California from 2011 to 2019 and the Mayor of San Francisco from 2004 to 2011. In March 2024, Newsom wrote a [letter](#) addressed to California's Muslim, Palestinian American, and Arab American communities, saying "I support President Biden's call for an immediate ceasefire as part of a deal to secure desperately needed relief for Gaza civilians and the release of hostages...I also unequivocally denounce Hamas's terrorist attack against Israel." He has fallen short of demanding a permanent ceasefire, instead just echoing the White House's position. In late November, Newsom [chastised](#) the Oakland City Council for passing a resolution calling for a ceasefire in Gaza without condemning Hamas. When the California Department of Education released a draft curriculum for high school ethnic studies classes in 2019 that had mentions of BDS it drew a wave of conservative and moderate backlash. Newsom [later said](#) the draft "will never see the light of day...It was offensive in so many ways." Newsom has long touted the relationship between Israel and California. Following the October 7 attacks, he announced a [surprise trip](#) to Israel to meet with the families of hostages.

ELENI KOUNALAKIS, ex-officio, has been serving as the lieutenant Governor of California since 2019 and is a candidate for Governor in the 2026 election. From 2010-13, she was the U.S. Ambassador to Hungary. She is the daughter of Angelo Tsakopoulos, a Sacramento developer. According to the Panaradian Federation of America, Tsakopoulos is "[one of the richest Greeks of America](#)." Prior to 2009, Kounalakis was President of AKT Development Corporation, her father's real estate firm. Kounalakis served for nearly ten years as a [Trustee](#) of the World Council of Religions for Peace. Kounalakis was [appointed](#) in 2014 by Governor Jerry Brown to serve as the chair of the California Advisory Council for International Trade and Investment. She has been [strongly critical](#) of the pro-Palestinian protests on UC and CSU campuses. On October 15, 2023, she [participated](#) in a pro-Israel rally in Los Angeles and held a sign that said "I stand with Israel". In 2021, she participated in a [panel discussion](#) with the Israeli Deputy Foreign Minister and the CEO of the Israel Innovation Authority on "the future of California's economic relationship with Israel and what can be done to ensure it continues to flourish."

ROBERT RIVAS, ex-officio, is currently serving as speaker of the California State Assembly. On January 4, 2024, he was [dimissive](#) of Jewish Voice for Peace's protest at a California legislative session. On October 7, 2024, he [condemned](#) Hamas' attack in Israel. However, he has not made any public statements on the conflict or genocide since then. He was raised in farmworker housing and his [grandfather](#), Servando Flores, was a migrant farmworker who fought alongside Cesar Chavez and Dolores Huerta to deliver important labor protections for fellow farmworkers.

TONY THURMOND, ex-officio, is the State Superintendent of Public Instruction. He is a candidate for Governor of California in 2026. He previously represented the 15th Assembly district at the State Assembly from 2014 to 2018. Thurmond is the second African American to hold the office of Superintendent. He has been involved in nonprofit and social work focused on improving service provision to current and former foster youth and directing educational programs that provided job training to at-risk youth in the East Bay. When the California Department of Education released a draft [curriculum](#) for high school ethnic studies classes in 2019 that had mentions of BDS, Thurmond was [critical](#) of the proposal and [said](#) in a meeting that there were problems with the creation of the group responsible for developing the ethnic studies curriculum that allowed it to be politicized. Later, the curriculum was scrapped for a new one that did not mention BDS.

MICHAEL V. DRAKE, M.D, ex-officio, has been president of the University of California since 2020. From 2014 to June 2020, he was the president of The Ohio State University. From 2005 to 2014, Drake was the Chancellor of UC Irvine. In 2007, Drake made the controversial decision to fire Erwin Chemerinsky (then Dean of UCI Law School). Many have [speculated](#) that this was due to Chemerinsky making numerous public statements and appearances pertaining to his progressive stances (including reforming the state's "three strikes" law and judicial review for detainees held at Guantanamo Bay). It's widely assumed that political pressure from the right led the chancellor to withdraw the offer. Drake expressed [support](#) for the UCLA administration following their decision to call the police on protesters at a pro-Palestinian encampment. At a Regents meeting on November 15, 2023, Dr. Drake announced an [initiative](#) aimed at "university policies [related to the conflict in the Middle East] are supportive, preventative and viewpoint-neutral."

UC campuses

Each campus has a Chancellor. The Chancellors are appointed by the Regents, and are **charged** with serving "as the executive heads of their respective campuses, implementing the policies and objectives of the Board and of the President of the University" (emphasis added). Chancellors set the policies and internal administration of their respective campuses, "within the budget and policies approved by the Board and/or the President of the University."

The University also has 11 "[legally separate, tax-exempt, affiliated foundations](#)," one for each campus and LBNL. Each Foundation is a nonprofit organization primarily concerned with fundraising for its campus, managing the endowment, and advising the chancellor. Foundations are headed by either a Board of Trustees or a Board of Directors, elected by a [committee](#) of board members. Almost all philanthropic donations go through this Board.



The [Chancellor's Cabinet](#) is "the campus' topmost administrative committee," advising and receiving assignments from the Chancellor on such sectors as campus capital projects, finances, alumni relations, undergraduate and graduate affairs, and government and community relations.^[8] For instance, the Vice Chancellor for [University Development and Alumni Relations \(UDAR\)](#) reports to the Chancellor through the Cabinet. UDAR encompasses and staffs the UC Berkeley Foundation.

Below the Chancellor is the [Executive Vice Chancellor and Provost \(EVCVP\)](#)—the Chancellor's "leading senior executive responsible for UC Berkeley's day-to-day operations," (EVC) and the "chief academic officer, responsible for the [implementation] of all academic programs" (Provost). At UC Berkeley these are combined into one joint position. The EVCVP oversees faculty recruitment, appointments, retention, and promotion. Planning education programs for both undergraduate and graduate students is done "in partnership with" the Academic Senate.

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Board of Visitors

The Board of Visitors is a group of 18-24 people external to the UC who act as an advisory board (on such things as campus developments and capital projects) to the Chancellor and other campus leadership. It also interfaces with the UC Berkeley Foundation; the chair of the Foundation is a voting member of the Visitors.

UC Berkeley Foundation committees

We introduced the Berkeley Foundation in a [section above](#). Here we'll just point out a few key Foundation committees and their function; a more complete list can be found [here](#).

- **Executive Committee**
 - Can act on behalf of the Board of Trustees on matters that arise between Board meetings. Reviews the general endowment pool spending & payout policy, i.e. how much of the endowment is to be reinvested as capital versus how much can be "paid out" and spent on university functions.
- **Environmental, Social and Governance (ESG) Subcommittee**
 - Broadly speaking, ESG is an approach to investment seeking to take account of companies' environmental, social, and governance impact into investment decisions. Evidence that the ESG industry is anything more than a ruling-class charade is radically scarce.
 - The Berkeley Foundation [ESG subcommittee](#)'s stated purpose is to help integrate ESG factors into the Foundation's investment management. The subcommittee makes recommendations to the Executive Committee and recommends what instructions should be given to BEMCO.
 - Importantly, if ever the UC Berkeley Foundation decides to initiate a [divestment task force](#) or investigation, the ESG subcommittee is the first layer that must approve the task force's findings. More on this in the [above section](#) on the Foundation's divestment process.
- **Capital Strategies Committee**
 - A joint committee between Board of Visitors & Foundation to advise the Chancellor on matters relating to campus commercial income producing properties, land use, housing and other real estate investments
- **Research Committee**
 - Joint Board of Visitors and Foundation committee that advises on major research initiatives and considers intellectual property, innovation and application of research to address societal needs.

Research funding administration at UC Berkeley

There are [quite a few](#) administrative offices at UC Berkeley involved in processing awards and institutional partnerships. Two of them, the SFO and LAO/IPIRA, seemed most central and relevant for our purposes.

- **Sponsored Projects Office (SPO)**
 - Negotiates, accepts and supervises contracts and grants with not-for-profit sources. These include:
 - Federal agencies: DOE, DOD, DHHS and NIH, NSF, NOAA, NASA, EPA, the State Department, others.
 - Non-Federal agencies: state and local governments, foreign governments, UC-funded programs, foundations, nonprofits and NGOs.
- **Office of Intellectual Property and Industry Alliances (IPIRA)** has two branches.
 - **Industry Alliances Office (IAO)**: handles industry-sponsored research grants and partnerships.
 - Processes awards from for-profit organizations and industry.
 - Handles industry contracts and grants with international partners.
 - Manages *incoming* material transfer agreements (MTAs).
 - Manages *Small Business Innovation or Small Business Technology Transfer (SBIR/STTR) awards*.
 - **Office of Technology Licensing (OTL)**: manages outgoing MTAs, i.e. transfers of research materials from Berkeley to industry.

A meeting of the University Partnership Program (campus-level business partnerships such as those with BMO Bank, Peet's Coffee and PepsiCo).

iv. UC Research: Grants, Contracts & Partnerships

The term "[sponsored project](#)" describes any arrangement in which the university produces something (usually research) that is of public value or has a direct benefit to the sponsor. This includes grants, cooperative agreements, all manner of contracts, memoranda of understanding ([MOUs](#)), material transfer agreements ([MTAs](#)), whereby research materials are exchanged between two organizations), and industry affiliate programs.

UC Single-Audit Report

The most comprehensive documents we were able to find on the UC's sponsored projects were the Single Audit Reports (SARs), which can be found in the Federal Audit Clearinghouse. Here we look at the [FY2023 Report](#).

The UC is required to complete annual SARs in compliance with the Single Audit Act. SARs include an audit of both the UC's financial statements and its compliance with Federal award requirements. We can use SARs to track all the federal funds that go to or through the UC (see the "[Schedule of Expenditures of Federal Awards](#)" beginning on page 108). These data should include all awards coming from the Pentagon into or through the UC. This category excludes contracts/grants from private defense companies, unless the private entity is acting as a pass-through for Pentagon funds (which is common).

Our findings on the UC's investments, discussed in [section II](#) above, are based on documents published by the UC Investments Office. Somewhat frustratingly, the figures described in the SAR don't match up with those in the UC Investments Office's documents; the auditor and the UC seem to "bin" the pots of money in different ways.^[1] We assume these discrepancies are simply due to different accounting practices. However, we were not able to decipher the precise correspondence between figures in the Investments Office reports and figures in the SAR. Therefore, when it comes to investments, we base our discussion on the UC Investments documents, hope that these are accurate, and leave it as an exercise for readers with more sophisticated accounting backgrounds to reconcile the two sets of data.

Schedule of Expenditures of Federal Awards

The 2023 SAR includes a table titled "Schedule of Federal Expenditures," which has a column labeled "Direct Funding/Pass Through." Here's what this category means:

- **Direct Funding:** The UC received these funds directly from the federal government—in our case specifically the Department of Defense—without any intermediaries
- **Pass-Through Fundings:** These funds were initially awarded by the federal government to another entity and are subsequently passed onto the UC. The UC then allocates these funds but it is *not* the initial recipient. The original receiving entity is responsible for complying with regulations prior to it reaching the UC.
- In some cases, the UC will choose to pass on part of the grant to other sub-recipients. This is what the final column, "**Funds Passed Through to Subrecipients**," signifies.

We parsed through the Schedule of Expenditures for FY2023: here is the full schedule, formatted as a [more easily searchable spreadsheet](#).^[10] The entries we selected from the Schedule of Expenditures are broken down in [this spreadsheet](#).

We identified awards and contracts as "DOD-sponsored" if Agency or Pass-Through Entity was listed as either the Air Force, Navy, or Other DOD category. These include "direct" funds from DOD sub-agencies as well as "pass-through" funds which originate in the DOD but came to the UC through an intermediary entity. Subtracting the funds that the UC then chose to pass through to a different sub-recipients, we obtain the following Gross and Net amounts for each category:

	Gross	Net	UC passed through to sub-recipients
Air Force	\$41,871,575	\$33,310,049	\$8,561,526
Navy	\$2,730,322	\$1,009,527	\$1,720,795
Other DoD	\$271,926,166	\$231,865,225	\$40,060,941

and the current genocide of Palestinians by the Israeli government while also providing research and development funding to the UC system. A few of such organizations are highlighted below.

	Gross	Net	UC passed through to sub-recipients
Department of Homeland Security	\$1,222,990	\$962,072	\$260,918
Hebrew University of Jerusalem	\$538,334	\$538,334	\$0
Lockheed Martin	\$29,525	\$29,525	\$0
Northrop Grumman	\$193,550	\$193,550	\$0
Battelle	\$2,926,149	\$2,926,149	\$0
Triad National Security	\$1,125,211	\$1,125,211	\$0

Battelle Memorial Institute (or simply Battelle) is a private nonprofit that manages or co-manages 10 national Department of Energy (DoE) laboratories, as well as the National Biodefense Analysis and Countermeasures Center on behalf of the Department of Homeland Security.

Triad National Security, LLC is equally owned by the Battelle Memorial Institute, the Texas A&M University System, and the University of California. Its primary mission is to contribute to national security by overseeing scientific research and operations at Los Alamos National Laboratory, which is primarily focused on nuclear stockpile stewardship.

Grants and contracts

For years, the University of California's Information Center had published the sponsors of contracts and grants it received going back to 2005 [here](#). However, sometime around late 2024, the university removed its sponsored projects dashboard and all its historical sponsorship data with it. The authors of this report had already reviewed and saved some of the data from the UC's sponsored project dashboard before it was removed. It is an extraordinary coincidence that the UC decided to remove this information from their websites just as they were facing increasing scrutiny for their ties to weapons manufacturers and the genocide in Palestine.

The sponsorship data going back to 2005 indicates that UC campuses have received funds from the Government of Israel, the Israeli Ministry of Defense, and several companies and foundations (described below) in the U.S military industrial complex. The following table lists how much money the University of California has received from these sources, among others, from 2005 to 2023.

The [US-Israel Binational Science Foundation](#) (BSF) promotes scientific relations between the U.S. and Israel by supporting collaborative research projects in a wide area of basic and applied scientific fields. Its core program supports approximately 100 projects each year based on joint applications by US and Israeli researchers, with funding directed to both US and Israeli investigators on binational research teams. The BSF has provided over \$12 million in grants to the University of California since 2005.

The [US-Israel Binational Agricultural Research and Development Fund](#) (BARD) helps US and Israeli scientists address agricultural challenges of concern to both countries. California is BARD's largest US partner with 302 grants awarded through 2019. Funded California institutions include nine campuses of the University of California, Stanford University, Carnegie Institute of Washington-Stanford, Scripps Research Institute, California State University, Caltech, and the USDA Forest Service, with the top three awardees being UC Davis, UC Riverside, and UC Berkeley.

Chevron and Hewlett Packard (HP) are both [listed as boycott targets](#) by the Palestinian BDS National Committee (BNC). Intel and Chevron are both listed as divestment targets by the BNC. Teva Pharmaceutical Industries (Teva) is listed as a pressure target by the BNC. Lockheed Martin, Honeywell, and Raytheon are military contractors that have all historically serviced the Israeli military.

Table: UC Sponsors of Contracts and Grants

	Israel Govt. of Israel	Israel Ministry of Defense	U.S Israel BSF	U.S Israel BARD	Chevron	Honeywell	HP	Intel	Lockheed Martin	Raytheon
2005-06	-	-	369,021	281,000	557,157	269,061	4,054,349	3,324,851	1,561,205	1,209,8

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2009-10	300,000	-	510,952	433,000	994,663	335,994	1,583,878	4,308,265	1,705,111	2,291,511
2010-11	100,000	-	379,274	512,596	7,034,807	159,409	529,470	6,379,588	2,034,913	588,813
2011-12	841,521	-	546,435	328,000	949,841	432,757	338,800	8,084,832	1,114,713	754,511
2012-13	100,000	169,000	592,095	412,000	4,379,209	666,310	3,212,887	2,893,642	780,897	552,111
2013-14	344,240	-	626,185	814,316	4,369,626	687,248	125,000	2,648,137	134,753	696,711
2014-15	431,520	150,000	848,361	160,000	5,291,687	1,003,633	50,000	5,046,601	741,479	554,811
2015-16	250,000	99,960	685,465	854,000	4,520,665	645,000	785,000	11,227,322	549,951	-
2016-17	250,000	100,000	1,231,249	481,500	1,589,000	1,463,032	60,000	7,964,094	2,819,414	289,911
2017-18	200,000	400,209	574,471	314,008	1,613,000	1,282,272	131,361	7,563,048	1,963,380	-
2018-19	159,904	-	666,064	660,000	3,449,004	427,468	-	4,291,161	290,596	-
2019-20	300,000	-	1,104,464	426,800	1,720,184	892,440	1,039,949	12,270,803	130,000	-
2020-21	140,000	146,090	1,107,422	530,508	439,727	158,492	50,000	7,204,564	528,870	209,011
2021-22	70,000	153,909	990,662	1,418,500	3,470,197	-	-	5,838,876	143,392	120,011
2022-23	-	-	925,162	1,148,400	1,073,131	-	-	5,280,273	280,807	314,011
2005-23	\$3,487,185	\$1,219,168	\$12,833,511	\$11,071,901	\$49,559,022	\$10,639,311	\$17,840,339	\$109,247,972	\$18,006,331	\$9,825,111

Snapshot of a year: DOD funding for UC research

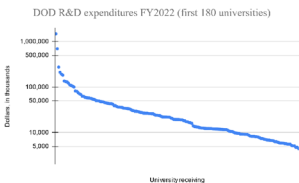
Here we give an example of the picture that one can try to stitch together from different, incomplete, and usually contradictory sources of data. We focus on UC Berkeley, since it is the campus the authors are most familiar with. We'll use the following three sets of data:

1. NCSES [HERD Survey](#) (HERD data).
2. UC Info Center, "[Sponsors of contracts and grants](#)" (UCOP data).
3. UC Berkeley "[Sponsored Projects Funding](#)" (SPO data).

Macro-level DOD R&D expenditures in higher education

In FY 2022 (the year ending September 30, 2022), the U.S. government spent well over \$700 billion on its military—[about \\$1.5 trillion, by one estimate](#). According to official [USA Spending](#) data, the DOD had a total of \$1.64 trillion budgetary resources available to it (which includes unspent resources from previous years) and it committed \$1.19 trillion of that as obligations. That is, in FY 2022 it officially "committed" to spend \$1.19T, leaving a half trillion unobligated and saved for the next year.

Of the total \$1.19 trillion DOD obligations for FY 2022, \$9.6 billion was awarded through grants, per USA Spending. The [NCSES Higher Education Research and Development \(HERD Survey](#) for the academic fiscal year 2022 (ending June 30), which presents data on R&D expenditures at higher education institutions, reported \$7.98 billion R&D expenditures funded by the Department of Defense.



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UC campus	DOD R&D expenditures, in millions: FY 2021	DOD R&D expenditures, in millions: FY 2022	Main research fields
UCSD	\$79.6	\$106.6	Primarily in geosciences, atmospheric and ocean sciences; also life sciences and engineering.
UCLA	\$50.4	\$55.3	Life sciences & engineering
Berkeley	\$42.8	\$48.2	Mostly engineering (\$25M), physical sciences (\$9.4M) and life sciences (\$5.8M)
UCSF	\$37.4	\$49.6	Life sciences
UCSB	\$32.0	\$43.0	Engineering
Davis	\$23.2	\$27.6	Life sciences and engineering.
Irvine	\$13.8	\$19.4	Life sciences and engineering.
Riverside	\$7.0	\$9.9	Life sciences and engineering.
UCSC	\$5.9	\$9.2	Engineering and geosciences
Merced	\$1.6	\$1.7	Life and physical sciences
UC TOTAL	\$293.7	\$368.5	

DOD R&D expenditures received by the UC, according to HERD data.

However, if we now compare this to the UC Information Center's "Sponsors of contracts and grants" database, we find discrepancies. See the data collected from this database on our spreadsheet [here](#). According to the UCOP data, if we add up the contributions from all sponsoring DOD sub-agencies in federal FY 2022, UC Berkeley only received \$17.6 million in DOD-sponsored awards, in total disagreement with the \$48 million figure from HERD.

(Berkeley FY 2022) DOD, by sub-agency:	TOTAL: \$17,613,449	Num. awards
Defense Advanced Research Projects Agency (DARPA)	\$1,025,995	3
Air Force Office of Scientific Research (AFOSR)	\$3,333,019	9
Office of Naval Research (ONR)	\$7,152,664	9
Office of the Undersecretary of Defense for Research and Engineering	\$1,421,206	1
Dept. of Army Research, Washington D.C. Office (DAR)	\$2,713,895	8
Defense Threat Reduction Agency (DTRA)	\$996,336	2
National Security Agency (NSA)	\$970,334	1

UC Berkeley FY 2022: 22 grants sponsored by DOD sub-agencies.
Data from the [UC Information Center](#), accessed April 2024.

If we look back to FY 2021 the data agree a bit better: UCOP reports that Berkeley received about \$46 million in sponsored project funding from DoD sub-agencies, which agrees better with the 2021 HERD number: \$43M.

(Berkeley FY 2021) DOD, by sub-agency:	\$46,463,806	Num. awards
Defense Advanced Research Projects Agency (DARPA)	\$13,478,667	5
Air Force Research Laboratory	\$9,751,303	1
Office of Naval Research (ONR)	\$8,242,128	14
Air Force Office of Scientific Research (AFOSR)	\$7,296,531	7
Dept. of Army Research, Washington D.C. Office	\$6,731,177	8
US Army Research Laboratory	\$500,000	1
US Army Contracting Command	\$450,000	1
National Security Agency (NSA)	\$14,000	1

UC Berkeley FY 2020-21 grants sponsored by DOD sub-agencies.
Data from the [UC Information Center](#), accessed April 2024.

There is yet a third source of data we can compare to: UC Berkeley's Sponsored Projects Office (SPO) has its own [public data interface](#). If we take the sum of funding sponsored by the Air Force, Army, DARPA, Navy, and Other Defense categories, we find:

DOD, by department:	FY 2021	FY 2022	FY 2023
Environmental Science, Policy, and Management	\$592,433	\$2,965,631	
Chemical and Biomolecular Engineering	\$656,145		\$660,000
Chemistry Department	\$3,150,783	\$1,203,384	\$3,342,001

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Molecular & Cell Biology	\$3,647,894		
California Institute for Quantitative Biology (CQB)	\$2,120,233	\$1,233,903	\$297,021
Center for Effective Global Action		\$355,303	\$1,065,905
Helen Wills Neuroscience Institute		\$149,275	
Simons Institute for the Theory of Computing	\$11,324		
Division of Social Sciences: The Social Science Matrix	\$68,289		
Museum of Vertebrate Zoology			\$1,385
TOTAL:	\$48,085,805	\$31,239,107	\$33,349,677

UC Berkeley 2020-23 grants sponsored by DOD sub-agencies.
Data from the [Berkeley SPO](#), accessed April 2024.

For FY 2021, the total of \$48 million roughly agrees with the previous figures (\$46M from UCOP, \$43 from HERD). For FY 2022, the \$31M figure does not resolve the discrepancy—recall that UCOP reported \$17.6M and HERD reported \$48M.^{[14](#)}

How much of Berkeley's funding comes from the DOD?

According to the SPO data, in 2023 UC Berkeley received over \$1 billion in research grants, most of it (46%) from federal grants and only 7% from the private sector. Of this \$1 billion, just \$33.3 million came from sponsors marked as DOD sub-agencies—or 3.3% of the total awards.

The UCOP data diverge pretty significantly from Berkeley SPO's, but the fraction of DOD funding is at least in the same ballpark: out of \$644M total award funding received by Berkeley in FY 2023, \$25.8M, or 4%, came from DOD sub-agencies. Both of these (UCOP and SPO) estimates exclude any funding from the National Nuclear Security Administration and private military contractors, as well as "pass-through" DOD funding that comes to Berkeley through an intermediate entity.

(Berkeley FY 2023) DOD, by sub-agency:	\$25,845,814	Num. awards
Defense Advanced Research Projects Agency (DARPA)	\$3,603,274	4
Air Force Office of Scientific Research (AFOSR)	\$4,003,619	8
Office of Naval Research (ONR)	\$6,379,097	5
Naval Information Warfare Systems Command	\$646,335	1
Dept. of Army Research, Washington D.C. Office (DAR)	\$4,261,494	5
U.S. Army Research Laboratory	\$850,000	2
Air Force Research Laboratory	\$5,398,530	1
Defense Threat Reduction Agency (DTRA)	\$496,225	1
National Security Agency (NSA)	\$207,240	1
National Geospatial Intelligence Agency	\$1,426,422	1
Other sponsors:	\$14,830,996	Num. awards
U.S.-Israel Binational Science Foundation	\$145,710	3
Lockheed Martin Corp.	\$181,807	1
Boston Dynamics AI Institute, LLC	\$3,000,000	2
Exxon Mobil Corp.	\$1,015,000	1
Gilead Sciences, Inc.	\$487,837	1
Intel Corp.	\$200,000	1
Chevron Corp.	\$660,000	1
Shell USA, Inc.	\$1,637,616	5
Lawrence Livermore National Security, LLC	\$4,002,314	11
National Technology & Engineering Solutions of Sazdia, LLC	\$720,712	7
UT-Battelle, LLC	\$120,000	1
Triad National Security, LLC	\$2,660,000	1

UC Berkeley FY 2023-23 grants sponsored by DOD sub-agencies. Data from the [UC Information Center](#).

Given the discrepancy between UCOP and SPO data, we cannot confidently give any exact figures when it comes to UC research funding. Nevertheless, it may be encouraging to see that, at least at the macro level, it seems completely severing ties with the DOD would not cripple the Berkeley research community. At the division- and lab-level, of course, things are very different.

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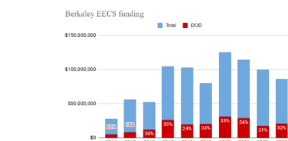
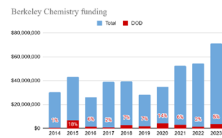
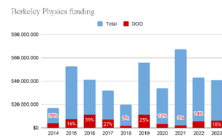
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See [UC Sponsors of Contracts and Grants](#) for data and corresponding plots.

First, DOD funding is not distributed evenly. More than half of it at Berkeley goes to the EECS department alone. The next biggest chunks go to Physics, non-EECS engineering, and Chemistry.



See [UC Sponsors of Contracts and Grants](#) for data and corresponding plots.

Moreover, even within each department the defense funding is distributed highly unevenly. Though we do not report any numbers to support this here, anecdotally the authors can report that groups in the Physics department either receive a large fraction of their funding from the DOD, or none at all.

We conjecture that this uneven distribution of Pentagon funds broadly holds across the UC system. We further conjecture that this is a reflection of the fact that much research funding in academia is allocated according to subject area—specifically to those areas the Pentagon believes could be beneficial to U.S. interests either in the near or distant future—rather than “subcontract style” where any Physics or Engineering or Chemistry group can choose whether or not to pick up a certain project for the war machine.

Public-private partnerships

‘Corporate and industrial affiliate programs’ is the official term for public-private partnerships in academia. Multiple laboratories on campus—including Lawrence Berkeley National Lab—offer membership to private companies, offering benefits such as board memberships, access to pre-publication research, and streamlined technology licensing or ‘tech transfer’. A few UC Berkeley corporate affiliate programs of interest can be found in the table below. Corporate affiliates that have significant ties to the U.S. military, are a branch of the U.S. military, or are **listed as a BDS target** by the BDS National Committee (BNC) are shown in bold font.

Lab or Campus Program	Corporate and Industrial Members/Affiliates
Berkeley Emerging Technologies Research (BETR) Center	Lam Research, Applied Materials, SK Hynix, Atommars, TSMC, Intel, AMD, Meta
Berkeley College of Engineering	General Motors, Siemens, Chevron, Lam Research, Micron

Marvell Nanofabrication Laboratory	Technologies, Nanodrift, Neuralink, Omneuron Sensors, PSI Quantum, Pivotal Systems Corporation, Precision Neuroscience, Rigetti & Co, Science Corporation, Seizure Labs, Sirona Magnetics, Texas Instruments, InSync Resonance, nEYE Systems
Berkeley Sensor and Actuator Center	Analog Devices, Ashli, Bosch, Brembo, Chevron, Faurecia, TDK, Murata, NGK, Qorvo, Rosemount, Samsung, Synergy Group, Texas Instruments, TSMC
California Partners for Advanced Transportation Technology	DARPA, Lockheed Martin, Honeywell, Northrop Grumman, Boe Allen Hamilton, and many more
School of Optometry and Vision Science	Haag-Streit, Bosch, VSP, CooperVision, Alcon, Allergan, Zenni, Lumentics, Hoya, Paragon CRT, Essilor, Menz, Topcon, Bausch & Lomb, Essilor, B&B Medical Solutions, Pioneer International, Johnson and Johnson Vision, Optovue, National Vision, Micromass, VTI, Sight Sciences, Zeiss, Tear Science, Vision West, U.S. Army, FirstSight, CenterVue, Bruder, Keeler, Heine Optotechnik
HHI-Vive Center for Enhanced Reality	Microsoft, Intel, Via, Vive, Siemens
iCyte	Avant, Camot Industrial, Denso, Ford, Siemens , Toyota
Manufacturing 360	Diamond Foundry, Lawrence Livermore, Navy
Berkeley Institute for Data Science	Accenture Applied Intelligence, Goldman Sachs, John Deere, Johnson & Johnson, Microsoft, Siemens, State Street
CSAI Digital Transformation Institute	CSAI, Microsoft, Baker Hughes, Shell plc
Center for Information Technology Research in the Interest of Society and the Human Institute (CITRIS)	End, Hitachi, Intel, Kajima Corporation, Komatsu, Lam Research, Meta, Microsoft, MITRE, OSsoft, PG&E, Siemens , Sun Yat-Sen University, Tecnológico de Monterrey, VTT, WilmerHale
Center for Long-Term Cybersecurity	Boe Allen Hamilton , Charles Koch Foundation, Google, HP, Intel, Meta, Microsoft, and more
Berkeley-Fung Institute for Engineering Leadership	Blue Goji, MSCl, Anurion, Ripple, Starkey, LinkedIn, Microsoft , General Motors, and Lyft
Berkeley Haas Center for Responsible Business	Levi Strauss and Co, Orsted, Ramboll, Microsoft
Berkeley Food Institute Center for Diversified Farming Systems	CS Fund, National Science Foundation, The U.S. Army Research Laboratory's Army Research Office , USDA-NIFA: Renewable Energy, Natural Resources, and Environment Program, The Walker Fund

v. **UC in the nuclear weapons complex**

The International Campaign to Abolish Nuclear Weapons (ICANW) [issued a report in 2019](#) on the ways U.S. universities “are involved in the research and design of U.S. nuclear weapons.” A longer excerpt from the [full report](#), which is hereafter referred to as ICANW, was quoted in this document’s introduction but we’ll repeat it here:

“The University of California arguably has the longest-standing and highest profile connection to the nuclear weapons complex of any university. While the UC administration has continued to pursue such connections, it has done so at points without the support of many of its constituent faculty and students. In 1970, student protests caused university officials to consider whether to maintain its ties to the weapons labs it managed, ultimately deciding to do so. [\[42\]](#) When the federal government decided to competitively bid the contract for the management of Los Alamos National Laboratory in 2005, students protested against UC involvement again. [\[47a, 47b\]](#) When the Lawrence Livermore National Laboratory contract was awarded to the UC system and its partners in 2007, students embarked on a hunger strike.”

At various points even faculty have objected to the UC’s connection to the nuclear weapons laboratories. Here is another extended excerpt from ICANW (p. 16):

“In 1989, a UC Academic Senate Committee found this connection and the classified work at the labs to be ‘contrary to the fundamental nature of the university.’ In a 1990 vote across all the UC campuses, 64% of faculty voted to end the relationship with the labs. In 1991, the UC Academic Senate voted 50 to two for the same. In 2004, when the management of the labs was again an open question, another poll of the faculty was taken. This time, 67% of the faculty preferred to keep the university connection with the labs, with one significant caveat. Only 25% of faculty felt that the production of plutonium pits, a key ingredient for nuclear warheads, was “an appropriate activity” for the

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Current proposals by the National Nuclear Security Administration call for renewed investments at the Los Alamos lab to support the expanded production of plutonium pits.²⁷

This [2020 URA report](#) uses the University of California as an example of what effective university-lab partnerships look like (see pages 5-6).

- The UC operates Lawrence Berkeley Laboratory (LBL), Los Alamos (LANL) and Lawrence Livermore (LLNL) National Laboratories and "reinvests its fee revenue in initiatives with long-term benefit of the laboratory enterprise, including research partnerships and other initiatives."
- The U.C. operates LBL, LANL, and LLNL and
- The U.C. National Laboratories Fee Research Program (LFRP), a UCOP program, uses the net fee income the University receives for managing the labs to fund and support research of strategic importance to UC and the national laboratory
 - LFRP research awards go to U.C. faculty and laboratory scientists working in strategic areas.
 - LFRP fellowships go to graduate students, allowing them to pursue dissertation research at LANL or LLNL.
- U.C. has also established programs outside of research and student programs to experiment with new business models and technology transfer.
- Though not mentioned in this URA report, the UC also has a number of partnerships with Sandia National Laboratories.

The pages below provide a skeleton of the UC's connection with these national laboratories. More detailed investigation into the *content* of these connections, e.g. the concrete research output that has resulted from UC-national lab collaborations, is left to future investigation.

Los Alamos National Laboratories

UC [has managed](#) the Los Alamos National Lab (LANL) since 1943, at first being its exclusive manager. Since at least 2006 LANL has been managed under the [GOCO](#) (Government-Owned Contractor-Operated) model.

Since 2018, the UC has been one of 3 members (along with Battelle^[12] and Texas A&M University) of [Triad National Security, LLC](#), which offers “management services in the fields of nuclear energy, nuclear nonproliferation, national security,” and “stockpile stewardship and management.”

According to ICANW (p. 53), LANL “provides design and engineering for several nuclear warhead types, conducts simulated experiments to evaluate warheads, and has the capacity to produce plutonium pits⁽¹³⁾, the core material for nuclear warheads. Department of Energy funding for the Lab in FY2019 was \$2.48 billion, of which 76% comes from the NNSA’s Weapons Activities Appropriations.”

The fixed fee awarded to Triad for executing the contract is about \$20 million per year, with an additional \$25-30 million available through award fees should it meet certain performance benchmarks. This is the money Triad receives above the costs of operating the facility. The University of California estimated that it would receive \$8.9 million in net fee revenue from Triad for FY2019, which it plans to reinvest in lab oversight functions and funding for research partnerships between UC campuses and the labs. (ICANW, p. 53)

Lawrence Livermore National Laboratories

LLNL was founded in 1952 by Ernest Orlando Lawrence and physicist Edward Teller.¹⁴ Like Los Alamos, Livermore's primary task is to design and engineer nuclear weapons. DOE funding for LLNL in FY2019 was \$1.56B.

The University of California held exclusive management rights over LLNL from its inception until 2007, when the DOE announced that Lawrence Livermore National Security (LLNS), LLC would become the contractor managing Livermore. The UC is a leading partner in LLNS. Other partners include Bechtel National, BWX Technologies, Ametum, and Battelle (which is also a part of Triad National Security, LLC, see above.)

LLNS "is scheduled to receive a fixed fee of nearly \$13 million in FY2019, with performance incentive fees of up to \$30 million also available. It is unclear exactly how the partners in the LLC divide the fees. The University of California estimated that it would receive \$13.6 million in net fee revenue from this lab for FY2019, which it would reinvest in lab oversight functions and funding for research partnerships between UC campuses and the labs." (ICANW, p. 53)

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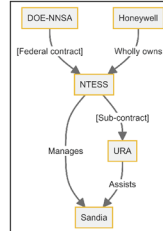
Livermore, CA. Though Sandia remains government-owned, it is privately managed by a subsidiary of Honeywell International, of [cluster bomb manufacturing fame](#).

Sandia's research focuses on weapons systems—for instance, the world's first self-guiding bullet was invented at Sandia—and in particular on the non-nuclear components of nuclear weapons (basically, everything in the nuclear weapon except for the plutonium.)

Sandia was operated by UC [until 1949](#), when management was taken over by a subsidiary of AT&T, which in 1993 was taken over by Lockheed Martin. In late 2016, lab management changed hands again: since December 2016 Sandia National Laboratories has been [managed](#) by National Technology and Engineering Solutions of Sandia (NTESS), a subsidiary of the defense contractor Honeywell International.

There are two large institutional connections between the UC and Sandia: the Universities Research Association and the Sandia Universities Partnership Network.

Universities Research Association (URA)



Berkeley, Davis, Irvine, UCLA, Riverside, UCSD and UCSB are members of URA, a consortium of over 94 universities. The URA is a 501(c)(3) nonprofit, established in 1965 to operate research laboratories like Fermilab and Sandia "in the national interest."

The relationship between URA and Sandia can be [summarized](#) as follows:

- In 2016 the NNSA [awarded](#) NTESS the contract for managing Sandia. The original proposal submitted by Honeywell included the URA as a subcontractor to NTESS.
- In 2018 the NTESS-URA subcontract went into effect, with the [goal](#) of "promoting the talent pipeline, and facilitating strategic engagement within academia."

However, it's not made clear what services the URA actually lends to Sandia. The URA [website](#) says it "supports external calibration, strategic planning, university partnerships, and diverse talent development" for Sandia, and "assists Sandia to identify and assess current and future research fields that align with the Laboratories' mission." According to ICANW, on the URA's IRS Form 990 for FY2017, Sandia was the largest program in terms of expenses (about \$527k that year). More recently, URA recently began [funding a Sandia Summer Fellows Program](#).

The URA's main [governing body](#) is the Council of Presidents of its member universities, which delegates management of corporate affairs to the URA Board of Trustees. The President of URA serves simultaneously on Sandia's Board of Managers. UC Davis Chancellor [Gary May](#) was Chair of the URA Council of Presidents in 2021. Former Chancellor of UCLA [Gene Block](#) was also on the URA Board of Trustees. ^[16]

Sandia University Partnerships Network (SUPN)

ICANW reported that Berkeley, Davis and UCLA are all partners in Sandia National Laboratories' Campus Executive Program, but we believe this is now called the Sandia University Partnerships Network (SUPN). See this report, referred to hereafter as SBCR:

[SANDIA-UC BERKELEY Collaboration Report 2021-2022](#)

University members of SUPN fall into two categories: Alliance Partners and National/Regional Partners. It seems these function roughly like a "core" and "outer ring" of partnerships.

- UC Berkeley is an Alliance Partner in SUPN.

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- Research big problems that neither institutions could fully accomplish by itself - Significant and active Sandia presence on campus - Innovative pipeline and staffing mechanisms	- Collaborative, mutually beneficial research - Modest Sandia presence on campus - Opportunities for talent pipeline development
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See SBCCR, pg. 13

Formal relationships with Sandia allow universities to apply for [Laboratory Directed Research and Development](#) funding to pay research stipends. Also (presumably) as part of the agreement, these 3 UC campuses regularly host [Sandia recruiting events](#).

The partnership with UC Berkeley was established in 2022, with the goal of "enhancing collaboration between principal investigators (PI) on LDRD projects, developing a sustainable workforce, and accelerating technology adoption," and potential "to increase jointly held Intellectual Property." (SBCCR p. 24)

"Strong areas of synergy were identified in climate change, energy systems, pandemic resiliency, food security, cybersecurity, infrastructural renewal, aerospace, advanced manufacturing, biodefense, materials engineering, cybersecurity and data analytics, nuclear non-proliferation, quantum information systems, nuclear and radiological sciences, design methodologies, and computational science." (SBCCR p. 25)

A cursory look at Sandia's [public list](#) of academic papers shows, for instance, that UC Berkeley researchers collaborate with Sandia on wargame analysis through [FPGASIS](#) and [FoBAG](#). A more in-depth investigation of joint UC-Sandia research is left as a task beyond the scope of this document.

Other Sandia agreements with UC campuses: MOUs and recruitment

- In 2022 Sandia [signed memoranda of understanding](#) with UC Berkeley and five other universities. The news release confirms that Sandia works with UC Berkeley on nuclear deterrence, global security and quantum information science projects. It's not clear how this MOU is related to the SUPN partnership described above.
- In July 2023 UC Davis announced a [memorandum of understanding](#) with Sandia to collaborate on research and education related to national security. The agreement is meant to foster exchange of intelligence, sharing research equipment and facilities, and access to **funding sources not normally available to either party independently**. There may also be opportunities for Sandia staff to get involved in teaching or receive technical training, and summer research opportunities at Sandia for UC Davis faculty.
- In February 2024 UC Davis partnered with Sandia for a [networking symposium](#).
- UC Berkeley also has a number of recruitment conduits to Sandia set up. In addition to regularly recruiting at Berkeley's STEM career fairs, Sandia claims (SBCCR, p. 27) that:
 - Berkeley held 11 virtual recruiting events in 2021 on opportunities at the Labs.
 - Sandia has a collaboration with Latino/a Association of Graduate Students (LAGSES) and Society of Women Engineers (SWE). In February 2022, Sandia hosted a panel and dinner with LAGSES.
 - In March 2022, Sandia and UC Berkeley held a virtual Diversity in STEM Symposium.
- UC Berkeley leads the [Nuclear Science and Security Consortium](#), which **"provides funding and training for students pursuing careers in nuclear weapon security."** The NSSC also includes UC Davis, LBNL, LLNL, LANL and Sandia.

The rationale behind Sandia's academic partnerships

In FY2021, Sandia engaged in research with 148 universities and invested \$58 million into contracts with them. Below we try to identify the key benefits that Sandia obtains from its partnerships with universities, and vice-versa, according to their own reports and advertising.

Source 1: Sandia-Berkeley Collaboration Report 2021-2022.

Sandia's Academic Programs umbrella encompasses (1) SUPN, (2) the Faculty Loan Program for Joint Appointments, and (3) the Postdoctoral Research Program Office, a postdoc fellowship program. These programs allow Sandia to: **accelerate technology transfer via partnerships; provide joint funding to seed "strategic" research; exchange staff, faculty, students, and postdoctoral appointees; create opportunities for advisory board memberships and faculty sabbaticals.**

Source 2: Sandia Academic Alliance Program Collaboration Report 2021.

Sandia's Academic Alliance (SAA) Program (later renamed to SUPN) had the goals of: "growing the total annual inexperienced hires from each out-of-state SAA university," and to "establish and sustain **strategic research**

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company formation.

Source 3: Sandia's Campus Executive Program.

The Campus Executive Program was the precursor to SAA and SUPN.
 [12] Already in 2001 Sandia boasted of working with 120 universities annually. The Campus Executive Program, created in 1997, was created to foster "more joint research, more graduate students coming to Sandia to work as interns and eventual employees, more interaction between the university faculty members and our staff, and more collaboration." Basically, its purpose was to encourage research collaborations and grease the school-to-lab recruitment pipeline.
 "The Campus Execs and deans worked together to figure out ways the universities and Sandia could be partners — both in recruiting top students from the schools to the Labs and in cooperative research. Sandia, Chuck says, has always valued its relationships with universities — realizing that they are a source of future Labs engineers and scientists and that the universities conduct top-notch research in areas in which Sandia has specific interests. In 2000 Sandia spent \$28 million in joint research projects with universities. (Sandia works with 120 universities annually and has 700 active contracts with them.) The Labs has devoted an additional \$15 million a year for graduate student support and university and science outreach. ...
 Our relationship is more of a partnership, with both partners in a win-win situation. ... Universities get research dollars, access to the unique research capabilities of Sandia, and training for faculty and students. We gain access to research that supports our mission and an emerging talent pool. Both partners enhance their and the country's competitiveness."
 The article suggests that recruitment efforts, joint research projects, and "graduate student support" (i.e. fellowships or seed funding for graduate students) are key university-Sandia ties to look out for. For instance, some universities (Utah, Arizona, Colorado) were developing fellowships for PhD students, which is great for them because "the students know that their fellowships and research are funded by Sandia, making them aware that the Labs might be a great place to work," and they make a Sandia researcher a member of the student's dissertation committee, which lets the lab build up "relationships with other professors and with the students and [offer] direct input in the research direction."
 The article also says that at some universities, either faculty members will spend time at Sandia (through sabbaticals or summer appointments) or Sandia scientists will go to the university. Also, at some schools, Sandia has relationships with "the University president's office, ... committees and advisory councils, even former staff now serving as Deans or faculty at several schools."
 Source 4: UT Austin-Sandia partnership.
 UT Austin's website lists the following opportunities, some of which were mentioned above.
 - Laboratory Directed Research and Development (LDRD) offers funding for "seed" projects to facilitate collaborations between faculty/students and Sandia PIs. Sandia's "sole source of discretionary R&D funding." LDRD seeks to "invest in high-risk, potentially high-payoff activities that enable national security missions" and advance science. (See also the CU Boulder - Sandia partnership: "The use of these funds will be directed by your campus executive, in concert with Sandia's LDRD program.")
 - Faculty appointments (Sabbatical and Summer Faculty Research Appointments): Sandia scientists are encouraged to do joint research with university faculty by inviting them for short-term appointments at Sandia. "Academic faculty can connect to specific projects, engage in sabbatical or summer faculty research, hold a Sandia joint appointment, or serve on Sandia advisory boards." (source: Sandia faculty collaborations) Sandia staff can also participate in the Joint Appointments Program, which allows them to work part time at a host university while remaining a full employee at the Labs.
 - Advisory boards and adjunct professorships for Sandia staff: Sandia staff are on university external advisory boards, and vice-versa. Sandia also encourages its staff to serve as adjunct professors at other universities. "Experts from universities frequently serve on Sandia advisory boards and provide strategic insight. Sandia also encourages its staff to serve as adjunct professors at universities and participate on academic advisory boards." (source: Sandia faculty collaborations).
 - Joint research proposals: the Academic Alliance partnership between UT Austin and Sandia lets joint proposals be submitted for external funding.
 - Research internships and fellowships: for undergrad, grad, and postdoc level.

Summary

Summarizing the above sources, we can say that the mutually beneficial partnership between Sandia (and, by extension, other national defense research

https://docs.google.com/document/u/1/d/e/2PACX-1vSLL3RiQR6LLuBTx7ADYeo1ACy5kd1Wpinzo-k-VyFgP7QAeO3MsDeeEjJW6CODpAnv... 31/39

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- additional sources of funding that Sandia brings.
3. The ability to invite faculty to spend time at Sandia, and send Sandia staff to spend time at the university, serve a similar purpose.
 4. Giving Sandia staff access to university committees and advisory boards opens further opportunities for the defense lab to influence university affairs. The other direction, inviting academic faculty to sit in Sandia advisory boards, may also benefit Sandia's internal research operations and governance.
 5. The laboratory-university partnership helps accelerate "technology transfer," i.e. turning R&D into commercial products. This aspect deserves close scrutiny, but we leave that to future investigation.

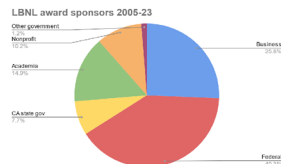
Lawrence Berkeley National Laboratory

Though not typically regarded as a defense research hub—in part because scientists at LBNL historically resisted the influence of the military, and fought to reject both DOE and DOD funding—today LBNL carries out DOD- and even private sector-funded research in various "strategic" areas.

Berkeley Lab has received funding from the DOD through the Defense Advanced Research Projects Agency (DARPA), who are funding the [BELLA-g project](#). This project is part of a larger DARPA [initiative](#) to create a muon-imaging system to "peer deep underground to locate chambers and tunnels." The LBL project aims to create a compact muon source for use in such an imaging device, using the laser-plasma expertise of the Accelerator Technology & Applied Physics Division.

The DOD's Test Resource and Management Center (TRMC) has [provided funding](#) for the 88-inch cyclotron of the Nuclear Sciences Division. The TRMC provides "testing and evaluation capabilities to develop ... effective weapons systems to meet current and future needs of the warfighter." The funding was provided to upgrade the cyclotron's ability to produce certain heavy ions, in order to ensure that the DoD's partners have the "capabilities to test parts." The 88 inch cyclotron has also received funding (in conjunction with the Berkeley Accelerator Space Effects) from the US Air Force, the Missile Defense Agency, and is [used by private military contractors](#) (e.g. Lockheed Martin).

Below we use UCOP's [sponsors of contracts and grants](#) data to see a list of agencies that have sponsored research grants for LBNL. It's not clear how complete this database is—over the period 2005-2023 it shows LBNL receiving just 8 NSF awards, amounting to \$3M, which seems unlikely (over the same period, UC Berkeley got almost \$2 billion in NSF grants). With that note of warning, for all listed fiscal years (2005-6 through 2022-23), we obtain the numbers tallied in [this spreadsheet](#). Out of a total of \$2.5 billion received by LBNL, 41% came from federal grants and 25% from the private sector.



See [UC Sponsors of Contracts and Grants](#) for data and corresponding plots.

These include the following sponsoring entities:

Agency	Total Funding	Number of Awards
Battelle Memorial Institute	\$2.2M	10
DARPA	\$26.5M	58
Defense Threat Reduction Agency	\$41.3M	86
Department of Army/Army Misc Bases and Agencies	\$5.5M	25
Department of Homeland Security	\$55M	33
DN Naval Air Systems Command	\$149k	1
DOD Pacific Command	\$1.77M	4
DOD/Separate misc agencies	\$37.4M	74
Intelligence Advanced Research Projects Activity (IARPA)	\$22.3M	7
Joint IED Defeat Organization	\$921k	1

University Operations	Amount	Count
Nuclear Regulatory Commission	\$5.17M	14
Office of Naval Research	\$1M	8
Office of the Director of National Intelligence	\$296k	1
US Army Fort Liggett	\$9.4M	6
US Army Research Laboratory	\$1.6M	17
State Department	\$26M	22
UC Lawrence Livermore National Laboratory	\$1.5M	17
UC Los Alamos National Lab	\$940k	6
US-Israel Binational Science Foundation	\$156k	1
World Bank	\$280k	2

The private sector contributed 25.5% (a total of \$634M):

Agency	Total Funding	Number of Awards
Babcock & Wilcox	\$2.7M	6
Battelle Savannah River Alliance, LLC	\$26k	1
BP	\$6.5M	10
Chevron	\$20.3M	64
Consolidated Nuclear Security, LLC	\$3.4M	15
Exxon	\$1.7M	6
Gilead Sciences	\$4.4M	6
Honeywell	\$3.5M	14
Intel	\$40M	20
Lawrence Livermore National Security, LLC	\$21M	107
Leidos, Inc	\$18.8k	2
Lockheed Martin	\$435k	2
Los Alamos National Security, LLC - DO NOT USE CODE VJD2	\$8.9M	37
Monsanto	\$97.5k	1
National Security Technologies, LLC - DO NOT USE - USE CODE VJ9A	\$2M	9
NTESS	\$27.2M	64
Northrop Grumman	\$2.4M	2
Pfizer	\$1.9M	7
Savannah River Nuclear Solutions, LLC	\$5M	16
UT-Battelle, LLC	\$213M	176

Conclusion: further potential areas of investigation

Broadly speaking, universities today are in an advanced stage of financialization, and operate under a constant drive to grow, to accumulate capital, and to aid other entities in the process of accumulation. This being the case, it seems less useful to ask “who” rules the UC than to ask “what” rules the UC—to which the answer is: the law of value in the age of monopoly capital.

Some aspects of this dynamic have been (glancingly) touched on in this document —namely, the increasingly financialized nature of university investments, the growing list of university-industry partnerships, and the continuing role universities fulfill in the U.S. defense apparatus, e.g. through partnerships with national laboratories. However, other aspects have been left almost entirely

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One of the functions of the university is to produce research, which then guides the direction of [future investment and innovation](#) in the productive sphere (i.e. "the economy"). Intellectual property (IP) is a crucial link in this process, and universities—particularly since the Bayh-Dole Act in 1980—increasingly rely on IP to facilitate the valorization of their research output.

The UC owns all IP produced by UC employees in the course of their work: see the [UCOP Guide to IP](#). If it was produced during work hours, was part of a sponsored research project, or used university resources, then the UC probably owns it.

IP held by universities can take the form of patents (usually for inventions or significant technological developments), copyright (for works of authorship like writing, art, and software) and trademarks (unique identifiers like names or symbols). The Regents have put [some energy in recent years](#) into the UC's [Innovation Transfer and Entrepreneurship program](#), which deserves to be looked into and fit into the broader picture of how the University operates.

Real estate

The University of California leases its properties to generate additional revenue. UCOP's Real Estate Services and Strategies (RESS) office is responsible for negotiating these acquisitions, sales and ground leases. The authors of this report did do some investigation as to whether these properties were being leased to weapons manufacturers, the U.S. military, or other companies that profit from the genocide in Palestine. Specifically, the authors requested from RESS:

- All lease summaries dated between 2019-2024, inclusive.
- All licensing forms where the UC Regents are the licensor signed between 2019-2024.
- Any and all records relating to outright gifts of real estate property to the UC Regents and/or the endowment of the University of California received between 2019-2024.

The authors of this report were able to obtain all the data we requested. We did not immediately see any significant ties between RESS and genocide profiteers. However, since we did not have sufficient time to analyze the data more carefully, it could be worth taking a closer look at this data in the future.

Defense research

Our investigation of the UC's research contribution to the defense sector is, in a sense, quite limited. We have made some quantitative remarks about the size and distribution of Pentagon funds entering the UC, but—with a few exceptions, namely in the section on the Lawrence Berkeley National Laboratory—we have *not* given any qualitative examples or analysis of what this funding is used for. We are aware that other organizations at the UC have begun to tackle this question and encourage those interested to look into their work.

The qualitative piece of the analysis is, in our view, even more important than the quantitative, but we do not broach this subject here for reasons of space and organizing capacity. The [appendix](#) includes a section describing how we began to collect some limited information about the defense research grants that enter the UC.

Appendix A: Glossary of financial terms

Public equity: this is what "common stocks" essentially refers to, i.e. shares in companies which are *publicly* traded on the stock market.

Private equity: these are shares of companies which are *not* publicly traded. Investments in start-ups is one familiar example, though it's certainly not restricted to start-ups. Precisely because private equity is *not* traded on the stock exchanges, it is almost impossible for an outsider to track.

Fixed income assets: these are more commonly known as bonds. They are shares in the debt of governments (i.e. treasury bonds), corporations and other large institutions which are publicly traded on the bond market.

Index funds: investing in an index fund essentially entails (indirectly) purchasing shares of some list of companies in ratios specified by an "index"—e.g. "0.1% should be used to buy company A stock, 0.6% should be used for company B stock, etc." The index itself is just trying to mimic the performance of "the market," which is why index funds are called *passive* investments. Contrast this with actively-managed investments, where professional portfolio managers try to use their expertise to yield better returns than the market.

Mutual fund: pooled investments (i.e. an aggregation of assets from multiple, possibly many, different investors) that are actively managed by investment managers who are trying to beat the market. Mutual funds are publicly traded,

https://docs.google.com/document/u/1/d/e/2PACX-1vSLL3RiQR6LLuBTX7ADYeo1ACy5kd1Wpinzo-k-VyFgP7QAeO3MsDeeEjJW6CODpAnv... 34/39

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managed investments) but they are not publicly available for daily trading on market exchanges. Instead, hedge funds are only offered privately, to high-net worth investors, and they pursue riskier, more aggressive investment strategies.

Appendix B: Glossary of terms relating to federal grants

Action date: The date the award was issued or signed by the government, or a binding agreement was reached. This is in contrast with the "period of performance start date," which is the date when actual awardee effort or labor begins. [LIR](#)

Appropriations: The process by which Congress designates and approves spending for a specific purpose (e.g., a project or program).

Award: Money the federal government has promised to pay a recipient. May be a contract, grant, loan, insurance, or direct payment.

Budget authority: The permission granted by Congress for a federal agency to spend money. Budget authority can be granted through an appropriation law, which specifies a purpose, usually a maximum amount of money, and a set time period. Budget authority can also be granted for spending unused funds from a previous year, or to spend money that the agency takes in.

Budgetary resources: Amounts available to incur obligations in a given year. Budgetary resources consist of new budget authority (from appropriations, borrowing authority, contract authority, or offsetting collections) and unobligated balances of budget authority provided in previous years.

Fiscal year (FY): the federal fiscal year starts October 1 and ends September 30. The University of California usually uses the *academic* fiscal year, which is July 1 –June 30 instead. The year of the *second* half is what labels the fiscal year, e.g. FY2024 means 7/1/23 through 6/30/24.

Grants:

- **Formula grant:** awarded to state and local governments for continuing activities that aren't confined to a specific project — for example, Medicaid. **Block grants** are similar but with still more flexibility.
- **Project grant:** funding of specific projects for a fixed amount of time, e.g. fellowships, scholarships, research grants, survey grants, and construction grants.
- **Pass-through grants:** awarded to one organization that then distributes the funds to other organizations or individuals so they can carry out a program or project.

Obligations: a binding agreement in which a government agency promises to spend money now or in the future, e.g. when it places an order, signs a contract, awards a grant, or purchases a service.

Outlays: when federal money is actually paid out, not just promised to be paid ("obligated"). It's more common to measure spending by obligations than outlays.

Pass-through entity: a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program.

Prime award recipients and subrecipients: say University A, the prime recipient, receives an R&D grant from the NSF. University A needs University B to perform an initial step in the research, so University A awards University B a sub-award. University B is the sub-grantee. (To avoid double-counting the overall value of a prime award, do not sum up sub-award amounts and prime award obligations or outlays; sub-award amounts are funded by prime award obligations and outlays. In theory, the total value of all sub-award amounts for any given prime award is a subset of the Current Award Amount for that prime award)

Unique Entity Identifier (UEI): alphanumeric code for an awardee or recipient in the System for Award Management (SAM.gov), which is also used by USAspending.

Appendix C: Tracking federal defense grants at the UC

Different sources offer different (and sometimes contradictory) information, so there is some work to do in trying to stitch together a coherent picture. Here is a summary of the different sources we used, along with examples of data from each source. Many of these were compiled or scraped not by us but by organizers elsewhere in the UC.

USAspending

[USAspending.gov](#) compiles data from different government award systems. The [Advanced Search](#) feature can filter awards by the date of the agreement ("action date"), award type (purchase order, definitive contract, block grant, direct loan, ...), awarding agency, place of performance, recipient name or UEI code, and more.

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To track down information on the University of California, we used the UEI (Unique Entity Identifier) codes corresponding to each UC campus. Some of these codes can be found by Googling "UC [campus X] UEI code." Most were found by looking up "University of California" in the [USAspending recipients](#) database.

- [Campus UEI Codes](#)

DTIC

The Defense Technical Information Center (DTIC) reports to the Under Secretary of Defense (Research and Engineering). Their mission is "to preserve, curate, and share knowledge from DoD's annual multi-billion dollar investment in science and technology, multiplying the value and accelerating capability to the warfighter."

Most of the DTIC database is access-controlled, but they offer limited access to the general public to some unclassified information. Also, there aren't very many grants publicly listed on DTIC. However, unlike other sources, DTIC gives the name of the PI recipient.

To track down information on the University of California, we can simply filter the DTIC search engine by research organization (e.g. "University of California, Berkeley") and remove non-DOD funders. DTIC can yield information like the following:

- [Berkeley Scraped DTIC Data](#)
- [LBNI Scraped DTIC Data](#)

Grant title	Funding sub-agency	PI name	Grant abstract	Amount (\$)	Funding period (start year-end year)
High-Fidelity, 2D Noise-Resilient Superconducting Quantum Processors	National Security Agency	Irfan Siddiqi	We propose to design, fabricate, and benchmark planar 2D superconducting processors with ...	11,918,116	2022-2026

UC Single Audit Reports

We described these in a section above, "[UC Single Audit Reports](#)." Single Audit Reports (SARs), which every university that receives federal funding should have, include long "schedules" of expenditures of federal awards. Unfortunately, many of the DOD-funded expenditures listed don't have an identifier code listed. Moreover, many identifier codes don't seem to be related to anything in the public domain on the Internet.

- [UC Single Audit Reports](#)

UC's public data interfaces

- [Award explorer](#):
 - [Scraped data](#)
- [Sponsors of contracts and grants](#):
 - [Scraped data](#)
- [UC Berkeley Sponsored Projects Office database](#):
 - [Our manual data](#)

As for different grant sponsors within the Pentagon, the DOD profile on [USAspending](#) lists 26 sub-agencies; [SAM](#) lists 41. The ones we encountered most frequently are the following:

1. Office of Naval Research (ONR; Department of the Navy)
1. Air Force Office of Scientific Research (AFOSR; Department of the Air Force)
2. Army Research Office (ARO; Department of the Army)
3. Defense Advanced Research Projects Agency (DARPA)
4. National Security Agency (NSA)

Appendix D: Previous UC divestments

The University has entertained the notion of divestment before. Today the UCRP and [GEP investment policies](#) include clauses like "The Regents have established that the purchase of securities issued by tobacco and fossil fuel companies and companies with business operations in Sudan are prohibited in

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in Darfur as genocide under the United Nations Genocide Convention. This lay the legal groundwork for the Regents to divest from Sudan, as in 2006 the Regents adopted a policy allowing for divestment from a foreign government when the U.S. government declares that a foreign regime is committing acts of genocide. Here are a few notable events on the timeline leading up to this decision, gathered primarily from the minutes of two Regents meetings.

- At the [November 14, 2015 meeting](#) of the Regents' Committee on Investments, student-Regent Adam Rosenthal [presented a proposal](#) ("Item RE-63") requesting that the University divest its UCRP and CEP holdings from four "foreign companies engaged in significant business relations with the government of Sudan," and further "that a policy of divestment from a foreign government shall be adopted by the University only when the United States government declares that a foreign regime is committing acts of genocide."
 - The public comment period featured many students and other community members speaking in support of divestment and of Item RE-63.
 - Students called attention to the fact that peer institutions like Stanford, Harvard and Dartmouth had divested from several companies significantly engaged with the Sudanese government.
 - As a side note, Professor Emeritus Charles Schwartz also spoke at this meeting, arguing that the University ought to disclose "data on assets held and performance for each individual external investment manager engaged by the University" and "management fees paid to each external manager as well as a listing of commissions paid to all brokers" in its quarterly and annual reports.
 - It seems that, preceding these events, the student-led University of California Sudan Divestment Taskforce [had](#) "gained support of federal and state political leaders, an interfaith religious community, foreign policy experts and other community notables." Indeed, the November 2015 minutes mention that "a letter in support of divestment from Congresswoman Lee had been distributed to the [Regents'] Committees."
 - The Regents' Investments Committee (composed of 5 Regents and 2 advisory members) approved Rosenthal's RE-63 recommendation and voted to present it to the full Board of Regents.
- On [March 16, 2006](#), the Regents voted to divest from nine companies that were linked to the Sudanese government. The divestment proposal had the following conditions (paraphrasing for brevity):
 - Previously, in November 2005, the Regents decided to adopt a policy of divestment from a foreign government only when the United States government declares that a foreign regime is committing acts of genocide.
 - The proposal is to divest all UC shares in nine offending companies, with the policy applying to both *indented and actively managed, publicly-traded equity portfolios*.
 - Also prohibit future purchase of shares in the companies until the Office of the Treasurer reports that a company has materially improved its operation and is no longer believed to be contributing to the suffering in the Darfur region of Sudan.
 - The divestment is *conditioned* upon the California legislature and Governor enacting legislation to *indemnify past, present, and future individual Regents, and University employees, for all costs and defense of any claim arising from the decision to divest*.
 - The divestment is to take place over 18 months.
 - "Communicate the decision to divest shares held in the nine companies to the managers of commingled accounts in which assets of the UCRP and CEP are invested, with a request that they consider the University's stand on this issue as they make their investment decisions."
 - Communicate the divestment decision to the investment committees of the campus Foundations, so they may consider implementing similar policies.

The Regents voted to approve the recommendation. This implied divesting from holdings in the nine companies, *including those combined in index funds*. This is crucial. It means that the Regents can withdraw *indirect* investments as well as direct, if they choose to.

Another crucial aspect of this divestment decision is the way it was preconditioned (1) on the *U.S. government* declaring that a foreign government was committing genocide, and (2) on the California legislature insuring the Regents and University from any liability or fallout from the decision to divest.

Fossil fuels

Over the past few years, the UC has declared that it has a ["fully fossil-free portfolio"](#). It can be a bit hard to separate the truth from the self-congratulating

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LEGACY OF SUBSTITUTION OF OLDER ENERGY SOURCES:

- One member of the Investment Advisory Group, one Mr. Martin, "expressed his hope that the sale was done for economic reasons. Mr. Bachher affirmed that the decision was based on due diligence from an economic standpoint."
- At a meeting of the Board of Regents in July 2019, at which public comments were permitted, several UC professors urged the University to divest from fossil fuels.
 - A faculty representative from the Academic Senate, "May stated that he had transmitted a memorial from the Academic Senate calling on the Regents to divest from fossil fuel companies. He quoted the memorial, noting UC's investment in 200 publicly traded fossil fuel companies with the largest carbon reserves. The memorial received an affirmative vote in the Academic Senate of 76.7 percent of voters."
- In September of 2019, UC CIO Iqdeep Singh Bachher and UC Regent Richard Sherman co-authored a piece for the L.A. Times in which they stated that they believed "hanging on to fossil fuel assets is a financial risk," and reassured the investor community that their decision had nothing "political" to it — it was simply a risk calculation.
- At a September 2019 meeting of the Investments committee, "Mr. Bachher explained how the Office of the CIO came to the decision to divest from fossil fuel companies. At the behest of students, the Office of the CIO set up a task force and committed to adopting a sustainable investment framework, which included climate change, diversity, equity, and inclusion, and to considering the risks posed from a financial perspective. The Office of the CIO sold its coal and oil sand holdings four years ago and gradually reduced its fossil fuel investments. The Pension would be the next to be divested from fossil fuel companies, and the Office of the CIO would continue to sell assets that would be a financial risk."
- At the May 2020 meeting of the Regents' investment committee, "Committee Chair Sherman asked about the University's exposure in the fossil fuel asset class, given what has happened in the energy markets. Mr. Bachher replied that the Office of the CIO announced that the endowment was free of fossil fuel investments in September 2019. As of today, the pension and all working capital pools were also free of fossil fuel investments, which meant that the University's \$125 billion of investment assets were all free of fossil fuel investments" (emphases added).
 - That same day, the UC Investments Office posted a self-laudatory memo announcing the same: that it had sold over \$1 billion worth of fossil fuel assets from its endowment, retirement and working capital pools.
 - "From a practical standpoint, UC Investments' implementation of the decision to avoid fossil fuel investments was made easier by MSCI's creation, at UC's request, of a publicly available index that excludes tobacco and fossil fuels" (emphasis added).

This provides strong evidence that the UC could request a custom index excluding American weapons manufacturers, Israeli firms, firms that have been implicated in human rights violations in occupied Palestine, and/or firms that profit directly from the occupation. The reason this has not happened is, of course, political.

- At the May 2022 meeting of the Investments committee, "Committee Chair Sherman observed that the returns have continued to demonstrate that transitioning to a fossil-free index has benefited UC." It was also indicated that "as was done with the endowment, pension, and working capital, the Office of the CIO would reduce UCRSP's exposure to fossil fuel companies in the coming months."
 - Recall that the UC Retirement Savings Plan (UCRSP) is separate from the UC pension, or UCRP.
- At the September 2022 Investments committee meeting it was reported that UCRSP had removed its fossil fuel investments by June 30, 2022. Regent Makarechian also remarked that "taking investments out of China would help the University achieve its goal of removing fossil fuel investments."

Did the UC fully divest from fossil fuels?

No.

Why did the UC divest at all?

In either of the two cases above, did divestment happen due to grassroots pressure, or was it simply a financial calculation on the part of the UC portfolio's managers? Due to lacking information and analysis, this report does not attempt to answer that crucial question.

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Who Rules the UC?

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[2] The distinction between options (i) and (ii) is not clear. Indeed, the UC's figures count both categories toward the GEP totals.

[3] Cf. the table above, \$18,122,833,000 + \$2,586,784,000 = \$20.7 billion in the GEP

[4] Shares in publicly-traded companies.

[5] Investments in privately-held companies that are not publicly traded on stock exchanges.

[6] We could not ascertain which of the UC's investment pools encompass these holdings.

[7] The fossil-fuel-excluding varieties of the S&P and MSCI funds don't have publicly listed weights. However, as we are only after an estimate, and the weights for most companies are likely to be almost the same between the vanilla and FF-excluding funds, we can safely use the weights reported by the vanilla funds. A more careful analysis is provided by other researchers here: <https://ocinvestments.info/>.

[8] If you've ever wondered what a Vice Provost or an Interim Vice Chancellor does, the Cabinet's description won't help.

[9] For instance, the SAR puts (i) investments held in GEP by campus foundations and (ii) non-foundation investments in GEP into separate categories. It also separates UC retirement funds from the university's other "investments."

[10] See the "[Marked] Research & Development" tab with the "Defense View" filter-view on.

[11] The non-negligible discrepancies between Berkeley- and UCOP-level data is a persistent issue we ran into while writing this document.

[12] Battelle is a [private, A&D nonprofit](#) that appears to have been floating in the defense/natsec sphere for [almost a century](#). It currently manages at least 9 national labs and centers, including Lawrence Livermore, Los Alamos, and the National Biodefense Analysis & Countermeasures Center.

[13] "Total apparently had some issues at a Plutonium Facility in 2021, for which they were issued a DOE [Preliminary Notice of Violation](#) in 2023.

[14] Edward Teller was an infamous warhawk. Among many other fun stories, he used [Project X-Ray](#) to disguise military nuclear bomb tests as exploratory civil engineering research. He was a major proponent of the SDI "[Star Wars](#)" program, one of his ideas being to create a nuclear death ray weapon called "Excalibur." At the time, thousands of scientists [pledged not to](#) accept SDI funding.

[15] Sandia National Labs is hereafter referred to simply as "Sandia," not to be confused with the Sandia Corporation (a subsidiary of Lockheed Martin) or National Technology and Engineering Solutions of Sandia (NTESS, a subsidiary of Honeywell). The latter two corporations have managed Sandia Laboratories at various times, but are not synonymous with it.

[16] As was [Norman Augustine](#), who at various times has been chairman and CEO of Lockheed Martin, member of the advisory board to Homeland Security, Regent at the University of Maryland, and a trustee at MIT, Johns Hopkins and Princeton.

[17] See the reports from [2019](#) and [2020-21](#). Then, in 2021 (see SBGR pg. 12), the Academic Alliance Program became the Sandia University Partnerships Network (at the time of writing Sandia's link "[sandia-academic-alliance-program](#)" goes to the SUPN page).

[18] The "base transaction action date" is the action date of the original Prime Award associated with a grant (rather than any sub-awards). When searching for grants, sorting by the base transaction action date shows only grants that *came into existence* in some date range. In USAspending.gov selecting "Show new awards only" will filter for prime awards whose base transaction date lies in the selected date range. Unselecting it means that if a prime award's base transaction action date (X) and latest transaction action date (Y) overlap at all with the selected date range (X < D < Y) then the prime award will be listed in the table.

