



City of Cambridge

52.

IN CITY COUNCIL

May 3, 1999

COUNCILLOR SULLIVAN
COUNCILLOR TOOMEY

RESOLVED: That the City Council go on record supporting the union of Harvard University security guards, parking attendants and Fogg Museum guards in their struggle for good faith negotiations which has resulted in their filing a complaint with the National Labor Relations Board.

In City Council May 3, 1999.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

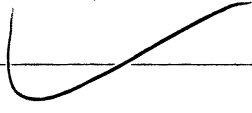
ATTEST:-

A handwritten signature in cursive script that reads "D. Margaret Drury".

D. Margaret Drury
City Clerk

MS
TT

52



Resolved: That the C-C go on record supporting the
~~Harvard~~ union of Harvard University
Security guards, parking attendants and Fogg
Museum guards in their struggle for
good faith negotiations which has resulted
in their filing a complaint with the
National Labor Relations Board

MS
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Support Guard's Union
UMr
w9

Guards' Union Files Complaint With Fed. Govt.

► University officials decline comment

By **MARC J. AMBINDER**
CRIMSON STAFF WRITER

The union representing Harvard's security guards, parking attendants and Fogg Museum guards yesterday lodged a complaint with the National Labor Relations Board (NLRB) alleging that the University violated federal labor laws and is negotiating in bad faith.

The preliminary complaint, a one-page document, charges that Harvard offered untenable contract proposals and tried to encourage employees to join another union.

The autonomous union has been mired in negotiations with the University since 1996, when it became certified by the federal government. Prior to that time, the union had been affiliated with the Service Employees International Union (SEIU), one of the largest service unions in the country.

"Since negotiations for an initial agreement began in 1997, and most recently on March 18, 1999, [Harvard] has presented harsh, unreasonable proposals which are calculated to frustrate agreement and has otherwise bargained

in bad faith," the complaint states.

The complaint also refers to a specific instance on March 9, 1999 when the University allegedly "provided unlawful support to the rival labor organization."

Union officials say they have twice asked the University for information about this incident, but so far, they allege, the University has not responded to their requests.

Union officials would not specify the nature of the incident.

However, a source with knowledge of the complaint said that the "rival" union in question is not the SEIU, a frequent target of the guards' criticism.

Union president Stephen G. McCombe has called the University's relationship with the SEIU "cozy." Several guards and other union officials have complained that SEIU and the University are too closely aligned in order for the SEIU to represent the interests of its workers.

In a statement, University officials declined to comment on the filing, which they said has not yet been officially received by the Office of the General Counsel.

"When we are advised of the charge by the [NLRB], we will respond appropriately to the [NLRB]," Kim A. Roberts '78, Harvard's director of labor relations, said in the statement.

Union and guard officials refused to

Please see **NLRB**, page 7

Guards' Union Files Complaint With Government

NLRB, from page 1

comment yesterday.

"There's an investigation underway," McCombe said. "The charges have been filed. I don't want to go into details."

Randall E. Nash, the attorney who filed the complaint on behalf of the guards' union, said he is confident the investigation will turn out in his favor.

Nash declined to detail the allegations when contacted yesterday.

But in a February interview with *The Crimson*, he outlined the union's position on Harvard's negotiating tactics.

"Harvard put a package of proposals

on the table in March of 1997, which really proposed very drastic changes in what the working conditions and benefits the guards were receiving," he said at the time.

Other sources have said the University counterproposals always included cuts in benefits.

Although the NLRB staff in Boston—the regional branch which received the complaint—had not yet begun to investigate the charges yesterday morning, a formal inquiry should be completed by July.

"[The complaint] has been put in the category that we would try to issue a

complaint or a dismissal letter 50-60 weeks from the time it was filed," said Lisa Fierce, an NLRB spokesperson.

Case investigators will take sworn statements from union officials, and then will attempt to contact the University for their response, Fierce said.

At the end of seven weeks, the principal investigator will make a decision whether to recommend filing an official complaint.

It is then up to a regional director of the NLRB to decide whether to file formal charges against the University, Fierce said.

"If there's a complaint, many of the cases settle at that point."

University officials said they are famil-

iar with NLRB investigations. One source said such complaints against the University are "not unusual."

"It probably happens a couple of times per year," the source said, referring to disputes with some of Harvard's labor unions.

As the NLRB compiles its evidence, negotiations will continue. The last negotiating session, held on March 18, saw both sides present proposals and counterproposals, according to union and University representatives.

More meetings are scheduled for later this month, and the union has agreed to the University's proposal to have a federal mediator oversee the bargaining sessions.

Students Rally for Guards' Wages

By M. DOUGLAS O'MALLEY
CRIMSON STAFF WRITER

Amid sunbathers and students throwing frisbees in the Yard, nearly 50 students and one Faculty member gathered Friday in an emotional protest in support of Harvard's security guards union.

The event, organized by the Living Wage Campaign, began with a rally in front of University Hall, then a short march to the front door of Mass. Hall.

The protestors then taped a poster reading "Contract Now" over the door to the central administration offices. After they were informed that the poster would be ripped down eventually, the protestors removed it.

Will W. Erickson '00-'01, a campaign organizer, told the crowd in a speech that he was missing a Literature and Arts C section that would be discussing Van Gogh's "Self-Portrait to Gauguin," which hangs in the Fogg Art Museum.

Art museum guards are included in the security guards union, which is still locked in negotiations for a new contract with the University.

"I need to be here to defend the people who defend that painting," he said.

Erickson also said the issue of a security guard contract was important for community safety, citing the recent Take Back The Night march as an example that campus safety is still a problem.

"This isn't just an issue of respecting our guards, but the safety of our community," he said.

The Harvard University Security, Parking and Museum Guard Union, which was formed three years ago, has been mired in negotiations with the University since its inception.

All of Harvard's graduate schools have begun using out-sourced guards, who often are paid less. Only the Faculty of Arts and Sciences (FAS) and the art museums continue to use guards employed by Harvard.

And, though FAS says it has no plans to eliminate the guards at present, negotiations with the union have been deadlocked since 1995, and no new guards have been hired since 1990.

Even the recent introduction of a federal mediator has not seemed to improve the situation.

The union filed a complaint with the National Labor Relations Board early last month alleging the University violated federal labor laws and is a "bad-faith" negotiator.

While less than 10 guards attended the rally, nearly all of them were vocal in their support for the movement.

The guards ranged from 36 years of working at Harvard to only two.

One of several guards who spoke at the rally was Danny J. Meagher a museum guard who said he had worked at Harvard for two years.

Meagher said he felt the University is betraying its humanitarian ideals and those of some its graduates, citing *Naked Lunch* author William S. Burroughs '36 and John F. Kennedy '40.

"We need to deal with the economy of truth, the economy of justice, not the economy of the dollar," he said. "They've turned [University ideals] into a base and hypocritical lie."

Meagher ended with a rousing call, "Let us go forward as an united front to victory!"

The next guard to speak was more emotionally subdued.

Jim C. Sullivan, who said he has served the University for 10 years as a guard, took several moments to compose himself before he thanked the students for their efforts.

"I'm grateful for the ideals you have shown today. I want you to remember this day when you come back for your fifth or tenth or twenty-fifth reunion and remember not to give them [Harvard] money," he said.

Bob Travis, who said he has worked

for the University for 36 years—since the presidency of Nathan M Pusey '28—was more blunt in his criticism.

"[President Neil L. Rudenstine] is the worst president I've worked for," he said.

Steve G. McCombe, union president, gave an update of negotiations between the union and the University.

Kaarina I. Hollo '83, a Celtic Department lecturer, addressed the crowd on the broader concerns of losing human contact through sub-contracting University labor.

"We all interact with our fellow human beings. I want to know the people who clean my office," she said.

Although Hollo was the only Faculty member at the rally, she says she feels the Faculty is sympathetic to the cause.

"I think that the Faculty has a vast reservoir of latent sympathy which could be tapped," she said.

Hollo recounted how she was able to get to know the people who cleaned her office, even buying Christmas gifts for some.

Yet, over the last two years, as sub-contracted janitorial workers have revolved in and out, she says it is harder to get to know them.

"You're going to stop making the effort to try to get to know them," she said. "It's not nice have people working around you who you don't know their name."

Guard Peter Flynn, who spoke about the dangers of bringing in unqualified subcontracted security guards during the rally, said before the rally that he was befuddled by the University's actions.

"I can't understand what Harvard is doing. Nobody wants to be responsible and nobody is responsible," he said.

"Up until recently Harvard has been very responsive. They haven't bargained at all. They're hoping we'll just go away. They're hoping we'll just die," he said.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case	Date Filed

INSTRUCTIONS:

File an original and 4 copies of this charge 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

Name of Employer President and Fellows of Harvard College		b. Number of workers employed 5,000+
Address (street, city, state, ZIP code) 1350 Mass. Ave. Cambridge, MA 02138		d. Employer Representative Kim A. Roberts, Director of Labor & Employee Relations
Type of Establishment (factory, mine, wholesaler, etc.) University		e. Telephone No. (617)495-2784
		g. Identify principal product or service Education

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (2) and (5) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.

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

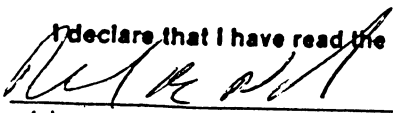
See Attached "Basis of the Charge"

By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act

Full name of party filing charge (if labor organization, give full name, including local name and number) Harvard University Security, Parking, and Museum Guards Union	
Address (street and number, city, state, and ZIP code) P.O. Box 381032, Cambridge, MA 02138	
4b. Telephone No. (978)263-0670	
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) N/A	

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.

	Randall E. Nash	Attorney
(signature of representative or person making charge)	11 Beacon St., Suite 520, Boston, MA 02108	(617)742-5511
		(title if any)
		April 8, 1999
		(date)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

President and Fellows of Harvard College)
Employer)
and)
Harvard University Security, Parking,)
and Museum Guards Union)
Charging Party)

BASIS OF THE CHARGE

On December 5, 1996, the Union was certified as the exclusive collective-bargaining representative of a unit of the Employer's employees. Since negotiations for an initial agreement began in 1997, and most recently on March 18, 1999, the Employer has presented harsh, unreasonable proposals which are calculated to frustrate agreement and has otherwise bargained in bad faith.

The Employer has dealt directly with unit employees, has encouraged and aided unit employees in efforts to decertify the Union, and has advocated membership in a rival labor organization. On or about March 4, 1999, the Employer provided unlawful support to the rival labor organization.

Since March 4, 1999, the Union has submitted two (2) written requests for information concerning the March 4, 1999 incident. The Employer has failed and refused to provide the requested information.

By the above and other acts, the Employer has violated Sections 8 (a) (1), (2), and (5) of the Act and has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act.



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COUNCILLOR SULLIVAN
COUNCILLOR TOOMEY

RESOLVED: That the City Council go on record supporting the union of Harvard University security guards, parking attendants and Fogg Museum guards in their struggle for good faith negotiations which has resulted in their filing a complaint with the National Labor Relations Board.

In City Council May 3, 1999.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

Consent Order #52

226CM

Councillors Sullivan and Toomey re:
support the union of Harvard University
security guards, parking attendants and
Fogg Museum guard regarding negotiations.

In City Council May 3, 1999

ORDER ADOPTED