

CONFRONTING UNION ANTISEMITISM: PROTECTING WORKERS FROM BIG LABOR ABUSES

HEARING

BEFORE THE

SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND PENSIONS

OF THE

COMMITTEE ON EDUCATION AND THE WORKFORCE

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

SECOND SESSION

HEARING HELD IN WASHINGTON, DC, JULY 9, 2024

Serial No. 118–58

Printed for the use of the Committee on Education and the Workforce



Available via: edworkforce.house.gov or www.govinfo.gov

U.S. GOVERNMENT PUBLISHING OFFICE

57–223 PDF

WASHINGTON : 2024

COMMITTEE ON EDUCATION AND THE WORKFORCE

VIRGINIA FOXX, North Carolina, *Chairwoman*

JOE WILSON, South Carolina	ROBERT C. "BOBBY" SCOTT, Virginia, <i>Ranking Member</i>
GLENN THOMPSON, Pennsylvania	RAUL M. GRIJALVA, Arizona
TIM WALBERG, Michigan	JOE COURTNEY, Connecticut
GLENN GROTHMAN, Wisconsin	GREGORIO KILILI CAMACHO SABLAN, Northern Mariana Islands
ELISE M. STEFANIK, New York	FREDERICA S. WILSON, Florida
RICK W. ALLEN, Georgia	SUZANNE BONAMICI, Oregon
JIM BANKS, Indiana	MARK TAKANO, California
JAMES COMER, Kentucky	ALMA S. ADAMS, North Carolina
LLOYD SMUCKER, Pennsylvania	MARK DeSAULNIER, California
BURGESS OWENS, Utah	DONALD NORCROSS, New Jersey
BOB GOOD, Virginia	PRAMILA JAYAPAL, Washington
LISA McCLAIN, Michigan	SUSAN WILD, Pennsylvania
MARY MILLER, Illinois	LUCY McBATH, Georgia
MICHELLE STEEL, California	JAHANA HAYES, Connecticut
RON ESTES, Kansas	ILHAN OMAR, Minnesota
JULIA LETLOW, Louisiana	HALEY M. STEVENS, Michigan
KEVIN KILEY, California	TERESA LEGER FERNANDEZ, New Mexico
AARON BEAN, Florida	KATHY MANNING, North Carolina
ERIC BURLISON, Missouri	FRANK J. MRVAN, Indiana
NATHANIEL MORAN, Texas	JAMAAL BOWMAN, New York
LORI CHAVEZ-DEREMER, Oregon	
BRANDON WILLIAMS, New York	
ERIN HOUCHIN, Indiana	
VACANCY	

Cyrus Artz, *Staff Director*
Véronique Pluviose, *Minority Staff Director*

SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND PENSIONS

BOB GOOD, Virginia, *Chairman*

JOE WILSON, South Carolina	MARK DeSAULNIER, California <i>Ranking Member</i>
TIM WALBERG, Michigan	JOE COURTNEY, Connecticut
RICK ALLEN, Georgia	DONALD NORCROSS, New Jersey
JIM BANKS, Indiana	SUSAN WILD, Pennsylvania
JAMES COMER, Kentucky	FRANK J. MRVAN, Indiana
LLOYD SMUCKER, Pennsylvania	PRAMILA, JAYAPAL, Washington
MICHELLE STEEL, California	LUCY McBATH, Georgia
AARON BEAN, Florida	JAHANA HAYES, Connecticut
ERIC BURLISON, Missouri	ILHAN OMAR, Minnesota
LORI CHAVEZ-DEREMER, Oregon	KATHY MANNING, North Carolina
ERIN HOUCHIN, Indiana	

C O N T E N T S

	Page
Hearing held on July 9, 2024	1

OPENING STATEMENTS

Good, Hon. Bob, Chairman, Subcommittee on Health, Employment, Labor, and Pensions	1
Prepared statement of	3
DeSaulnier, Hon. Mark, Ranking Member, Subcommittee on Health, Em- ployment, Labor, and Pensions	3
Prepared statement of	5

WITNESSES

Kopmar, Ilana, Staff Attorney, Nassau County Legal Aid Society	7
Prepared statement of	9
Sussman, William, Graduate Student, Massachusetts Institute of Tech- nology	12
Prepared statement of	14
Lofaso, Dr. Anne Marie, Professor of Law, West Virginia University Col- lege of Law	51
Prepared statement of	53
Taubman, Glenn, Staff Attorney, National Right To Work Legal Defense Foundation	67
Prepared statement of	68

ADDITIONAL SUBMISSIONS

Foxx, Hon. Virginia, a Representative in Congress from the State of North Carolina:	
Testimony dated July 22, 2024, from Glenn M. Taubman	91
Letter from Adina Bechhofer	98

CONFRONTING UNION ANTISEMITISM: PROTECTING WORKERS FROM BIG LABOR ABUSES

Tuesday, July 09, 2024

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

The Subcommittee met, pursuant to notice, at 10:15 a.m., in Room 2175, Rayburn House Office Building, Hon. Bob Good [Chairman of the Subcommittee] presiding.

Present: Representatives Good, Wilson, Walberg, Allen, Bean, Burlison, Houchin, Foxx, DeSaulnier, Courtney, Norcross, Jayapal, Manning, and Scott.

Staff present: Mindy Barry, General Counsel; Jackson Berryman, Speechwriter; Isabel Foster, Press Assistant; Daniel Fuenzalida, Staff Assistant; AnnMarie Graham Barnes, Deputy Communications Director; Ben Gruber, Intern; Sheila Havenner, Director of Information Technology; Alex Knorr, Legislative Assistant; Trey Kovacs, Professional Staff Member; Georgie Littlefair, Clerk; Hannah Matesic, Deputy Staff Director; Carson Middleton, Staff Director; Mike Patterson, Oversight Investigative Counsel; Rebecca Powell, Staff Assistant; Kiah Stith, Intern; Seth Waugh, Director of Workforce Policy; Maura Williams, Director of Operations; Ellie Berenson, Minority Press Assistant; Ilana Brunner, Minority General Counsel; Arana Blake, Minority CBCF Intern; Stephanie Lalle, Minority Communications Director; Dhrtvan Sherman, Minority Research Assistant; Raiyana Malone, Minority Press Secretary; Kevin McDermott, Minority Director of Labor Policy; Meghan O'Neil, Minority Intern; Eleazer Padilla, Minority Staff Assistant; Mason Pesek, Minority Policy Counsel; Veronique Pluviose, Minority Staff Director; Banyon Vassar, Minority IT Administrator.

Chairman GOOD. The Hearing on the Subcommittee on Health, Employment, Labor and Pensions will come to order. I note that a quorum is present. Without objection, the Chair is authorized to call a recess at any time. Today's hearing will examine the ways in which unions put politics over people through the lens of rampant union antisemitism.

Unfortunately, the politicization of unions is not new. The National Institute for Labor Relations Research estimates that unions spent about 25 billion dollars in political donations during the 2022

election cycle, or far more than the roughly 2 billion they report as political activities.

In the 2020 Presidential campaign, President Biden received 27.5 million in direct donations from labor organizations, while President Trump received less than 360,000. While the working class seems to be moving in favor of the GOP in the upcoming election cycle, it is clear that union bosses sold out to the left long ago.

Additionally, the response by union leaders to the October 7 Hamas terrorist attacks on Israel have exposed yet another way that unions are beholden to the radical left, instead of to the workers they claim to represent. Rather than focus on their stated purpose of negotiating better workplace conditions for workers, unions choose to spend time and money advancing their divisive and anti-American political agenda.

Take for example the Association of Legal Aid Attorneys, or ALAA, the ALAA represents more than 2,700 public interest lawyers in the New York metro area. On December 19, 2023, it passed a highly controversial resolution calling for a cease-fire in Gaza.

The resolution's inflammatory rhetoric, such as calling Israel an apartheid State alienated many members and caused nearly 35 percent of the membership to vote against it. The New York Post has further exposed more details of offensive and harmful anti-semitism that is rampant throughout ALAA communications.

Some of the union members sued the union, but shockingly the union members that filed the lawsuit were charged with, "Conduct unbecoming of a union member." They were charged under the UAW Constitution, and they are now facing trial with a penalty of expulsion from the union.

In other words, the union members shelling out roughly \$120.00 a month to be part of the union, will now be put on trial by the same organization intended to protect and represent them, simply for standing up for what they believe.

One of the Plaintiffs argued, "I should not have to financially support an organization that adopts antisemitic resolutions, sides with terrorist organizations, and advocates for the destruction of Israel in order to be a public defender in New York."

I could not agree more. 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 to cease paying union dues for political activities they disagree with. Unfortunately, unions have an incentive to keep their members ignorant of their rights.

They often make little effort to inform them of these rights, and as Jewish workers have recently experienced current Federal labor law, and Supreme Court precedent failed to adequately protect individual employees' right to refrain from union activity.

The ALAA, along with other organizations like the MIT graduate student union, demonstrates how unions neglect their members to pursue left wing activism at all costs.

Today we are providing a platform for those who are not truly represented by the unions they pay dues to. We will discuss how the law protects their political and religious convictions, and how further protections could be provided.

Perhaps not everyone here and on the panel agrees on the appropriate role of the unions in society, but I hope we can all agree that if anything, they should pursue, they should advocate on behalf of the workplace interest of workers, rather than pursuing a radical, political agenda that alienates their members. With that, I yield to the member for his opening statement.

[The Statement of Chairman Good follows:]

STATEMENT OF HON. BOB GOOD, CHAIRMAN, SUBCOMMITTEE ON HEALTH,
EMPLOYMENT, LABOR, AND PENSIONS

Today's hearing will examine the ways in which unions put politics over people through the lens of rampant union antisemitism.

Unfortunately, the politicization of unions is not new. The National Institute for Labor Relations Research estimates that unions spent about \$25 billion in political donations during the 2022 election cycle, or far more than the roughly \$2 billion they report as political activities.

In the 2020 presidential campaign, President Biden received \$27.5 million in direct donations from labor organizations, while President Trump received less than \$360,000. While the working class seem to be moving in favor of the GOP in the upcoming election cycle, it is clear that union bosses sold out to the Left long ago.

Additionally, the response by union leaders to the October 7 Hamas terrorist attacks on Israel have exposed yet another way unions are beholden to the radical Left instead of the workers they claim to represent. Rather than focus on their stated purpose of negotiating better workplace conditions for workers, unions choose to spend time and money advancing their divisive and anti-American political agenda.

Take, for example, the Association of Legal Aid Attorneys (ALAA). The ALAA represents more than 2,700 public interest lawyers in the New York Metro Area, and on December 19, 2023, it passed a highly controversial resolution calling for a ceasefire in Gaza.

The resolution's inflammatory rhetoric—such as calling Israel an apartheid state—alienated many members and caused nearly 35 percent of the membership to vote against it. The New York Post has further exposed more details of offensive and harmful antisemitism that is rampant throughout ALAA communications.

Some of the union members have sued the union, but shockingly, the union members who filed the lawsuit were charged with "Conduct Unbecoming of a Union Member" under the UAW Constitution and are now facing trial with a penalty of expulsion from the union.

In other words, these union members shelling out roughly \$120 a month to be part of the union will now be put on trial by the same organization intended to protect and represent them, simply for standing up for what they believe.

One of the plaintiffs argued, "I should not have to financially support an organization that adopts antisemitic resolutions, sides with terrorist organizations, and advocates for the destruction of Israel in order to be a public defender in New York."

I could not agree more. 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 to cease paying dues for political activities they disagree with.

Unfortunately, unions have an incentive to keep their members ignorant of their rights and often make little effort to inform them of these rights. As Jewish workers have recently experienced, current federal labor law and Supreme Court precedent fail to adequately protect individual employees' right to refrain from union activity.

The ALAA, along with other organizations like the MIT Graduate Student Union, demonstrates how unions neglect their members to pursue Left-wing activism at all costs.

Today we are providing a platform for those who are not truly represented by the unions they pay dues to. We will discuss how law protects their political and religious convictions, and how further protections could be provided.

Perhaps not everyone here and on the panel agrees on the appropriate role of unions in society, but I hope we can all agree that—if anything—they should advocate on behalf of the workplace interests of workers rather than pursuing a radical political agenda that alienates their members.

Mr. DESAULNIER. Thank you, Mr. Chairman. I want to start by making clear that I condemn antisemitism, and all forms of hate,

whether it be in the classroom, in the workplace, or anywhere else. As Members of Congress, and citizens, we have a responsibility to stand up against all forms of hate, regardless of the source of the political party, or the political party.

I agree with the Chairman that we should do more to combat antisemitism. No one should be threatened, harassed, or attacked because of who they are, who they worship or what they stand for.

I look forward to the witnesses' testimonies, but we should avoid the broad brush, stereotypical attacks on workers' ability to organize and collectively bargain that have characterized the Subcommittee's six prior anti-labor hearings.

Based on the title of today's hearing, I fear we will do it again. Just for the record, corporate interests and the wealthiest in America, and income and equality is at its most intense in the history of this country, eclipsing the Gilded Age, is now the advantage of corporations in the top 10 percent, 16 to 1.

We talk about labor contributing to campaigns, they are being buried by corporate interests, particularly after the Supreme Court's Citizens United decision. Immigrants, including Jewish immigrants, left their home countries often under duress, and sought to build a better life and future for themselves and their families in the United States.

Many immigrants opted to organize and join the labor movement because they understood what is still very true today, unions give workers a voice, and have the power to transform their lives through collective action. That means elections—union elections.

Throughout history unions have been pivotal in advancing the conditions and rights of workers, from establishing the 5-day work week, to championing minimum wage laws, banning child labor, which is now under attack again, and protecting workers from being maimed and killed at work.

Their advocacy, the union advocacy, has been instrumental in building and sustaining America's middle class, which is now under attack. At a time of extreme wealth inequality, workers are increasingly organized because as they seek the collective and democratic power unions provide them in order to secure higher wages, better benefits, and safer workplaces, union workers enjoy approximately 20 percent higher wages, and are more likely to have access to essential benefits, such as health insurance, paid leave, and defined benefits pension plans.

These gains not only benefit individual workers and their families, but they also contribute to a more robust economy, where prosperity is more broadly shared. Unions also create workplace democracy. Unions are inherently "small d" democratic institutions. For example, workers need at least majority support in the workplace to form and join a union.

Union workers need majority support to authorize a strike. They need majority support to ratify a contract. Workers are their unions, and unions are accountable to their members, by a vote. While the fundamental principle of unions is rooted in majority rule, just like any democracy, our Nation's laws also protect the rights of individual workers.

We are fortunate to have Dr. Anne Marie Lofaso as one of our witnesses today. The Doctor's testimony notes that workers have

multiple levels to choose from, to related to how they want to affiliate with their unions.

Union-represented workers have a right to resign from union membership. The right to object to dues beyond representational activities known as the Beck right, and the right to request a religious accommodation for non-payment of union dues.

Those are all rights. Unions are legally required to inform workers of their Beck right, and their equal rights, and protection under Title 1 of the Labor Management Reporting and Disclosure Act.

While employers are required to inform workers of their right to religious accommodations beyond a basic flyer posted in the workplace, employers have no obligation to directly inform workers of their rights to organize a union or come together with their coworkers to engage in concerted activity regarding the terms and conditions of employment.

As we discuss these issues today, let us not forget that the true threat to workers' freedom and rights is not unions, but employer, bad employer, low road employers, intimidation and retaliation, as well as deficiencies in our labor laws to hold unscrupulous businesses.

As I have said many times, it is not responsible businesses, it is a few businesses that bring the whole culture down to us versus them, more money for us, and less for them. Not all businesses, just the ones that do not play by the rules, accountable for violations of the law. These include employers holding mandatory coercive, captive audience meetings, inadequate penalties for violating workers' rights and prolonged delays in justice for workers facing retaliation.

We must reaffirm our commitment to strengthening workers protections, and advancing legislation such as the PRO Act, Protecting the Right to Organize e Act. This landmark legislation would modernize our labor laws for the first time in decades, empowering workers to organize freely, and ensuring that employers are held accountable for their actions.

Last, we have a responsibility to fund the very agencies that enforce workers' rights. We should make sure we are appropriately funding key agencies like the National Labor Relations Board, and the EEOC, so they can fulfill their vital mission to protect workers. Thank you, Mr. Chairman, and I yield back.

[The Statement of Ranking Member DeSaulnier follows:]

STATEMENT OF HON. MARK DESAULNIER, RANKING MEMBER, SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND PENSIONS

Thank you, Mr. Chairman.

I want to start by making clear that I condemn antisemitism and all forms of hate—whether it be in the classroom, in the workplace, or anywhere else. As Members of Congress and citizens, we have a responsibility to stand up against all forms of hate, regardless of the source or the political party.

I agree that we should do more to combat antisemitism. No one should be threatened, harassed, or attacked because of who they are, who they worship, or what they stand for. I look forward to the witnesses' testimonies—but we should avoid the broad-brush stereotypical attacks on workers' ability to organize and collectively bargain that have characterized the subcommittee's six prior anti-labor hearings, and—based on the title of today's hearing—I fear we will hear again.

Just for the record, corporate interest is the wealthiest in America, and income inequality is the most intense in this country. Eclipsing the glided age is now the advantage of cooperation in the top 10 percent, 16 to 1. When we talk about labor

contributing to campaigns, they are being buried by corporate interest, particularly after the Supreme Court's *Citizens United* decision.

Immigrants, including Jewish immigrants, left their home countries—often under duress—and sought to build a better life and future for themselves and their families in the United States. Many immigrants opted to organize and join the labor movement because they understood what is still very true today—unions give workers a voice and have the power to transform their lives through collective action. That means elections. Union elections.

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, which is now under attack again, and protecting workers from being maimed and killed at work. Their advocacy, the union advocacy, has been instrumental in building and sustaining America's middle class. Which is now under attack.

At a time of extreme wealth inequality, workers are increasingly organizing because they recognize the collective and democratic power unions provide them in order to secure higher wages, better benefits, and safer workplaces. Union workers enjoy approximately 20 percent higher wages and are more likely to have access to essential benefits such as health insurance, paid leave, and defined-benefit pension plans. These gains not only benefit individual workers and their families but also contribute to a more robust economy where prosperity is more broadly shared.

Unions also create workplace democracy.

Unions are inherently small “d” democratic institutions. For example, workers need at least a majority of support in their workplace to form or join a union. Union workers need majority support to authorize a strike. They need majority support to ratify a contract. Workers are their unions, and unions are accountable to their members by a vote.

While the foundational principle of unions is rooted in majority rule, just like any democracy, our nation's laws also protect the rights of individual workers. We are fortunate to have Dr. Anne Marie Lofaso as one of our witnesses today. Dr. Lofaso's testimony notes that workers have multiple avenues to choose the level with which they wish to affiliate their unions. Union-represented workers have the right to resign from union membership, the right to object to dues beyond representational activities, known as the “Beck” right, 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 and their equal rights and protections under Title I of the *Labor Management Reporting and Disclosure Act*. While employers are required to inform workers of their right to religious accommodations, beyond a basic flyer posted in the workplace, employers have no obligation to directly inform their workers of their rights to organize a union or come together with their coworkers to engage in concerted activity regarding the terms and conditions of their employment.

As we discuss these issues today, let us not forget that the true threat to workers' freedom and rights is not their unions, but employers, bad employers, low road employers. Intimidation and retaliation, as well as deficiencies in our labor laws to hold unscrupulous businesses—as I have said many times, it is not a responsible business, but a few businesses that bring the whole culture down to us versus them. Not all businesses, just the ones that do not play by the rules—accountable for violations of the law. These include employers holding mandatory and coercive captive audience meetings, inadequate penalties for violating workers' rights, and prolonged delays in justice for workers facing retaliation.

We must reaffirm our commitment to strengthening worker protections and advancing legislation such as the bipartisan *Protecting the Right to Organize (PRO) Act*. This landmark legislation will modernize our labor laws for the first time in decades, empowering workers to organize freely and ensuring that employers are held accountable for their actions.

Lastly, we have a responsibility to fund the very agencies that enforce workers' rights. We should make sure we are appropriately funding key agencies like the National Labor Relations Board and the EEOC so they can fulfill their vital mission to protect workers.

Thank you, Mr. Chairman, and I yield back.

Chairman GOOD. Thank you. 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 electroni-

cally in Microsoft Word format by 5 o'clock p.m., 14 days after the date of this hearing, which is July 23, 2024.

Without objection, the hearing record will remain open for 14 days to allow such statements, and other extraneous materials referenced in the hearing, to be submitted to the official hearing record.

I will now turn to the introduction of our distinguished witnesses. Our first witness is Ms. Ilana Kopmar, who is a Staff Attorney employed by the Nassau County Legal Aid Society in Hempstead, New York. Welcome.

Our next witness is Mr. William Sussman, who is a Graduate Student, at the Massachusetts Institute of Technical, or MIT, in Cambridge, Massachusetts. Welcome, Mr. Sussman.

Our third witness is Dr. Anne Marie Lofaso, who is a Professor of Law at West Virginia University College of Law in Morgantown, West Virginia. Welcome, Dr. Lofaso.

Our final witness is Mr. Glenn Taubman, who is a Staff Attorney with the National Right to Work Legal Defense Foundation, which is located in Springfield, Virginia. Welcome, Mr. Taubman.

We thank the witnesses for being here today and look forward to your testimony. Pursuant to the Committee Rules, I would ask that you limit your oral presentation to a 5-minute summary of your written statement, and I would like to remind the witnesses to be aware of their responsibility to provide accurate information to this Subcommittee.

I now recognize Ms. Kopmar for 5 minutes.

STATEMENT OF MS. ILANA KOPMAR, STAFF ATTORNEY, NASSAU COUNTY LEGAL AID SOCIETY, HEMPSTEAD, NEW YORK

Ms. KOPMAR. Thank you, Chairman Good, and Ranking Member DeSaulnier. I am a criminal defense attorney at Nassau County Legal Aid, and I am also a member of the UAW Local 2325, the Association of Legal Aid Attorneys, the ALAA.

I am also Jewish, and Zionism, the belief in the right of the Jewish people to self-determination in our ancestral homeland is as integral to my religious practice as is keeping kosher and observing the sabbath. Most American Jews share this belief, that Zionism is integral to their Jewish faith.

After Hamas' bloody attack against Israel on October 7th, the ALAA and its leadership created an antisemitic, hostile work environment for its Jewish members, for whom the existence of Israel is integral to their Jewish identity, and for their non-Jewish allies.

On November 14th, the ALAA just gave 3 days' notice of a membership vote on a resolution entitled, Resolution Calling for the Ceasefire in Gaza, an End to the Israeli Occupation of Palestine. Despite its title, the Resolution was not a call for a cease-fire, but for Israel's defeat. The Resolution does not mention Hamas even once.

It dehumanizes the victims of October 7th by not mentioning that Hamas massacred, raped, and mutilated Jews, Israelis and Americans, and violently abducted men, women and children. Instead, it is a one-sided vitriolic attack against the Jewish State using antisemitic tropes, and language widely understood to be a call for the destruction of Israel.

Three of my colleagues and I from my office, believe that this antisemitic resolution would interfere with our ethical responsibility to zealously represent our Jewish and Israel clients free from discrimination. It also added to an already hostile, antisemitic environment in the union.

We sought, and were granted in State Court, a temporary restraining order halting the vote. After the case was removed to Federal Court, the TRO was dissolved, the resolution passed with just over half of members voting at all, and one-third of those voted no.

Immediately after filing the TRO, the union retaliated and filed internal charges to expel us. They accused us of conduct unbecoming to a union member, even though we have a legal right to oppose the union's antisemitism. We appealed to the UAW International Executive Board.

It denied our appeal without even considering our legal arguments. If we had not filed an immediate appeal of that decision to the UAW's Public Review Board, the union was going to start jury selection, and our expulsion trial tonight. We have now filed our own charges against the union with the EEOC and brought a lawsuit in Federal Court for violating our labor rights, and unlawful discriminatory retaliation.

After the TRO, the union's antisemitism against us intensified, and in Gaggle, an email listserv for members, and in member-wide Zoom meetings, we were called "fascist," "genocider," "fascist colonizers," "Zionist ghouls." We were told to go kill ourselves. Members advocating kicking Zionists out of the union, and outrightly called for the elimination of Israel.

One member stated that the union has a duty to stand up and called for an end to Israel, and signed their email with the Nazi reference, "Goosestepping outside." When Jewish and Zionist members introduced a resolution to free the hostages, the immediate response on Gaggle was "LMAO," laughing my ass off. Another responded that this resolution confirmed that Zionist union members were not comrades, but fascist colonizers.

At the Joint Council meeting the resolution's presenters were called "disgusting" and "F'd up," and there were calls to mute them. Members wanted to kick out a Jewish member from the meeting for expressing typical Zionist lies. The union overwhelmingly voted down the resolution, calling to free the hostages.

ALAA President Lisa Ohta, and leadership were at that meeting, and they did nothing to stop the attacks, or tamp down the bullying and vitriol. The next day, a paid ALAA staffer emailed the membership characterizing the hostage release resolution as a small Zionist minority, attempting to disrupt the ALAA. He also blamed the Zionists for collaborating with this congressional Committee and attempting to weaken the union.

I am not here to weaken the union, but to strengthen it. The union is tearing itself apart. Union leadership has a duty to protect its members from bias and discrimination, not foster attacks against its Jewish and non-Jewish Zionist members. This is not how a union should act, and we should not be forced to support the discriminatory actions. Thank you so much for inviting me, it has been an honor and a privilege.

[The Statement of Ms. Kopmar follows:]

STATEMENT OF ILANA KOPMAR, STAFF ATTORNEY, NASSAU COUNTY LEGAL AID
SOCIETY, HEMPSTEAD, NEW YORK

My name is Ilana Kopmar. I have spent my entire legal career of 32 years as a criminal defense attorney for the Legal Aid Society of Nassau County. I also served as President of our office's prior Union for five years before we joined our present Union.

My job is very rewarding, primarily because of the relationships that I develop with my clients. Every day, my colleagues and I appear in court to zealously defend our clients and protect their rights. Pursuant to the Sixth Amendment right to counsel, we are assigned to clients of every race, national origin, and religion, including Jewish clients.

Our clients do not choose their attorneys, and we have an ethical obligation to represent every client free from even the perception of bias and discrimination. When we walk into a courtroom, it is crucial that our clients trust us to protect and defend them.

Just as our job is to protect and defend our clients, our Union has a job to protect and defend its members. Our job can be very difficult. We are paid low salary wages and have high caseloads and low retention rates. As prior President of our office Union, I know that we need a strong Union to protect and advance our interests. Over 10 years ago, our office joined UAW Local 2325, the Association of Legal Aid Attorneys, also known as the ALAA. We believed that through the camaraderie and the support of more than 3000 members of the ALAA, spread over 30 non-profit agencies, we would have the Union's support to help us bargain for higher wages, increased state and county funding, improved benefits, and a better work environment. We thought a supportive

Union would make us a stronger, more effective Union.

Recently, instead of focusing on collective bargaining and fostering a united membership, the ALAA and its leadership created an antisemitic, hostile work environment for its Jewish members for whom Zionism is an integral part of their Jewish identity, as it is for the vast majority of American Jews, and their non-Jewish allies. After the attack by the terrorist organization Hamas on October 7—the worst attack against the Jewish people since the Holocaust—the ALAA communication channel, Gaggles (an email listserv for Union members and Joint Council meetings) became a hotbed of antisemitism and blatant discrimination directed against us.

Shortly after October 7, my office colleagues and I learned that ALAA colleagues of ours working at the NYC Legal Aid Society were subject to inter-office emails from their fellow ALAA members denying the atrocities that happened on October 7. One email questioned whether Jewish Legal Aid lawyers who have “an allegiance to Israel” can zealously represent clients who are Palestinian or Muslim and questioned whether such lawyers were colluding with prosecutors. In late October, the Bronx Defender Chapter of the ALAA adopted a blatantly antisemitic resolution which questioned the veracity of reports of Hamas’ brutality, killing, mutilation and rape of Israeli victims, and falsely accused Israel of genocide. Most shockingly, the resolution proclaimed the ALAA Chapter’s support of Hamas’ “resistance under occupation,” which is a call for continued violence by Hamas against the Israeli and Jewish people. Shortly thereafter, the CAMBA Chapter of the ALAA, located in Brooklyn, New York, put out a similar antisemitic resolution. These resolutions caused a public outcry and calls to defund the organizations employing ALAA members.

I and others recognize these resolutions as supporting violence and discrimination against us, our families, friends and other Jewish Zionist and allied Union members. Unions should not engage in discriminatory speech against its own members or show bias against our clients. My Union has the right to criticize Israel and its government, just as it may any other government. However, denying Jews the right to self-determination in their ancestral homeland and condoning violence and discrimination against Jews crosses a clear line into antisemitism. Pursuant to the International Holocaust Remembrance Alliance (“IHRA”) definition of antisemitism, such denial of the Jewish people’s right to self-determination, and the demonization of Jews who support Israel, constitutes antisemitism. This esteemed body recognized this by passing H.R. 6090, the “Antisemitism Awareness Act of 2023,” and H.R. 894, affirming unequivocally that anti-Zionism is antisemitism.

To me, an integral part of my faith and identity as a practicing Jew is the recognition of Jewish people’s right to self-determination in their indigenous homeland in Israel. My connection to and support of Israel is as important to me as is my com-

mitment to keep kosher and observe the Sabbath. In other words, it is an integral part of my sincerely held religious belief system.

On November 14, 2024, the ALAA gave just three days' notice of a resolution to be voted on by its entire membership, entitled "Resolution Calling for a Ceasefire in Gaza, and End to the Israeli occupation of Palestine." This resolution is an antisemitic screed against the Jewish state and its supporters including myself and other Union members. Despite its title, the resolution was not a call for a ceasefire, but for Israel's defeat. Nowhere in the 1,147-word screed is the terrorist organization Hamas even mentioned, let alone called upon to stand down. Nowhere does the resolution acknowledge that Hamas massacred, mutilated, raped, maimed, burned, killed over 1,000 Jews and Israelis, including many American citizens. Nowhere does the resolution mention that Hamas violently abducted men, women, children and babies and are holding them hostage. There was no demand that Hamas release its hostages. Instead, the resolution was a one-sided vitriolic attack against Israel. It uses antisemitic tropes and language widely understood as a call for the destruction of Israel.

The ALAA resolution was so shocking in its antisemitism that the Legal Aid Society of New York City, The Bronx Defenders Organization and the President of the New York Legal Assistance Group issued statements rejecting the ALAA resolution as antisemitic. The Board and management of the Legal Aid Society of Nassau County, my employer, led by our Chief Attorney, N. Scott Banks, issued a statement rejecting the resolution for its "antisemitic language and thinly veiled call for the destruction of the State of Israel." The statement concluded that "this resolution does not represent the values or mission of our office and is divisive and hurtful to so many members of our staff and clients."

My colleagues and I were immediately concerned about the negative effect this resolution would have on our office and our clients. We reasonably believe that the resolution constituted a discriminatory statement and created a hostile work environment. People questioned why our Union was getting involved in a conflict thousands of miles away that has nothing to do with defending our clients' constitutional rights. More importantly, we were concerned that the antisemitic resolution showed bias against our Jewish, Israeli and non-Jewish Zionist clients and fellow Union members, making them lose trust in us. Four of us obtained a temporary restraining order under New York law from a Nassau County Supreme Court Judge, in *Clarke, et al. v. The Association of Legal Aid Attorneys, et al.*, Index No. 618764/2023 (Sup. Ct., Nassau Cnty.), to halt the membership vote from concluding on November 17. The following week, after listening to extensive oral arguments, the Judge extended the TRO. Eventually the case was transferred to federal court in the Eastern District of New York, where the TRO was dissolved. The vote proceeded, and the resolution was passed by a vote of 1067 to 570—almost half of ALAA members did not vote at all, and a third who did voted "no."

After the resolution was presented, the Union turned on anyone who expressed their support for Israel as a means of retaliating against us to dissuade us from engaging in protected activities such as testifying before this body or making or supporting a charge of discrimination. We were subjected to a barrage of vitriolic hate speech through Gaggle and during Joint Council meetings. We were called fascists, genociders, genocide deniers, snitches and Zionist ghouls. We were told to go kill ourselves. The slogan "from the river to the sea" was routinely used. More than that, Union members were very vocal in outrightly calling for the elimination of Israel. One member wrote "we have a duty to stand up and call for a Free Palestine, which means an end to Isreal [sic]. . ." and signed off with "goosestepping [sic] outside."

Contrary to the very nature of a Union requiring unity and camaraderie with fellow members, one member wrote that they "will never have camaraderie with zionists." Another email stated "y'all are assuming and conflating that somehow our vote was unconstitutional or antisemitic simply because y'all are Zionists and will defend israel's [sic] settler colonial project until you cannot any longer. until [sic] the liberation of palestine [sic]—from the river to the sea." One member wrote that "If the majority decides that LAS should not have Zionists in its ranks, then it will be the majority."

The emails were a continuous barrage of antisemitic and anti-Israel rhetoric. There was no thoughtful discussion and respectful dialogue. Instead, Gaggle was replete with insults, denigration, divisiveness and antisemitism that would not be tolerated in any other workplace space. For what was intended to be a safe space for people to express themselves, Gaggle was not a safe space for Jews and Zionists, and, most alarmingly, the Union leadership did nothing to tamp-down this behavior.

Immediately after the TRO was filed, four members from the ALAA filed discriminatory retaliatory charges, pursuant to Article 31 of the UAW Constitution, to expel

me and the other three members who exercised our legal right to oppose the Union's antisemitism by securing the TRO. They accused us of "conduct unbecoming of a union member" for engaging in protected activities in filing the TRO to stop the Union from voting on the resolution and for calling out antisemitism espoused by Union members in Gaggle. On January 2, 2024, the ALAA Amalgamated Council ratified the discriminatory Article 31 charges and sent the retaliatory complaint to the Joint Council to hold a trial and render a verdict. A guilty verdict results in our expulsion from the Union.

With the assistance of the Louis D. Brandeis Center for Human Rights Under Law, we appealed the ALAA's ratification of the expulsion charges proceeding to the UAW International Executive Board. We argued that the proceeding violates the Labor-Management Reporting and Disclosure Act, Title VII of the Civil Rights Act of 1964, the New York State Human Rights Law, and the New York City Human Rights Law. After waiting months for a decision without hearing anything, we filed charges against the ALAA with the Equal Employment Opportunity Commission. Within days of the ALAA being notified of the EEOC charges, we received a decision from the UAW International Executive Board denying our appeal without even considering our arguments that the expulsion violates Federal and New York laws. Shortly thereafter, we received notice that the Union intended to commence the expulsion trial on July 9, 2024. We immediately appealed to the UAW Public Review Board, staying the expulsion proceedings.

This vitriol continued even after the Union began expulsion proceedings against us, in both Joint Council meetings and Gaggle. Jewish Zionist members and their allies were demonized as "scabs, snitches and genocide-deniers." One recent meeting was particularly difficult. At that meeting, three Israel-related resolutions were proposed to be voted on by Union delegates. The first resolution demanded that in support of the student pro-Palestinian protesters, all public defense agencies should issue public statements opposing Israeli genocide. The second resolution condemned UAW President Shawn Fain and other IEB members for voting against divesting from Israel Bonds and continuing the "UAW's complicity in genocide." Two of my colleagues (Jewish ALAA members) offered a third resolution as an alternative. This resolution condemned Hamas for abducting hostages and called for the release of hostages. When the resolution supporting the release of the hostages was first introduced on Gaggle, the immediate response was "lmao." Another member wrote that the resolution confirms that "in act and thought, y'all not like us. Y'all aren't comrades, but fascist colonizers—mere prosecutors in defender's clothes."

The meeting proceeded along similar hostile lines. In the Zoom chat when one Jewish Zionist member expressed her opposition to the divestiture resolution, one member responded that she was expressing "typical Zionist lies," and another responded, "sorry but no settler colony like Isra*l [sic] has the right to exist." Another commented that she should "please get out of here with this despicable shit," and someone else on the chat requested that she be removed from the chat because she is a Zionist. During the presentation by two Union members in support of the Release the Hostages Resolution, people called for an end to the presenter's "rant" and to mute her. Others commented that their presentation was "disgusting" and "fucked up." The chat was then flooded with "Free Palestine" and "all eyes on Rafah" statements.

These attacks were done in the presence of ALAA President Lisa Ohta and the ALAA Sergeant at Arms. Not once did they or anyone else from Union leadership tell the membership to stop their antisemitic vitriol, to act with decency and respect, and to stop their attacks. They did nothing to stop the antisemitic bullying. The resolution condemning Hamas for the taking of Hostages was a simple one, meant to call upon the Union to show compassion towards innocent Jews, including five American citizens, and non-Jews who were violently abducted and are still being held hostage by Hamas. That night, the Union revealed its animus and discrimination against Jewish Zionist members. The Union delegates overwhelmingly rejected the resolution calling for the release of hostages by a vote of 18 in favor and 124 against. The other two resolutions were overwhelmingly affirmed.

The next day, a paid ALAA staff member sent an email to the entire membership stating that "a small Zionist minority has repeatedly, but unsuccessfully, attempted to distract from and disrupt UAW 2325 ALAA members' support of Palestinian Liberation." The staff member then blamed the Zionists within the ALAA for collaborating with this Congressional Committee, allegedly attempting to weaken the Union. To be clear, the Union's paid staff member associated being a Zionist with weakening the Union.

I am not here to weaken the Union, but to strengthen it. This Union is tearing itself apart. Union leadership has a duty to protect all members from bias and discriminatory attacks. Instead, they are allowing and fostering attacks against its

Jewish and non-Jewish Zionist members who fight against antisemitism and discrimination. This is not how a Union should act, and its members should not be forced to support such discriminatory actions.

Chairman GOOD. Thank you. Mr. Sussman, you are recognized for 5 minutes.

**STATEMENT OF MR. WILLIAM SUSSMAN, GRADUATE STUDENT,
MASSACHUSETTS INSTITUTE OF TECHNOLOGY, CAMBRIDGE,
MASSACHUSETTS**

Mr. SUSSMAN. There we go. Chairman Good, Ranking Member DeSaulnier, and members of the Subcommittee. My name is William A. Sussman. I am a doctoral student in computer science at the Massachusetts Institute of Technology. This past year I served as President of MIT Graduate Hillel.

Last December, this Committee heard MIT's President testify that calling for the genocide of Jews, "can be antisemitic, depending on the context." Allow me to share some of that context.

According to the Anti-Defamation League, the Boycott, Divestment and Sanctions movement, or BDS, is an international campaign aimed at delegitimizing and pressuring Israel, through the diplomatic, financial, professional, academic and cultural isolation of Israel, Israeli individuals, Israeli institutions, and increasingly, Jews who support Israel's right to exist.

The MIT Graduate Student Union, known as the GSU, has engaged in BDS since its inception. It is one of the reasons they chose to affiliate with the United Electrical Workers, or UE, which endorses the BDS movement, and urges the union at all levels to become engaged in BDS.

In 2022, a plurality of MIT graduate students voted to install this union as our exclusive bargaining agent, and in September 2023, MIT capitulated to its demand for a contract with mandatory dues. Then came October 7th. According to the American Jewish Committee, Hamas terrorists waged the deadliest attack on Jews since the Holocaust, slaughtering babies, raping women, burning whole families alive, and taking hundreds of innocents, hostage.

The blood had not yet dried when my colleagues at MIT declared, "Victory is Ours." The full-time GSU staff organizer told NBC 10 Boston, "Those who rebel against oppression cannot be blamed for rebelling against that repression." In November, my union representative joined anti-Israel protestors, who were occupying a building, and when threatened with suspensions, the GSU backed the protestors.

Meanwhile, the GSU illegally threatened to terminate anyone who refused to pay for their so-called activism. I filed a charge against the union with the National Labor Relations Board, which agreed that the GSU had violated our Beck rights. However, the NLRB refused to require training of union agents, who continue to break the law.

In January, when MIT brought disciplinary charges against two graduate student protestors, the GSU blamed external pressure from billionaire donors and right-wing politicians, and organized another protest, this time in front of the Discrimination and Har-

assessment Office. One picket sign read, "Anti-Zionism does not equal Antisemitism."

In April, the GSU pushed through a cease-fire resolution that does not mention "peace," "hostages," or " Hamas." In May, the GSU Vice President was arrested at yet another protest. She was banned from campus, but remains on paid union leave. As I wrote in the Wall Street Journal, "Jewish graduate students are a minority at MIT."

We cannot remove the GSU or disabuse it of its antisemitism. We also cannot support an organization that actively works for the eradication of the Jewish homeland, where I have family living now. That is why many of us asked for a religious accommodation that would divert our compulsory dues from the UE to a charity.

The union denied my request, telling me in a letter that no principles, teachings or tenets of Judaism prohibit membership in, or the payment of dues or fees to a labor union, that one of UE's founders was Jewish, and that opposition to BDS is not a position I hold for religious reasons. In other words, UE thinks it understands my faith better than I do.

With the help of the National Right to Work Legal Defense Foundation, I joined four other Jewish graduate students in filing discrimination charges against the union, with the Equal Employment Opportunity Commission. In response, the GSU chanted "shame" against us, calling our lawyers "well-financed." They forgot to mention our horns.

Facing potential charges of its own, MIT began approving religious accommodations, and the union followed suit. UE represents graduate students at a dozen other universities, and it should not take five discrimination charges to exercise our freedom of religion and association.

This Congress should pass the National Right to Work Act, so that unions have to earn their dues, and think twice before discriminating against minorities. As a lifelong democrat, I would like to conclude with a warning for my fellow party members. A major union president who voted for FDR four times would later in life say, "I didn't leave the democratic party, the democratic party left me."

That union president was Ronald Reagan. If the democratic party leaves the Jews, we will have no choice but to leave the party. Ironically, this incentive structure is precisely what is missing from unions. Thank you for the invitation to testify today, and I look forward to answering your questions.

[The Statement of Mr. Sussman follows:]

Confronting Union Antisemitism: Protecting Workers from Big Labor Abuses

William A. Sussman
Massachusetts Institute of Technology

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

July 9, 2024

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

My name is William A. Sussman. I am a doctoral student in computer science at the Massachusetts Institute of Technology, and this past year I served as president of MIT Graduate Hillel.

Last December, this Committee heard MIT's president testify that calling for the genocide of Jews "can be antisemitic, depending on the context." Allow me to share some of that context.

According to the Anti-Defamation League, the Boycott, Divestment and Sanctions movement (BDS) is "an international campaign aimed at delegitimizing and pressuring Israel, through the diplomatic, financial, professional, academic and cultural isolation of Israel, Israeli individuals, Israeli institutions, and, increasingly, Jews who support Israel's right to exist."

The MIT Graduate Student Union, known as the GSU, has engaged in BDS since its inception. It's one of the reasons they chose to affiliate with the United Electrical Workers (UE), which "endorses the BDS movement and urges the union at all levels to become engaged in BDS."

In 2022, a plurality of MIT graduate students (46.7%) voted to install this union as our exclusive bargaining agent, and in September 2023, MIT capitulated to its demand for a contract with mandatory dues.

Then came October 7. According to the American Jewish Committee, " Hamas terrorists waged the deadliest attack on Jews since the Holocaust — slaughtering babies, raping women, burning whole families alive, and taking hundreds of innocent civilians hostage."

The blood had not yet dried when my colleagues at MIT declared, "Victory is Ours." The full-time GSU staff organizer told NBC10 Boston, "Those who rebel against oppression cannot be blamed for rebelling against that repression."

In November, my union representative joined anti-Israel protesters who were occupying a building, and when threatened with suspensions, the GSU backed the protesters.

Meanwhile, the GSU illegally threatened to terminate anyone who refused to pay for their so-called activism. I filed a charge against the union with the National Labor Relations Board (NLRB), which agreed that the GSU had violated our Beck rights. However, the NLRB refused to require training of union agents, who continue to break the law.

In January, when MIT brought disciplinary charges against two graduate student protesters, the GSU blamed “external pressure from billionaire donors and right-wing politicians” and organized another protest, this time in front of the discrimination and harassment office. One picket sign read, “Anti-Zionism $\neq$ Anti-Semitism.”

In April, the GSU pushed through a ceasefire resolution that does not mention “peace,” “hostages,” or “Hamas,” and in May, the GSU vice president was arrested at yet another protest. She was banned from campus but remains on paid “union leave.”

As I wrote in the Wall Street Journal: Jewish graduate students are a minority at MIT. We can’t remove the GSU or disabuse it of its antisemitism. But we also can’t support an organization that actively works toward the eradication of the Jewish homeland, where I have family living now.

That is why many of us asked for a religious accommodation that would divert our compulsory dues from the UE to a charity. The union denied my request, telling me in a letter that “no principles, teachings or tenets of Judaism prohibit membership in or the payment of dues or fees to a labor union,” that one of UE’s founders was Jewish, and that opposition to BDS isn’t a position I hold for religious reasons. In other words, UE thinks it understands my faith better than I do.

With the help of the National Right to Work Legal Defense Foundation, I joined four other Jewish graduate students in filing discrimination charges against the union with the Equal Employment Opportunity Commission. In response, the GSU chanted “shame” against us, calling our lawyers “well-financed.” They forgot to mention our horns.

Facing potential charges of its own, MIT began approving religious accommodations, and the union followed suit. But UE represents graduate students at a dozen other universities, and it should not take five discrimination charges to exercise our freedom of religion and association. This Congress should pass the National Right to Work Act, so that unions have to earn their dues and think twice before discriminating against minorities.

As a lifelong Democrat, I would like to conclude with a warning for my fellow party members. A major union president who voted for FDR four times would later in life say, “I didn’t leave the Democratic Party, the Democratic Party left me.” That union president was Ronald Reagan. If the Democratic Party leaves the Jews, we will have no choice but to leave the party. Ironically, this incentive structure is precisely what’s missing from unions.

Thank you for the invitation to testify today, and I look forward to answering your questions.

Contents

The Boycott, Divestment and Sanctions movement (BDS)	6
UE endorses BDS	11
Meeting minutes from the GSU organizing committee	17
“Victory is Ours”	20
GSU staff organizer defends Hamas	22
GSU vice president violates Beck	27
Letter to UE requesting religious accommodation	29
Joint union statement backing anti-Israel protesters	31
“Anti-Zionism $\neq$ Anti-Semitism”	34
Letter from UE denying religious accommodation	36
Charge of discrimination	38
GSU ceasefire resolution	40
Beck settlement notice	42
GSU vice president is arrested	44
Open letter regarding GSU priorities	49

BACKGROUNDER

The Boycott, Divestment and Sanctions Campaign (BDS)

Published: 05.24.2022

The Boycott, Divestment and Sanctions movement (BDS) is an international campaign aimed at delegitimizing and pressuring Israel, through the diplomatic, financial, professional, academic and cultural isolation of Israel, Israeli individuals, Israeli institutions, and, increasingly, Jews who support Israel's right to exist.

The BDS movement asserts that Israeli policies towards Palestinians in the Gaza Strip and West Bank, and even some within the [Green Line](#), are [akin to those of apartheid](#) South Africa. They argue that the same boycott and isolation tactics used to help dismantle the South African White minority government should be used against Israel in order to force it to change its policies towards the Palestinians. In practice, the global BDS movement doesn't seek to create a Palestinian state but rather aims to dismantle the Jewish state and end the right to Jewish national self-determination on any portion of this contested land.

BDS is one tactic in the long history of campaigns and efforts to delegitimize and isolate the State of Israel.

Background:

The call for "boycott, divestment and sanctions" has its roots in anti-Israel calls to action at the start of the second Palestinian [Intifada](#) in 2000 and at the [2001 U.N.](#)

Durban Conference Against Racism. A July 2004 statement by The Palestinian Campaign for the Academic and Cultural Boycott of Israel (PACBI), and a July 2005 statement by Palestinian civil society organizations called on the international community “to impose broad boycotts and implement divestment initiatives against Israel similar to those applied to South Africa in the apartheid era.” The statement also called for pressure on governments “to impose embargoes and sanctions against Israel.”

How BDS Operates:

BDS campaigns frequently focus on demanding the “divestment” of university, municipal, church, union and other investment portfolios from companies that advocates claim “aid Israel’s occupation,” as well as calling for the “boycott” of Israeli products, professionals, professional associations and academic institutions, and artistic performances (in Israel and abroad).

The BDS movement’s regressive policy of “anti-normalization” forbids people-to-people exchanges, dialogue opportunities for Israelis and Palestinians or even interactions between “pro-Israel” and “pro-Palestine” groups and advocates unless the parties involved first recognize Israelis as “oppressors” and “colonizers.” BDS thus seeks to dehumanize Israelis and opposes the fundamental building blocks for Israeli-Palestinian understanding, peace-building and ultimate reconciliation, even at the grassroots level. Some supporters of BDS may genuinely believe that these tactics are a productive and non-violent way to effect change in the decades-long Israeli-Palestinian conflict. While we all seek to resolve the conflict peacefully, BDS campaigns, which portray Israel as a pariah state and advocate that it be singularly targeted, are unfair, one-sided and disproportionate.

In fact, the BDS campaign does not support constructive measures to build Israeli-Palestinian engagement, nor does it promote peace negotiations or a mutually

negotiated two-state solution to the conflict. Rather, BDS presents a biased and simplistic approach to the complex Israeli-Palestinian conflict, positioning this dispute over territorial and nationalist claims as the fault of only one party – Israel - while ignoring other actors and dynamics such as Palestinian shared responsibility for the continuation of the conflict. BDS advocates for self-determination for Palestinians while denying to Jews that same right.

BDS, antisemitism and its impact:

The BDS movement uses divisive and inaccurate terms like “[apartheid](#)”, “[genocide](#)”, “[settler colonialist](#),” and “supremacists” to refer to aspects of Israeli action or policy they criticize, language which serves to demonize the Jewish state and those who support its existence.

ADL believes that many of the founding goals of the BDS movement, which effectively reject or ignore the Jewish people’s right of self-determination, or that, if implemented, would result in the eradication of the world’s only Jewish state, are antisemitic.

Furthermore, some BDS advocates and campaigns engage in antisemitic rhetoric, including allegations of Jewish power, dual loyalty, and Jewish/Israeli culpability for unrelated issues and crises. Some have made clear their opposition to the existence of the state of Israel altogether, or justify/express support for violence against Israelis. Increasingly troubling are incidents involving BDS advocates holding all Jews culpable for the Israeli government’s actions, and advocating a litmus test for Jews to renounce Israel and/or Israeli policies in order to join certain [social activist movements](#).

BDS often gives rise to tensions in communities — in the U.S. we see it particularly on college campuses — that can result in the isolation and intimidation of Jews and supporters of Israel. With the focus on negating Israel and its supporters, BDS campaigns may create an environment in which antisemitic actions and expressions

may be emboldened.

Historical Roots of BDS:

BDS is only the most recent and prominent tactic used to delegitimize Jewish statehood. The most infamous campaign was the [Arab economic boycott](#), which was established by the Arab League in 1945, even before the establishment of the State of Israel, and continues to be in official effect through today.

Other examples include the campaign to brand Zionism as racism, a claim that stems from a Soviet propaganda campaign, and which was affirmed by a United Nations General Assembly resolution in 1975 (repealed in 1991), as well as efforts by some allied governments to exclude Israel from international bodies and events. These campaigns — aimed at demonizing and punishing Israel — were government-initiated and primarily played out on state and international community level, in contrast to BDS, which is largely grass-roots focused.

Some activists, including some who consider themselves Zionists and supporters of Israel, support a boycott of settlements or settlement products as an expression of opposition to Israeli settlements. While such action is different from BDS campaigns that target all of Israel, Israelis and Israeli enterprises, much of this distinction is lost on the vast majority of people, and such campaigns can lead to the wholesale demonization of Israel and Israelis. Indeed, the BDS movement and their supporters often hail such initiatives as an endorsement of their cause.

RELATED CONTENT

Questions, Complexities and Context: Insights into Israel and the Israeli-Palestinian Conflict



The Union for Everyone | Members Run This Union

UE Endorses BDS Movement for Peace and Justice in Israel and Palestine



Delegates to UE's 74th National Convention

September 1, 2015

Pittsburgh

On Tuesday, September 1, UE issued the following press release:

At its national convention in Baltimore August 16-20, the United Electrical Workers union (UE) adopted a resolution endorsing the Boycott, Divestment and Sanctions movement (BDS) to pressure Israel to end the occupation and grant Palestinians their freedom. UE is now the first national U.S. union to endorse BDS. The full resolution is below.

The global BDS movement arose from a 2005 call by Palestinian trade unions and human rights groups. UE's resolution also calls for a cutoff of U.S. aid to Israel and for U.S. support for a peace settlement on the basis of self-determination for Palestinians and the right to return. With its resolution UE joins COSATU of South Africa, Unite the Union in Britain and many other labor unions in supporting BDS as a step toward justice and peace in Palestine and Israel.

"We reached a breaking point when Israel launched the war on Gaza in 2014, killing over 2,000 people including 500 children. Because Israel has been unwilling to engage in real negotiations to bring about a just resolution to the occupation, this is a necessary step for labor to take in order to bring about a peaceful end to the conflicts there" said Carl Rosen, president of UE's Western Region and a member of the national executive board.

UE represents 30,000 workers across the country in the private and public sectors. At its five-day convention member delegates acted on 37 resolutions on collective bargaining, organizing, and political issues. UE's BDS statement upholds the union's long tradition of courageous stands on foreign policy issues, such as being the first union to oppose the Vietnam War.

The Palestinian Postal Workers Union has written to UE in response to its resolution. "...We would like to express our deepest appreciation for the courageous resolution on "Justice and Peace for the Peoples of Palestine and Israel"... in support of our right as Palestinians to live in peace and dignity as equals on our lands.... We commend you for calling on your government to change its one-sided foreign policy that disregards human rights and harms any efforts at reaching a just peace, and for fully endorsing our call for boycott, divestment & sanctions (BDS) launched a decade ago. We sincerely hope that other national unions in the US and many other countries will follow in your footsteps. Your active solidarity warms our hearts and gives us hope that one day the working class all over will mobilize as one to help us end this brutal colonial occupation, and bring down the blockade, walls and checkpoints."

UE General President Bruce Klipple says, "The widespread abuse of workers under the occupation is a concern for the global labor movement. We support our brothers and sisters in the labor movement who call for this peaceful protest to bring about a just peace in Israel and Palestine."

The United Electrical, Radio and Machine Workers of America, UE is an independent, member-run union representing both private and public sector workers.

Here is the full text of the convention resolution:

JUSTICE AND PEACE FOR THE PEOPLES OF PALESTINE AND ISRAEL

In 1988, delegates to the UE 53rd Convention adopted the resolution “Time for a Just Settlement of the Israeli-Palestinian Conflict.” In it they said, “The occupation by Israel of the West Bank and other Arab lands since 1967 has blocked the exercise of Palestinian national rights and resulted in ongoing violations of human, social, political, economic and particularly trade union rights of Palestinians...” The resolution said the U.S. government had “contributed to the continued conflict by its one-sided support for Israel and its failure to take into account the legitimate aspirations of the Palestinian people,” and it called for the U.S. government to recognize the Palestine Liberation Organization and for the creation of a Palestinian state.

For more than 25 years the U.S. has engaged in a so-called “peace process” with Israeli and Palestinian representatives. But the U.S. role has remained extremely one-sided. The U.S. provides Israel \$3 billion a year in aid and repeatedly uses its UN veto to shield Israel from criticism of its human rights abuses. The Palestinians are worse off. In the occupied West Bank and East Jerusalem, Israel continues to confiscate homes and land to expand Israeli settlements which violate international law. Since 1967 Israel has settled more than 500,000 of its citizens in the West Bank, and has been building a wall that separates neighboring towns and cuts off farmers from their fields. Many prominent human rights activists including former President Jimmy Carter and South African Archbishop Desmond Tutu have called the system of Israeli rule over Palestinian people “apartheid.”

In Gaza, 1.8 million Palestinians are crowded into a tiny enclave under continuous military and economic blockade. In the summer of 2014 Israel waged a merciless war on the impoverished population of Gaza. More than 2,000 Palestinians were killed. The vast majority were civilians, including more than 500 children; and the physical destruction was overwhelming. UE’s officers issued a statement expressing our union’s alarm and over 300

Holocaust survivors and descendants signed a full-page newspaper ad that condemned the Israeli attack as genocide and declared, “never again must mean never again for anyone.” Yet incredibly, the U.S. Senate voted unanimously at the time to endorse Israel’s actions.

The source of the conflict goes back to the origins of the State of Israel. The population was overwhelmingly Palestinian Arab (Muslim and Christian) before 1947-48, when well-armed Zionist militias seized most of the territory of Palestine and expelled 750,000 people from their cities, villages and farms. They executed much of the Palestinian leadership and declared the founding of the State of Israel. As a result millions of Palestinians are refugees both in the occupied territories and in other countries. Israel prohibits their return to their homes.

In recent years racism and extremism in Israel has grown more severe. One-fifth of Israeli citizens are Palestinians who survived ethnic cleansing. Some members of parliament, including cabinet members in Prime Minister Benjamin Netanyahu’s government, call for stripping their citizenship and expelling them. Some also call for expelling all Palestinians from the West Bank and Gaza and annexing them to Israel. The “peace process”, supposedly aimed at negotiating the terms of Palestinian statehood in those territories, has been dead at least since March when Netanyahu, in his reelection campaign, declared he would never accept a Palestinian state.

In July 2005 Palestinian trade unions and hundreds of Palestinian civil society organizations called for a worldwide campaign of boycotts to pressure Israel to end its apartheid over the Palestinians. This has developed into a global movement called Boycott, Divestment, Sanctions. BDS was modeled after the 1980s international solidarity campaign that put economic pressure on South Africa’s government which helped end apartheid.

The summer 2014 Israeli attack on Gaza increased worldwide support for BDS. UE Local 150 endorsed BDS. The largest union in Britain, UNITE, endorsed BDS in July 2014. UAW Local 2865, which represents 13,000 graduate employees of the University of California, also endorsed BDS last year. COSATU, the Congress of South African Trade Unions that helped defeat apartheid in that country, is a strong backer of BDS. Many progressive Jewish organizations and individuals, in the U.S., Israel and elsewhere actively support BDS as a way to bring about peace and justice for the people of Israel and Palestine.

THEREFORE, BE IT RESOLVED THAT THIS 74th UE CONVENTION:

1. Calls on Congress and the Administration to end all U.S. military aid to Israel; and to pressure Israel to end the occupation of the West Bank and East Jerusalem and the siege of Gaza and negotiate a peace agreement on the basis of equality, democracy, and human rights for the Palestinian and Israeli people, including Palestinian self determination and the right of return for refugees.
 2. Endorses the BDS movement and urges the union at all levels to become engaged in BDS and the movement for peace, justice and equality between the Palestinians and Israelis.
-

For more information on why BDS, please visit the links below:

1. Ripe for Child Abuse: Palestinian Child Labor in Israeli Agricultural Settlements in the West Bank (<https://www.hrw.org/report/2015/04/13/ripe-abuse/palestinian-child-labor-israeli-agricultural-settlements-west-bank>)
 2. How Israel Withholds Labor Rights From the West Bank's Palestinian Workers (<http://www.truth-out.org/news/item/32517-how-israel-withholds-labour-rights-from-the-west-bank-s-palestinian-workers>)
 3. Labour Struggle in West Bank belies Claims of Harmony (<http://eng.wac-maan.org.il/?p=1380>)
 4. Boycott List from Partners for Progressive Israel (<http://progressiveisrael.org/list-of-settlement-products/>)
 5. Explanation of Divestment (<http://www.bdsmovement.net/activecamps/divestment>) Provided by the BDS Movement
 6. Read about the G4S campaign on the BDS Movement Website (<http://www.bdsmovement.net/activecamps/g4s>)
- Tags:** Palestine

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
Union Website Discussion KF: Wix or SquareSpace? Wix is an Israeli-owned company, which conflicts with BDS. Let's continue the discussion. Jo: I've never been clear on impetus behind this decision. For the long term, why not just host our own website. Our site will be mostly static, right? At most, an embedded Google Form. If done correctly, this would save money and look more professional. KF: [REDACTED] have agreed to work on this. They both prefer to work with one of these platforms. Kaylee wants to work on Wix, but both are fine with SS. Jo: Is this still being done exclusively within going public. KF: Yes. JR: If someone wants to design a website for the union, that's great. Right now, our options are to go with one of these. In the long run, SS will avoid potential divisiveness. [REDACTED] doesn't mind SS. We've already used Wix for RISE, and we're not taking that down or transferring. After the RISE campaign is concluded, we can just transfer the relevant material to SS. PK: Re: national policies, the UE national has endorsed BDS. One of the only national unions to do so. No blowback from membership, but big blowback from Israeli agencies. I can also put folks in touch with person who does webdev for UE national. Drupal is good and user friendly. KJC: Agreeing with [REDACTED], our local BDS question is important, but we need more discussion than now will allow. Let's decouple the questions and go with SS for now. We can figure out the BDS question down the line. Let's not put the cart before the horse. No need to discuss BDS <i>right now</i>. Should later, but let's do so later. AT: I agree in that I want to avoid having this discussion. It's also unimportant because it's a losing issue regardless of where we come down. This is never going to be an issue for which we fight. A position would be purely symbolic and would cost political capital. Choosing SS would kind of duck the question, but not really. It feels more like taking a position. It is not sufficient for an org to be Israeli to merit condemnation. That bothers me. Also, managing

multiple websites is much easier if we do so in one platform. The smartest thing would be to defer completely to the people making it happen.

JB: I would strongly endorse that. Saying “we’re picking Squarespace instead of Wix because of BDS” means we’re supporting BDS, not deferring on taking a stance.

PK: The issue needs to be practical. We should look into the future with user friendliness. Whatever we do use should be user friendly. We do this for in-person workshops, too. If there’s a charge for the committee, it should be to be as user-friendly as possible. It needs to be accessible for people to pick up and carry years down the line.

KF: Any of these platforms are very user-friendly. Hopefully, that won’t be a problem. How do we feel about deferring this to #c_going_public?

No disagreement.

KF: Then I’ll bring a proposal for fund approval at the next OC.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7/4/24, 2:29 PM

Coalition Against Apartheid | Members of the MIT community and beyond, join MIT CAA for a rally and march tomorrow at 4PM in front of the Cambridge City Hall Meet us at... | Instagram

Instagram

[Log In](#) [Sign Up](#)https://www.instagram.com/p/CyJ6UAMptab/?utm_source=ig_web_copy_link&igsh=MzRlODBiNWFlZA%3D%3D&img_index=1

1/3



Watch News 24/7

TRENDING 24/7 streaming news Karen Read trial LIST: Fireworks displays MAP: Beach ...

ISRAEL-HAMAS WAR

Pro-Palestinian demonstrators defend violence in Israel as resistance against oppression

The region has a long, complicated history of tension and conflict, but this is the deadliest outbreak of violence in decades

By **Kirsten Glavin** • Published October 9, 2023 • Updated on October 10, 2023 at 12:12 am

Hamas' surprise invasion and Israel's response have sparked reactions all around the world.

7/4/24, 2:23 PM

Pro-Palestinian demonstrators defend weekend violence in Israel as resistance against oppression – NBC Boston

As more reports detail the violence erupting in Israel, contention spilled into the streets of Cambridge, Massachusetts, Monday as hundreds supporting the Palestinian resistance rallied at City Hall.

Israel declared war on Hamas Sunday after the Palestinian militant group's unprecedented surprise attacks over the weekend. [The death toll has reached at least 1,600 on both sides](#), including at least 11 American citizens. As many as 130 people, including children, have reportedly been taken hostage by Hamas fighters. President Joe Biden has [declared "rock solid and unwavering" support for Israel](#).

STAY IN THE KNOW

 [Watch NBC10 Boston](#) news for free, 24/7, wherever you are.

 Get Boston local news, weather forecasts, lifestyle and entertainment stories to your inbox. [Sign up for NBC Boston's newsletters](#).

Back in Cambridge Monday, calls for liberation and signs reading "End occupation now" filled the lawn as hundreds of people supporting Palestinians gathered and marched the street toward Boston.

"Those who rebel against oppression cannot be blamed for rebelling against that repression," said Jeff Rosenberg who was at the rally in support of Palestinians.



<https://www.nbcboston.com/news/local/pro-palestinian-demonstrators-defend-weekend-violence-in-israel-as-resistance-against-oppression/3155861/>

2/7

7/4/24, 2:23 PM

Pro-Palestinian demonstrators defend weekend violence in Israel as resistance against oppression – NBC Boston

Hamas' weekend attack and Israel's response have left more than 1,000 dead so far.

The region has a long, complicated history of tension and conflict, but this is the deadliest outbreak of violence in Israel since the 1973 war with Egypt and Syria.

"It's unfortunate right that we've had this occupation for 75 years now. An unfortunate reality is that wherever there is oppression there will be resistance," said Suhail Purka, a member of the Boston South Asian Coalition and the Party for Socialism and Liberation.

Some attending the rally even went so far as to call the weekend violence a win.

That sentiment was met fiercely by counter-protesters, who gathered on the other side of the street. There were tears and anger from those standing with Israel, who compared Hamas to ISIS and other terrorist groups.

"I moved here from Israel two months ago and my heart breaks. Not just because of what Hamas is doing but because what they are doing right now. Choosing to support inhumane acts of violence, terrorism, mass murder and kidnapping," Liyam Chitayat, an MIT PhD student, said.

Photos: Israel-Hamas War

Mahmud Hams/AFP via Getty Images

7/4/24, 2:23 PM

Pro-Palestinian demonstrators defend weekend violence in Israel as resistance against oppression – NBC Boston



1 OF 48

Palestinians stand next to a crater caused by an explosion from an Israeli airstrike in Khan Yunis in the southern of Gaza Strip, on Oct. 16, 2023.

Experts have been weighing in on the ongoing divide, including Lawrence H. Summers, a professor of economics at Harvard University. Summers [decried a statement released by a set of student groups](#) that placed the blame for the weekend's horrors on Israel.

"Nothing justifies murdering babies in front of their parents, or murdering parents in front of their children or raping young girls for the sport of it. And that is what happened over the weekend and that is where the focus should be," Summers said.

He added that many universities, including Harvard, have failed their students by not being vocal about their support for Israeli students.

Israel had increased airstrikes on the Gaza Strip Monday and sealed the area off from supplies, while Hamas pledged to kill Israelis taken hostage if attacks targeted civilians without warning.

More coverage of the Israel-Hamas war

25

<https://www.nbcboston.com/news/local/pro-palestinian-demonstrators-defend-weekend-violence-in-israel-as-resistance-against-oppression/3155861/>

4/7

Text Message
Wed, Nov 29 at 2:13 PM

Hey Will, I'm Ruth, with MIT GSU.

This is a friendly reminder that as an RA/TA at MIT you are required to sign up for dues or agency fees by Dec 5 as a condition of employment. Anyone who hasn't signed up by then will accrue back dues that will need to be paid or their appointment may be terminated early by MIT. Please take a minute to sign up: <https://linktr.ee/mitgsu>

Please reply with any questions! Reply STOP to opt out of future texts.

[REDACTED]
[REDACTED]

December 4, 2023

Andrew Dinkelaker, UE General Secretary-Treasurer, Non-member Objections
United Electrical, Radio & Machine Workers of America (UE)
4 Smithfield Street, 9th Floor
Pittsburgh, PA 15222

Dear Mr. Dinkelaker:

1. My name is William A. Sussman.
2. My address is [REDACTED] [REDACTED]
3. The UE local union representing the bargaining unit in which I have been included is MIT Graduate Student Union (GSU).
4. The name of my employer is Massachusetts Institute of Technology (MIT).
5. My employee identification number is [REDACTED].

I am Jewish, and I serve as president of MIT Graduate Hillel. Most weeks I attend Shabbat services, where I pray facing East toward Jerusalem. I pray for the State of Israel and for the Israel Defense Forces (IDF).

UE endorses¹ the Boycott, Divestment and Sanctions movement (BDS), which the Anti-Defamation League (ADL) describes as “an international campaign aimed at delegitimizing and pressuring Israel, through the diplomatic, financial, professional, academic and cultural isolation of Israel, Israeli individuals, Israeli institutions, and, increasingly, Jews who support Israel’s right to exist.”² **I must therefore object to paying the union on religious grounds.**

Sincerely,

William A. Sussman

William A. Sussman

CC: Sally Kornbluth, President, MIT
Melissa Nobles, Chancellor, MIT
Ian Waitz, Vice Chancellor, MIT
Anthony Moriello, Office of the General Counsel, MIT
Ellen McClintock, Office of Labor Relations, MIT
Rabbi Michelle Fisher, Executive Director, MIT Hillel
Ruth Hanna, Steward, MIT GSU

¹ “UE Endorses BDS Movement for Peace and Justice in Israel and Palestine,” *ueunion.org*, 1 September 2015.

² “The Boycott, Divestment and Sanctions Campaign (BDS),” *adl.org*, 24 May 2022.

Subject: On Free Speech and Protest: MIT Cross-Union Statement
Date: Monday, December 4, 2023 at 8:45:05 PM Eastern Standard Time
From: MIT GSU <contact@mitgsu.org>
To: Will Susman <wsusman@mit.edu>

[View this email in your browser](#)



We, as labor unions on MIT campus, stand united in condemning MIT's recent infringement on our community members' freedom of speech and right to peaceful protest. We recognize MIT's recent actions, including threatening suspension on peaceful student protestors and sending police to shut down an educational event, as attempts by the MIT administration to silence student voices and intimidate and punish students for protesting.

As unionized workers, we understand how important it is to protect our democratic rights to free speech and protest, as these are foundational rights to the labor movement and workers organizing together for a better life. MIT's threats against students exercising their basic First Amendment rights create a culture of fear and censorship on campus. We strongly condemn MIT's actions and stand united behind students who choose to exercise their democratic rights to free speech and protest.

We call on the MIT administration to uphold the rights of students and workers to peacefully protest on campus, and on the entire MIT community to stand together against political censorship.

MIT GSU-UE Local 256 Interim Grievance Committee
 UNITE HERE Local 26

MIT Libraries Union - AFSCME Local 2353

Follow us on social media!



Copyright © 2021 MIT GSU, All rights reserved.

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](#).

7/4/24, 2:32 PM

MIT GSU | Yesterday we spoke out against MIT's violation of our contract! MIT admin has denied graduate workers' contractually-guaranteed right to ... | Instagram

Instagram

Log In Sign Up





mitgsu • Follow

Massachusetts Institute of Technology



mitgsu Yesterday we spoke out against MIT's violation of our contract! MIT admin has denied graduate workers' contractually-guaranteed right to union representation during the IDHR (Institute Discrimination and Harassment Response) disciplinary meetings. We won't stand for this and will defend our harassment and discrimination protections!

22w



ruhannaru 🍌🍌🍌

22w 1 like Reply



promo_successfully21

47@massachusetts_family

22w Reply



252 likes
January 31

Log in to like or comment.

https://www.instagram.com/p/C2nLYxFO9S/?utm_source=ig_web_copy_link&igsh=MzRlODBiNWFlZA%3D%3D&img_index=4

1/3

34

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 Mattes, 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 'A. Dinkelaker'.

Andrew Dinkelaker
UE General Secretary-Treasurer

CC: MIT GSU

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION		Charge Presented To: Agency(ies) Charge No(s):	
This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		☐ FEPA ☒ EEOC	
Massachusetts Commission Against Discrimination and EEOC			
State or local Agency, if any			
Name (indicate Mr., Ms., Mrs.)		Home Phone (Incl. Area Code)	Date of Birth
Mr. William A. Sussman			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		No. Employees, Members	Phone No. (Include Area Code)
United Electrical Workers (UE)		Approx. 7,000	(412) 471-8919
Street Address		City, State and ZIP Code	
4 Smithfield Street, 9 th Floor		Pittsburgh, PA 15222-2226	
Name		No. Employees, Members	Phone No. (Include Area Code)
UE Local Union 256 (MIT GSU)		many hundreds	(617) 253-1000
Street Address		City, State and ZIP Code	
160 Alewife Brook Parkway #1171, Cambridge, MA 02138			
DISCRIMINATION BASED ON (Check appropriate box(es).)		DATE(S) DISCRIMINATION TOOK PLACE	
☒ RACE ☐ COLOR ☐ SEX ☒ RELIGION ☒ NATIONAL ORIGIN ☐ RETALIATION ☐ AGE ☐ DISABILITY ☐ GENETIC INFORMATION ☒ OTHER (Specify)		Earliest Latest 2/8/2024	
☒ 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)	

This resolution was put forward by an elected special committee to be voted on for adoption by members of the Graduate Student Union at the Massachusetts Institute of Technology (United Electrical Local 256) and was ratified by a referendum vote of the union membership.

Resolution affirming the need for a permanent ceasefire in Gaza and ceasing MIT labor support for Israeli military objectives

WHEREAS, the Israeli government's intensification of its ongoing siege and assault on Gaza has killed over 32,000 Palestinians in the last six months, the majority being unarmed civilians, with more than 12,300 of those being children;

WHEREAS, the Israeli military's campaign has forcibly displaced more than 1.9 million Palestinians from their homes;

WHEREAS, there is substantial evidence of the Israeli government and military deploying illegal white phosphorus munitions in Gaza and Lebanon, destroying civilian architecture including hospitals and universities, and engaging in the collective punishment of Palestinians by restricting basic necessities and humanitarian aid;

WHEREAS, the United Nations International Court of Justice has found it plausible that the actions of the Israeli government amount to genocide and has issued provisional measures instructing the Israeli government to prevent and punish those involved with inciting genocide against Palestinians in Gaza;

WHEREAS, the United Nations Security Council has made clear the pressing need for an immediate ceasefire by passing a two-week ceasefire resolution which "reiterates its demand for the lifting of all barriers to the provision of humanitarian assistance";

WHEREAS, the Israeli government has continued its military engagement and its imposition of severe restrictions on humanitarian aid into Gaza, resulting in the highest levels of catastrophic hunger and starvation recorded in the last two decades;

WHEREAS, the US foreign aid for the Israeli military includes the transaction of military technologies such as attack drones, perimeter defense systems, artificial intelligence for military applications, underwater surveillance drones, and precision-guided missiles;

WHEREAS, since 2015 the Ministry of Defense of Israel has devoted over \$11.5 million in research funding for the Massachusetts Institute of Technology (MIT) to support the above military goals by developing technologies such as autonomous robotic swarms, neural network compression, algorithms for pursuit-evasion strategies, underwater persistent monitoring, and magnetic wave detection;

WHEREAS, several such projects are ongoing or have been renewed in the last six months and are thus actively soliciting MIT graduate labor to further Israeli military objectives;

WHEREAS, the MIT administration has instituted unprecedented restrictions on campus expression and initiated disciplinary proceedings against multiple MIT community members, including graduate workers, organizing in support of Palestine;

WHEREAS, two MIT graduate workers protesting in support of Palestine have had their right to union representation violated by the MIT administration during disciplinary hearings held against them;

WHEREAS, the MIT administration has enabled the spread of defamatory character attacks and harassment against graduate workers by faculty members and administrators;

WHEREAS, MIT community members have historically taken action in support of indigenous struggles during Apartheid South Africa and the Vietnam War, with graduate students campaigning for divestment and protesting against wartime military research;

NOW, THEREFORE, BE IT RESOLVED that we, the MIT Graduate Student Union – United Electrical Local 256, join the global call for an immediate and permanent ceasefire in Gaza and an end to the Israeli government's military siege and blockade of the Gaza strip;

BE IT FURTHER RESOLVED that we recognize MIT's institutional complicity in furthering violence against the Palestinian people through the Institute's special ties with the Israeli military and affirm the pressing moral call for the MIT community to take immediate steps toward cutting all research and financial ties with the Israeli military;

BE IT FURTHER RESOLVED that we oppose all threats and intimidations towards MIT workers and community members engaging in political speech on these issues and defend the right to freedom of expression in the workplace; we condemn all occurrences of prejudice and defamation on campus as acts of division which impede our ability to unite and improve our working conditions.

FORM NLRB 4781 (10-17)



NOTICE TO



EMPLOYEES AND MEMBERS

POSTED PURSUANT TO A SETTLEMENT AGREEMENT
APPROVED BY A REGIONAL DIRECTOR OF
THE NATIONAL LABOR RELATIONS BOARD
AN AGENCY OF THE UNITED STATES GOVERNMENT

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: April 18, 2024

By:

John C. [Signature]
(Representative)

President

(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 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). Hearing impaired callers who wish to speak to an Agency representative should contact the Federal Relay Service (link is external) by visiting its website at <https://www.federalrelay.us/ty> (link is external), calling one of its toll free numbers and asking its Communications Assistant to call our toll free number at 1-844-762-NLRB.

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 office listed above.

PLEASE PRINT ON LEGAL SIZE PAPER

Daily Log for 05.09.2024

May 10, 2024 • 1 month ago

[illegible]

7/5/24, 12:00 AM

Daily Log for 05.09.2024

[REDACTED]	[REDACTED]
U INCIDENT 24003827-1 TRESPASS C266 S120	VASSAR ST-COURTESY BOOKINGS FOR MIT POLICE Cambridge Police responded the 30 block of Vassar Street to assist with crowd control at an MIT property. MIT Police placed the following individuals under arrest: Turner Adornetto, 28, of Somerville, was charged with trespassing and disorderly conduct. Max Peters, 21, of Boston, was charged with trespassing, disorderly conduct, assault & battery on a +60/disabled with injury, and assault and battery on a police officer. Katherine Pearce, 19, of Cambridge, was charged with trespassing and disorderly conduct. Nishad Gothoskar, 27, of Cambridge, was charged with trespassing. Ruth Hanna, 29, of Belmont, was charged with trespassing and disorderly conduct. Christian Cmehil-Warn, 26, of Cambridge, was charged with trespassing. Amira Ravshanova, 20, of Cambridge, was charged with trespassing.

7/5/24, 12:00 AM

Daily Log for 05.09.2024

Morgan Guempel, 22, of Cambridge, was charged with trespassing and disorderly conduct.

Rahaf Zaza, 21, of Wellesley, was charged with trespassing, disorderly conduct, and assault with a dangerous weapon (shod foot).

<https://www.cambridgema.gov/Departments/cambridgepolice/News/2024/05/05092024>

3/4

7/5/24, 12:00 AM

Daily Log for 05.09.2024

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

Page was posted on 5/10/2024 10:45 AM
Page was last modified on 6/5/2024 10:49 AM
[⚠ Provide feedback on this page](#)

Open letter regarding GSU priorities

Dear Colleagues,

We are writing to express concern regarding the GSU's recent organizational priorities. GSU leadership has dedicated significant time and resources to take a position on the Israel-Hamas war - deviating and detracting from the GSU's core mission of representing the collective labor interests of all graduate students. This has served to weaken our union and alienate its members.

GSU leadership has claimed that MIT has violated our contract by suspending graduate students for protesting. However, these individuals were disciplined for disrupting free use of campus facilities after repeated warnings to stop from MIT. Moreover, time spent fighting these issues is wasted as the collective bargaining agreement waives the union's right to interfere in such disciplinary issues:

"The Union acknowledges that it has no right to interfere with or grieve decisions regarding academic performance, academic discipline, or student conduct policy violations, including such decisions that may impact a student's employment." –CBA Article 6, Section 2 (page 18)

We are disturbed by GSU leadership's irresponsible behavior in misleading the graduate student population. By falsely claiming that MIT violated the contract, they undermine the credibility and legitimacy of organized labor at MIT in all future disputes. The union is dedicating time and resources constructing grievances that are not protected under the contract rather than focusing on issues that affect all graduate students, such as pay and healthcare coverage.

We call on our GSU leaders to faithfully represent the collective unifying interest of the entire graduate student population, or resign.

Signed,

MIT Graduate Students

If you are an MIT graduate student and wish to sign this letter, please fill out the form below.

1. Jason Friedman (Sloan)
2. Roi Orzach (14)
3. Liyam chitayat (CSB)
4. Benjy Firester (math)
5. Leo Cohen (Sloan School of Management)

6. Elyssa Hofgard (EECS)
7. Reuven Falkovich (Chemistry)
8. Sabrina Corsetti (EECS)
9. Parmida Davarmanesh (EECS)
10. Yael Kirkpatrick (Mathematics)
11. Rebecca Lin (EECS)
12. Daniel Edelman (EECS)
13. Katerina Boukin (CEE)
14. Inbar Chityat (Mechanical Engineering)
15. Daniel O'Connor (Economics)
16. Amelia Baum (DUSP)
17. Adina Bechhofer (EECS)
18. Joseph Feld (EECS)
19. Yanina (Chemistry)
20. Daniel Lazarev (Mathematics)
21. Christian Studebaker (Architecture)
22. Tal Joseph (Mechanical engineering)
23. Shakked Noy (Economics)
24. James Okun (Economics)
25. Lucas Barros (Economics)
26. Beatriz Yankelevich (EECS)
27. Aaron Thornton (Sloan)
28. Shoumik Chowdhury (EECS)
29. P. Sharpe (AeroAstro)
30. Tamar Kadosh Zhitomirsky (DMSE)
31. William A. Sussman (EECS)
32. Amit Schechter (EECS)
33. Levi Gershon (Mechanical Engineering)
34. Ariel Attias (1. Civil and Environmental Engineering)
35. Rachel Holladay (EECS)
36. Talia Khan (Mechanical Engineering)
37. Nofit Segal (DMSE)
38. Daniel T. Kessler (MAS)
39. Rebecca Boiarsky (EECS)
40. Juan Manuel Escolar (Economics)
41. Anurag Ajay (EECS)
42. Caleb knight (EM / SDM)
43. Anantha (MechE)
44. Pedro Martinez-Bruera (Economics)
45. Jackson Mejia (Economics)
46. Avigail Gilad (SA+P)
47. Trevor Long (AeroAstro)

48. Ethan Benderly-Kremen (Materials Science and Engineering)
49. Jesse Michel (CSAIL)
50. Thomas Cohn (EECS)
51. Seiji Shaw (EECS)
52. Cindy Zhang (Sloan)
53. Nicholas Ezra Pfaff (EECS)
54. Zachi Attia (Sloan)
55. Conor Perks (NSE)
56. Matthew Radzihovsky (EECS)
57. Daniel Schaffer (CSB)
58. Thomas Lee (IDSS)
59. Hyung Ju Suh (EECS)
60. Adi Kupersmidt (DUSP)
61. James McGreivy (Physics)
62. Logan Weber (EECS)
63. Joshua Engels (EECS)
64. Elinor Poole-Dayana (Media Arts and Science)
65. Hugh Smith (Materials Science and Engineering)
66. Yovel Lendner (Biology)
67. Mitchell Harris (Mathematics)
68. Ava Waitz (DMSE)
69. Arielle Weinstein (Biology)
70. Alexa Gombert (Biology)
71. Kristen Petrenko (Sloan)
72. Andrew Stasiuk (NSE)
73. Idan Shenfeld (EECS)
74. Alex Amice (EECS)
75. Geoffrey Svensson (Aero Astro)
76. Peter werner (Eecs)
77. Gabriel Mintzer (EECS)
78. Jacob Mack (DMSE)
79. Kevin Qian (Chemistry)
80. Duc Hoang (Physics)
81. Isaac Harris (EECS)
82. William Harris (Mechanical Engineering)
83. Eric Moreno (Physics)
84. Erick Fuentes (Aero/Astro)
85. Jeff Krupa (Physics)
86. Savva Morozov (EECS)
87. Cora Natalia Barrett (Physics)
88. Henrik Dahl Pinholt (Physics)
89. Daniel Chu (Chemical Engineering)

90. Peyman Shahidi (Sloan)
91. Amelia Cavallaro (Course 22, Nuclear Science & Engineering)
92. Adam Gebner (Course 2 + 15)
93. Felix Knollmann (Physics)
94. Skylar Dannhoff (physics)
95. Daniel Mayer (Physics)
96. Jiaruo li (Physics)
97. Florian Koehler (EECS)
98. Gefen Baranes (Physics)
99. Anastasiya Grebin (Biological engineering)
100. Itamar Chinn (EECS)
101. Jeremy Wohlgend (EECS)
102. Ahmet Kemal Demir (Physics)
103. Natasha Stamler (Mechanical Engineering)
104. Alex Ungar (EECS)
105. Gad Zuretz (Sloan)
106. Eden Adler (EECS)
107. Avinoam Singer (Biology)
108. Tally Portnoi (EECS)
109. Camilla Sazoia (EECS)
110. Peter Holderrieth (EECS)
111. Karen Yang (EECS)
112. Ariel Flasterstein (Sloan)
113. Idan Shenfeld (EECS)
114. Nicole Vereckey (Sloan)
115. Adam Block (Mathematics)
116. Tomer Shohar-Levy (Sloan)
117. Itay Fayer (Biology)
118. David Rower (Physics)
119. Maya Makarovsky (Sloan)
120. Alexa Katz (Sloan)
121. Itai Levin (Biological Engineering)
122. Samuel Tenka (EECS)
123. Jessica Fry (Physics)
124. Matias Umaschi (Sloan)
125. Rotem Shmuel (Sloan)
126. Daniel Pickard (AeroAstro)
127. Michael Fernandez (MechE)
128. Lauren Chai (Mechanical Engineering)
129. Lokesh Sangabattula (DMSE)
130. Yinjing Xi (EECS)
131. Daniel Sellers (BioE)

132. David Mayo (EECS)
133. Daniel Pickard (Aerospace Engineering)
134. Tuval Danenberg (Economics)
135. Wenhao Xu (MechE)
136. Bernhard Paus Graesdal (EECS)
137. Audrey Saltzman (Nuclear Science and Engineering)
138. Jeffrey Wang (Nuclear Science and Engineering)
139. Andrey Bryutkin (Mathematics)
140. Zhi Kai Tio (Chemical Engineering)
141. Jacob Adams (Nuclear Science and engineering)
142. Roei Dery (Physics)
143. Adam Wei (EECS)
144. Adam Block (Mathematics)
145. Eliana Feygin (DMSE)
146. André Fonseca (Physics)
147. Dominika Durovcikova (Physics)
148. Ishaan Parikh (Sloan)
149. Carl Gustav Gleske (Sloan)
150. Luca Frederic Beaujean (Sloan)
151. Jan Hofman (Sloan)
152. Kevin Schurr (Sloan)
153. Mathis Weigel (Sloan)
154. Reuben Allen (Chemistry)
155. Anji Zhang (Chemistry)
156. Daniel Sheen (EECS)
157. Nathan Morgan (ChemE)
158. Anna Ferdinand (Physics)
159. Maya Chattoraj (Chemistry)
160. Benjamin S. Manning (Sloan)
161. Chanan Sessler (Chemistry)
162. Archie Stewart (Chemistry)
163. Victoria Gomerding (Chemical Engineering)
164. Jenna Fromer (Chemical Engineering)
165. Aditya Agarwal (EECS)
166. Bipasha Sen (EECS)
167. Yoni Friedman (EECS)
168. Joshua Ramette (Physics)
169. Noah Golowich (EECS)
170. Daniel DeSantis (EECS)

wsussman@mit.edu [Switch account](#)



Chairman GOOD. Thank you, sir. Dr. Lafaso, you are recognized for 5 minutes.

**STATEMENT OF DR. ANNE MARIE LOFASO, PROFESSOR OF
LAW, WEST VIRGINIA UNIVERSITY COLLEGE OF LAW, MOR-
GANTOWN, WEST VIRGINIA**

Dr. LOFASO. Good morning, Chairman Good, Ranking Member DeSaulnier, and distinguished members of the Subcommittee. I am Anne Marie Lofaso, a labor law professor at West Virginia University, and a former NLRB attorney. Thank you for inviting me to testify regarding employee's rights to know their labor rights.

There has been renewed interest in unions among workers, with a record high support of 71 percent. Workers want unions, and should know all of their rights, including how labor law provides recourse to protect against antisemitism and other forms of hate.

Let us start with what the law already requires of unions. The law already requires unions to inform members of their Title 1, and their Beck Rights. The law also requires a union to represent fairly, and non-discriminatorily all employees in the bargaining unit, including nonmembers who pay no dues.

Religious objectors have at least six avenues of recourses if their union acts contrary to their religious beliefs. First, the religious objector, like any employee, can refuse to join a union, and can resign from a union at any time.

Second, under Section 9—sorry, under Section 19, that expressly allows religious objectors to refuse to pay any dues but may be required to donate to a non-religious, non-labor charity in the same amount they would have paid in dues.

Third, the union's refusal to accommodate a religious objector's request to substitute charitable payments for union dues, makes a prima facie discrimination case under Title 7, and the law requires employers to post these rights.

Fourth, the objector could file unfair labor practice charges, or a lawsuit against the union, alleging a violation of the union's duty of fair representation, such as a failure to process grievances of Jewish employees.

Fifth, if the union or the employer tries to inflame employees' passions by dividing them, using religiously inflammatory words during an organizing campaign, any party can file objections to the union, which may result in a re-run election.

Sixth, in the public sector, a religious objector may also have Constitutional claims against the union. Now, let us look at what the law does not require of unions or employers. No one is required to inform workers of any of their NLRA rights, other than Beck rights, that is the right not to join a union.

This Subcommittee should put its energy in solving the real problem facing workers. Employer interference with their right to free association, and workers' lack of awareness of the broad spectrum of rights they enjoy under labor laws. Few private sector workers understand that labor law protects them even if a union does not represent them.

Employees are protected if they discuss how to improve their working conditions during break times, and in non-working areas.

Employees cannot be fired for expressing their support for labor legislation, or for invoking their Weingarten rights.

Workers should be informed of all their labor rights, not only Title 1 rights, Beck rights, and their right to religious accommodation, but all their rights.

A simple fix would require employers to post these rights in the workplace alongside other employment rights posters. Even when workers know their rights, the NLRB's underfunding, making it challenging to conduct union elections and combat unfair labor practices, including union ULPs.

Congress should fully fund the Board and EEOC, to ensure enforcement of all workers' rights, including their Beck rights, and their religious accommodation rights. To the extent that compliance with the LMRDA's disclosure requirements is problematic, those problems seem to be on the management side.

Congress should fully fund the Department of Labor's OLMS to ensure compliance. Even when workers know their rights, they are often met with employer resistance during an organizing drive, or first contract negotiations. Given the act's weak remedial scheme, some employers prefer to pay lawyers to defend ULP charges, knowing that even if they lose the remedy is often a no cost, notice posting.

However, the Act is limited to public causes of action, meaning that access to privately relief via court is typically preempted. This is why the passage of the PRO Act is so important. The PRO Act would strengthen the Act's remedies and require the agency to seek injunctive relief to reinstate employees whenever it has reasonable cause to believe that the employee's job termination was unlawful.

The PRO Act would create a private cause of action, giving workers access to courts, rather than relying on the Board's General Counsel to enforce their rights. The PRO Act would also make mandatory captive audience speeches unlawful, thereby diminishing the employer's power to interfere with employee free choice.

I welcome the Subcommittee's support for workers. I ask that the members of the Subcommittee better target the problems facing workers, so that workers know all their rights, and can enforce those rights against all institutions, including the government, business, and labor unions. Thank you.

[The Statement of Ms. Lofaso follows:]

**Written Testimony of
Anne Marie Lofaso
Arthur B. Hodges Professor of Law
West Virginia University College of Law**

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

**Subcommittee on
Health, Education, Labor, and Pensions**

**Hearing on
Protecting Workers from Big Labor Abuses**

July 9, 2024

Introduction

Good Morning, Chairman Good, Ranking Member DeSaulnier, and distinguished members of the Subcommittee. My name is Anne Marie Lofaso. I am a law professor at West Virginia University, teaching labor and employment law and serving as the Faculty Advisor for the Labor and Employment Law Certificate Program. I am also a member of the bipartisan College of Labor and Employment Lawyers and a former Senior Attorney at the National Labor Relations Board, serving for ten years in the Appellate and Supreme Court Branches.

Thank you for inviting me to testify regarding notices to union members of their right to know their labor rights, their right to religious accommodations, and their *Beck* objector rights.

I. Background

As you know, in 1935, in the National Labor Relations Act, Congress “declared” it the “policy of the United States” to “encourage[e] the practice and procedure of collective bargaining” and “protect[] the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection.”¹

The purposes of that statutory policy are five-fold: (1) eliminate obstructions to interstate commerce;² (2) enhance worker voice through a system of workplace democracy;³ (3) augment workplace justice by providing for collective-bargaining rights,⁴ which will almost always result in a grievance-arbitration process;⁵ (4) increase equality of bargaining power by collectivizing the labor market to match the collective strength of the capital market;⁶ and (5) promote workplace peace by promoting workplace democracy and justice, thereby eliminating most of the reasons for strikes.⁷ The NLRA is, therefore, a civil rights act that embodies the economic policy of making the labor market run more efficiently—a free market solution to a free market problem, as my labor law professor, the legendary Clyde Summers, used to say.

Notwithstanding significant legal repression of unions since 1947,⁸ unions have recently witnessed a renewed interest in union organizing. For example, workers have successfully organized hundreds of Starbucks stores. As of June 12, 2024, “440 Starbucks stores in 44 states

¹ 29 U.S.C. § 151.

² See 29 U.S.C. § 151.

³ See 29 U.S.C. § 159.

⁴ See, e.g., 29 U.S.C. §§ 157, 158(a)(5), 158(b)(3).

⁵ See, e.g., BLOOMBERG LAW, PRACTICAL GUIDANCE, *Labor Relations, Clause Description – Grievance Procedures* (stating that “[v]irtually all contracts discuss procedures for handling grievances”).

⁶ See 29 U.S.C. § 151.

⁷ See 29 U.S.C. § 151.

⁸ See *infra*, § IIB, C; see generally Anne Marie Lofaso, *The Persistence of Union Repression in an Era of Recognition*, 62 ME. L. REV. 199 (2010).

have won union elections.”⁹ Moreover, in 2022, union approval reached a near-record high of 71%—the highest level since 1965.¹⁰ This is part of a solid upward trend since 2009, when union support reached a record low of 48%.¹¹

History tells us that union organizing drives start with a grievance, and union support rises as working conditions worsen.¹² Today is no exception. Workers—especially the working poor—emerged from the pandemic disillusioned with their work situation.¹³ Many were forced to work in unsanitary conditions, without personal protective equipment, accelerating the spread of the COVID-19 virus.¹⁴

Unions offer a solution. When workers band together for mutual aid or protection, they can demand workplace change without risking job loss. Historically, unions have an excellent track record for improving working conditions for all workers—members and nonmembers alike. Unions represent employees by bargaining for living wages, hours of work, holidays, vacation time, health and welfare benefits, pensions, safety and health requirements, seniority rights, and job security.¹⁵ They also represent employees in grievances and arbitration proceedings. And in right-to-work states, unions are legally required to do all this without charging employees for those services.¹⁶ But this is just the visible work they do. Unions also lobby Congress and other political bodies for legislation to protect their constituency—the working class—whether or not those workers are unionized. Unions, among other progressive advocates, were behind the eight-hour day, the five-day work week, legalized break times, health and safety legislation, and much more. These laws become a floor of rights, below which employers are prohibited from bargaining.¹⁷ This means unions do not have to bargain for those rights but can take them as a

⁹ See MORE PERFECT UNION, *Map: Where Are Starbucks Workers Unionizing?*, <https://perfectunion.us/map-where-are-starbucks-workers-unionizing/>.

¹⁰ See Justin McCarthy, *U.S. Approval of Labor Unions at Highest Point Since 1965*, GALLUP, Aug. 30, 2022, <https://news.gallup.com/poll/398303/approval-labor-unions-highest-point-1965.aspx>.

¹¹ See Lydia Saad, *More in U.S. See Unions Strengthening and Want It That Way*, GALLUP, Aug. 30, 2023, <https://news.gallup.com/poll/510281/unions-strengthening.aspx>.

¹² For example, TriNet, a professional employer organization, quoting Hugh F. Murray, III, chair of McCarter & English's Labor & Employment practice, explains that employees' desire to organize “‘is always a reflection of something in the company's culture, although not uniformly a reflection of something bad in the company's culture. . . . The fact that employees feel that a [union] would be helpful indicates that there is something missing from the status quo.’” TriNet, *HR Headaches: My Employees Are Talking About Unionizing — Should I Encourage This?*, May 24, 2022, <https://www.trinet.com/insights/hr-headaches-my-employees-are-talking-about-unionizing-should-i-encourage-this>.

¹³ See, e.g., Dave Lievens, *How the Pandemic Exacerbated Burnout*, Harvard Business Review, <https://hbr.org/2021/02/how-the-pandemic-exacerbated-burnout>.

¹⁴ See, e.g., Thomas P. Krumel, Jr. & Corey Goodrich, *COVID-19 Working Paper: Meatpacking Working Conditions and the Spread of COVID-19*, USDA, ECON. RES. SERV., <https://ers.usda.gov/publications/pub-details/?pubid=102205> (Sep. 2021).

¹⁵ See generally ANNE MARIE LOFASO, *DRAFTING THE UNION CONTRACT* (Matthew Bender 2024).

¹⁶ See § III, *infra*.

¹⁷ See Anne Marie Lofaso, *Workers' Rights As Natural Human Rights*, 71 U. MIAMI L. REV. 565, 598 (2017) (discussing workers' floor of rights); Kacie Whaley, *WVU Professor Explains Why Worker's Rights Should Involve Natural Human Rights*, WV Record, Jun 13, 2017, <https://wvrecord.com/stories/511126222-wvu-professor-explains-why-worker-s-rights-should-involve-natural-human-rights>.

starting point. This also means that nonunion workers benefit from a raised floor of rights, which the employer cannot dip below.

In short, unions have augmented and enhanced the voice of the working class, which would otherwise have gone unheard. Their voice has facilitated change, significantly affecting the lived experiences of workers and their families.

II. Congressional Responses To Concerns About Worker Voice and Union Democracy: Wagner Act (1935), Taft-Hartley Amendments (1947), Landrum-Griffin Act (1959)

A. Step One: Congress Enacts the Wagner Act Granting Significant Labor Rights To Workers

Today, we focus on worker voice and union democracy—concerns about which Congress has been responsive. The first step, taken in 1935, was the passage of the National Labor Relations Act.¹⁸ Congress enacted the NLRA, also known as the Wagner Act, primarily to check the coercive power of business by granting workers the “fundamental right”¹⁹

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, and shall also have the right to refrain from any or all of such activities.²⁰

However, a right only has meaning if an obligation supports it. Congress made good on those Section 7 rights by imposing five legal duties on employers. Section 8 made it unlawful for employers to (1) “interfere with, restrain, or coerce employees in the exercise of the[ir] [Section 7] rights;” (2) dominate or interfere with worker unions; (3) discriminate against workers because of their support or lack of support for unions; (4) retaliate against workers for filing charges or giving testimony under the NLRA; and (5) “refuse to bargain collectively with [its employees’] representatives.”²¹ The National Labor Relations Board, an independent federal agency, enforces those rights and duties primarily through adjudication and overseeing secret ballot union elections.

B. Step Two: Congress Passes Taft-Hartley Amendments To Curb Government Overreach and Union Power

Congress then amended the Act in 1947 to check what it viewed as the government’s (i.e., the Board’s) coercive power to overreach by extending Section 7 rights to too many types of

¹⁸ National Labor Relations Act (Wagner Act), 49 Stat. 449 (1935), codified at 29 U.S.C. § 151 et seq.

¹⁹ NLRB v. Jones & Laughlin Steel Corp., 301 U.S. 1, 33 (1937).

²⁰ 29 U.S.C. § 157.

²¹ 29 U.S.C. § 158(1)–(5), now codified as 29 U.S.C. § 158(a)(1)–(5).

workers.²² Under the 1947 Taft-Hartley amendments,²³ Congress exempted supervisors and independent contractors from the Act's protection, thereby curbing the Board's power to oversee the employer's relationship with those types of workers concerning labor rights and concerted activity.²⁴ Moreover, Congress added Section 8(c) to clarify that the Board could not use employers' speech as evidence of an unfair labor practice so long as "such expression contains *no* threat of reprisal or force or promise of benefit."²⁵ Those amendments not only considerably narrowed the number of employees whom the Act would protect against industry abuse of workers, but it also ultimately led the Board to hold that employers could make captive audience speeches during which employers could compel their employees to listen to anti-union speech without providing employees with the opportunity to hear the benefits of unionization.²⁶

Under Taft-Hartley, Congress also amended the Act to check what it viewed as union coercion. Most significantly, Congress added Section 8(b), which regulated and limited unions' freedom to engage in secondary boycotts.²⁷ Those regulations significantly curbed unions' economic power.²⁸ Declines in union density can be directly traced to the Taft-Hartley amendments, as those declines have strongly correlated with the erosion of the middle class.

C. Step Three: Congress Passes Landrum-Griffin Act To Tighten Taft-Hartley Provisions and To Grant Union Members Rights Against Unions

The next and last significant set of amendments to the Act came with the 1959 Labor Management Reporting and Disclosure Act (LMRDA or Landrum-Griffin Act).²⁹ This act had two primary purposes. First, Landrum-Griffin tightened the secondary boycott provisions and

²² See *Packard Motor Car Co. v. NLRB*, 330 U.S. 485 (1947) (foremen are statutory employees even if they can be classified as supervisors); *NLRB v. Hearst Publ'ns, Inc.*, 322 U.S. 111 (1944) (newspaper boys are statutory employees even if they can be classified as independent contractors). Taft-Hartley legislatively overruled these cases.

²³ Labor Management Relations Act (LMRA, Taft-Hartley Act, or Taft-Hartley amendments), 61 Stat. 136 (1947), codified at 29 U.S.C. § 151 et seq.

²⁴ 29 U.S.C. § 152(3).

²⁵ 29 U.S.C. § 158(c).

²⁶ See *Babcock & Wilcox Co.*, 77 N.L.R.B. 577, 578, 583–95 (1948) (compelling employees to listen to anti-union speeches during working hours does not violate the NLRA). The Board in *Babcock & Wilcox* expressly cites Section 8(c) as the reason for overturning *Clark Brothers Co.*, 70 NLRB 802, 803–04, 806–07 (1946) (holding anti-union captive audience speeches unlawful).

²⁷ 29 U.S.C. § 158(b)(4) (1947), as amended (1959).

²⁸ "[T]he Taft-Hartley and Landrum-Griffin amendments added important substantive provision, [which] were primarily limitations on the exercise of economic power that unions were either employing or were deemed likely to employ in the collective-bargaining process." Charles J. Morris, *How the National Labor Relations Act Was Stolen and How it Can Be Recovered: Taft-Hartley Revisionism and the National Labor Relations Board's Appointment Process*, 33 BERKELEY J. EMP. & LAB. L. 1, 15 (2012).

²⁹ Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), 73 Stat. 519–546 (1959), codified at 29 U.S.C. §§ 401–531. Since 1959, Congress has amended the NLRA, to include acute-care hospitals for example, but none of those amendments are relevant to the issues here.

added a section to limit unions' freedom to engage in recognitional picketing.³⁰ These provisions extend Taft-Hartley's theme of weakening unions' economic power.

The second purpose of this act, which my labor law professor, Clyde Summers, drafted in large part when he worked for then-Senator John F. Kennedy,³¹ was to guarantee democratic rights to union members by creating a bill of rights for union members.³² Rights expressly granted under Title I include rights to

- participate in union activities, including the right to nominate candidates for union office, vote in an internal union election, and attend and participate in membership meetings;
- free speech and assembly;
- voice in setting rates of dues, fees, and assessments;
- have safeguards against improper discipline;³³
- sue unions;³⁴
- receive and inspect the collective bargaining agreement;³⁵
- examine documents such as the union constitution and its bylaws;
- examine forms and information filed with the Department of Labor, including initial information forms, which identify the union and its officers and provide detailed information about union dues, member discipline, member discipline, officer removal, funds disbursement,
- run for union office, and
- protest the conduct of an internal election.

Significantly and relevant to this hearing, unions must inform their members of their LMRDA Title I rights.³⁶

* * *

Simply put, the Wagner Act successfully checked industry coercion. By contrast, Taft-Hartley and Landrum-Griffin removed many of those checks, ostensibly to curb union abuse, but weakened unions' capacity to protect workers. Although Landrum-Griffin also created numerous workers' rights to ensure internal union democracy, it failed to address the weakening of democracy and voice in the workplace and workers' interactions with their employers.

³⁰ 29 U.S.C. § 158(b)(7). The Board has summarized other Landrum-Griffin amendments on its website. See NLRB, *1959 Landrum-Griffin Act*, <https://www.nlr.gov/about-nlr/who-we-are/our-history/1959-landrum-griffin-act>.

³¹ Steven Greenhouse, *Clyde Summers, Advocate of Labor Union Democracy, Is Dead at 91*, N.Y. TIMES, Nov. 11, 2010, <https://www.nytimes.com/2010/11/12/business/12summers.html>.

³² 73 Stat. 522, codified at 29 U.S.C. § 411.

³³ 29 U.S.C. § 411. See U.S. DEP'T OF LABOR, Union Member Rights Poster (Union Member Rights Poster), <https://www.dol.gov/sites/dolgov/files/olms/regs/compliance/unionmemrightsposter.pdf> (summarizing those rights).

³⁴ 29 U.S.C. §§ 411–412. See Union Member Rights Poster, *supra* note 33.

³⁵ 29 U.S.C. § 414. See Union Member Rights Poster, *supra* note 33.

³⁶ 29 U.S.C. § 415. See Union Member Rights Poster, *supra* note 33.

III. No Workers Can Be Compelled To Become Union Members; Employees In Right-to-Work States Are Never Required To Pay Union Dues Unless They Agree; LMRDA Title I Applies Only to Union Members

The law is exceedingly clear. No worker can be compelled by an employer, a union, or the government to become a union member. No public-sector worker can be forced to pay union dues. No employee can be compelled to pay for a union's political activities. Under the NLRA, employees in non-right-to-work states may opt to pay only agency fees—their fair share of the cost of collective bargaining, contract enforcement, and representation. Employees in right-to-work states cannot be compelled to pay union dues—even their fair share for services provided—unless they agree.

A. Union Security Clauses Vary By State

Taft-Hartley amended the NLRA to allow individual states to adopt right-to-work rules,³⁷ which makes unlawful any union security clause in a collective bargaining agreement.³⁸ In right-to-work states, workers are not required to join the union or pay union dues or fees.³⁹ Today, twenty-six states have passed right-to-work laws,⁴⁰ two states have limited right-to-work laws,⁴¹ and the remaining states are non-right-to-work states.⁴²

B. No Private or Public-Sector Worker Can Be Compelled To Join a Union

Taft-Hartley amended the NLRA to prohibit closed shops—agreements requiring employers to hire only union members.⁴³ Section 7 now contained the following “right to refrain” language: “Employees . . . shall also have the right to refrain from any or all of such activities” followed by “except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment as authorized in section 8(a)(3).”⁴⁴ Congress amended Section 8(a)(3) to include the following language:

nothing in this Act [subchapter], or in any other statute of the United States, shall preclude an employer from making an agreement with a labor organization . . . to require

³⁷ 29 U.S.C. § 164(b).

³⁸ See NATIONAL RIGHT TO WORK LEGAL DEFENSE FOUNDATION (NRTW), *Employees in Right to Work States*, <https://www.nrtw.org/employees-in-right-to-work-states/> for a thorough explanation of those rights.

³⁹ See *id.*

⁴⁰ Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Nebraska, Nevada, North Carolina, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, Wisconsin, Wyoming. See NRTW, *Employees in Right to Work States*, *supra* note 38.

⁴¹ Ohio has a narrow right-to-work law and Delaware allows for local right-to-work laws.

⁴² Alaska, California, Colorado, Connecticut, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, New Hampshire, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, and Washington, DC.

⁴³ See NLRB, *1947 Taft-Hartley Substantive Provisions*, <https://www.nlrb.gov/about-nlrb/who-we-are/our-history/1947-taft-hartley-substantive-provisions>.

⁴⁴ See 29 U.S.C. § 157.

as a condition of employment membership therein . . . [within thirty days of employment]
⁴⁵

Reading Section 7 in conjunction with Section 8(a)(3), the Act’s plain language seemed literally to allow employers and unions to enter into union-security clauses compelling union membership (union shops) within thirty days as a condition of employment.

The Supreme Court has foreclosed that meaning of the Act. In *NLRB v. General Motors Corporation*,⁴⁶ the Supreme Court held that the union shop is technically legal but explained that “membership” for purposes of a union shop does not literally mean membership. Instead, membership means only the payment of initiation fees and monthly dues. The Court further explained that “the burdens of membership upon which employment may be conditioned are expressly limited to the payment of initiation fees and monthly dues. . . . ‘Membership’ as a condition of employment is whittled down to its financial core.”⁴⁷

The Court went further in defining membership in *Communications Workers v. Beck*.⁴⁸ There, the Court held that “financial core membership” does not “include[] the obligation to support union activities beyond those germane to collective bargaining.”⁴⁹ The rule is the same for employees covered by the Railway Labor Act.⁵⁰

The public sector contains the same rule. Indeed, in *Janus v. AFSCME Council 31*,⁵¹ the Court went even further. In addition to affirming that neither the state as an employer nor a union can compel a state employee to join a union, it held that a public employer’s collective bargaining agreement could not even require non-members to pay an agency fee—their pro rata share of the union’s costs of representing the bargaining unit—because that involuntary transfer of funds violated the non-members’ First Amendment right of free speech. Effectively, all public employees are covered by right-to-work policies whether or not their state is right-to-work. Finally, no federal employee can be compelled to join a union. This right to refrain is statutorily guaranteed.⁵²

In summary, no worker can ever be forced to join a union. However, as discussed below, employees in non-right-to-work states can be required to pay their fair share of the cost of

⁴⁵ 29 U.S.C. § 158(a)(3).

⁴⁶ 373 U.S. 734 (1963).

⁴⁷ 373 U.S. at 742–43.

⁴⁸ 487 U.S. 735 (1988).

⁴⁹ 487 U.S. at 745.

⁵⁰ See *International Association of Machinists v. Street*, 367 U.S. 740 (1961). There, the Court interpreted the Railway Labor Act as not empowering unions “over the employee’s objection, to spend [that employee’s] [dues] for political causes which [the employee] opposes. *Id.* at 750. See also 45 U.S.C. § 152 Eleventh (permitting employers and employees to enter into union security clauses and dues check-off agreements). Accordingly, employees under the Railway Labor Act are not subject to state right-to-work rules because Taft-Hartley never amended the Railway Labor Act.

⁵¹ 138 S. Ct. 2448 (2018).

⁵² 5 U.S.C. § 7102 (federal employees generally); 39 U.S.C. § 1209(c) (postal employees).

collective bargaining, contract enforcement, and representation. No employee can be required to pay full union dues unless they agree.

C. No Worker Can Be Compelled To Pay Union Dues For Their Unions' Political Activities; Workers in Right-To-Work States Are Not Even Required To Pay For Their Fair Share of the Cost of Collective Bargaining, Contract Administration, or Representation

Beck, *Street*, and *Jamus* all support the proposition that union membership, in the sense of joining a union, can never be compelled in the private sector under the NLRA, under the Railway Labor Act, or in the public sector.

These cases also explain the extent to which the law can require nonmembers to pay union dues. These cases can be summarized as follows:

- Under *Beck*, employees who work in right-to-work states cannot be compelled to pay any dues or fees, even the cost of representation, unless they agree;
- Under *Beck*, employees who work in non-right-to-work states can only be required to pay their fair share of the cost of representation;
- Under *Street*, employees governed by the Railway Labor Act cannot be required to pay dues going to political causes but can be required to pay agency fees per statute; and
- Under *Jamus*, all public employees are now essentially right-to-work employees who cannot be compelled to pay any dues or fees unless they agree.

Moreover, in *Pattern Makers v. NLRB*, the Court held that a union member may resign at any time without notice.⁵³ This means that in non-right-to-work states, a union member can resign and stop paying all but agency fees anytime they do not like union activity or absent their agreement to the contrary. In right-to-work states, a union member can stop paying dues and fees altogether absent their agreement to the contrary.

D. Landrum-Griffin Regulates the Relationship Between Union Members and Their Unions Only

Title I of the Landrum-Griffin Act provides union members with a bill of rights to enforce against their unions. It does not apply to nonmembers. Nor can it. These rights deal with the internal workings of a union, which do not affect nonmembers.

Nevertheless, all union-represented workers have rights against those unions, and unions have duties to all workers they represent, including the duty to disclose employees' LMRDA Title I rights. Those rights are discussed below.

⁵³ 473 U.S. 95 (1985).

IV. Union Duties To All Bargaining Unit Members Regardless of Union Membership

The law has granted workers rights enforceable against unions whether or not those workers choose to become union members.

A. Duty of Fair Representation

All unions have a duty of fair representation. This means that the union must represent fairly and non-discriminatorily all employees in the bargaining unit, whether or not those employees are union members. The Court held in *Vaca v. Sipes*⁵⁴ that a union violates its duty to fair representation when its conduct is “arbitrary, discriminatory, or in bad faith.”⁵⁵ The types of conduct that typically fall into these categories are precisely the ones at issue here: failure to accommodate religious objectors is discriminatory by nature, and refusal to comply with bargaining unit members’ requests for information to which they are legally entitled is usually arbitrary or in bad faith.

B. Beck Rights

As discussed above, in *Beck*, the Supreme Court held that employees in non-right-to-work states need only pay agency fees. Recall that in right-to-work states, non-member union-represented employees do not have to pay any fees. However, as discussed above,⁵⁶ the union still must represent those non-paying employees.

Most pertinent to this hearing, *Beck* rights are the only employee rights under the NLRA about which employers must inform their members. Under *California Saw & Knife Works*, the Board, with court approval, concluded that

when or before a union seeks to obligate an employee to pay fees and dues under a union-security clause, the union should inform the employee that he has the right to be or remain a nonmember and that nonmembers have the right (1) to object to paying for union activities not germane to the union's duties as bargaining agent and to obtain a reduction in fees for such activities; (2) to be given sufficient information to enable the employee to intelligently decide whether to object; and (3) to be apprised of any internal union procedures for filing objections. If the employee chooses to object, he must be apprised of the percentage of the reduction, the basis for the calculation, and the right to challenge these figures.⁵⁷

⁵⁴ 386 U.S. 171 (1967).

⁵⁵ 386 U.S. at 190.

⁵⁶ See § IV.A., *supra*.

⁵⁷ *California Saw & Knife Works*, 320 N.L.R.B. 224, 233 (1995), *enforced sub nom.* Int’l Ass’n of Machinists & Aerospace Workers v. NLRB, 133 F.3d 1012 (7th Cir. 1998).

C. Rights of Religious Objectors

Religious objectors have at least five avenues of recourse if their union acts in a manner that violates their religious beliefs.

First, the NLRA expressly provides that religious objectors are not required to join the union or to pay any dues but may be required to donate to a nonreligious, nonlabor Section 503(c) charity in the same amount that they would have paid in union dues. Section 19 provides that employees:

shall not be required to join or financially support any labor organization as a condition of employment; except that such employee may be required in a contract between such employee's employer and a labor organization in lieu of periodic dues and initiation fees, to pay sums equal to such dues and initiation fees to a nonreligious, nonlabor organization charitable fund exempt from taxation under [26 U.S.C. § 501(c)(3)]⁵⁸

Accordingly, if a union member is unhappy with their union's political positions that touch upon religious beliefs, that union member can resign from the union⁵⁹ and pay no dues in right-to-work states or agency fees only in non-right-to-work states. Or, more importantly, under NLRA Section 19, the religious object can resign from the union and pay no fees regardless of where that person resides and donate the same amount of money it would have paid in dues to a "nonreligious, nonlabor organization [501(c)(3)] charitable fund." Federal suits over this provision are rare, with less than twenty cases ending in a court decision over the fifty years since Congress amended the Act to include Section 19.⁶⁰ This likely shows that there is very little union noncompliance with Section 19.

Second, the religious objector could file unfair labor practice charges or even a lawsuit against the union, alleging a violation of the union's duty of fair representation. This could arise if, for example, the union refuses to process grievances of only Jewish employees.

Third, during an organizing campaign, if a union or the employer tries to inflame the passions of the employees by dividing them using inflammatory remarks or conduct—such as the union's or employer's public position on the Israel-Hamas War—any party can file objections to the conduct of the election. The Board has held that such inflammatory remarks, including antisemitic remarks, may destroy the laboratory conditions necessary for a free and fair election and, in those cases, a re-run election is the proper remedy.⁶¹

⁵⁸ 29 U.S.C. § 169.

⁵⁹ See *Pattern Makers v. NLRB*, 473 U.S. 95 (1985).

⁶⁰ A Westlaw search of "29 U.S.C. § 169" & da(aft 1973)" in the database All Federal brings up nineteen decisions at least one of which is the same case on appeal and several of which have nothing to do with religious objectors. The same search in All States database brings up zero cases.

⁶¹ The seminal case here is *Sewell Mfg. Co.*, 138 N.L.R.B. 66, 71 (1962) (conducting hearing on election objections where employer appealed to racial prejudice by showing pictures of Black union men dancing with white women). Several progeny cases of *Sewell* deal with inflammatory antisemitic remarks. See, e.g., *M & M Supermarkets, Inc. v.*

Fourth, a union's refusal to accommodate a religious objector's request to substitute charitable payments for union dues makes out a discrimination case under Title VII. In such cases, an employer may not discharge an employee, at the union's request, for failing to pay dues under Section 19 because an employer is duty-bound under Title VII to provide religious accommodations for employees.⁶² This is even more true after the Supreme Court's 2023 decision in *Groff v. DeJoy*.⁶³

Fifth, in the public sector, a religious objector may also have constitutional claims against the union. If a union were to compel a religious objector to pay dues, such payment could constitute compelled speech, violating the objector's First Amendment rights per the Court's decisions in *Janus* and *Kennedy*.⁶⁴

V. Suggestions for Reform

I understand that the subcommittee has been interested in workers' rights to know their rights, as demonstrated in Chairwoman Foxx's bill, "Union Members Right to Know Act."⁶⁵ However, the Committee and its subcommittee are presenting a solution in search of a problem, an example of overregulation. The law already requires unions to inform members of the rights this subcommittee is interested in. First, unions must inform their members about their rights under Title I of the LMRDA⁶⁶ and their *Beck* rights.⁶⁷ Second, unions are legally obligated to accommodate workers' religious objections under the U.S. Constitution, state constitutions, Title VII, state human rights laws, and the NLRA. Third, the only rights under the NLRA that unions must affirmatively disclose to workers are their *Beck* rights. By contrast, the law does not require employers to inform workers of their labor rights under the NLRA.

NLRB, 818 F.2d 1567, 1569 (11th Cir. 1987) (antisemitic remarks sufficient to overturn election: "The damn Jews who run this Company are all alike. They pay us pennies out here in the warehouse, and take all their money to the bank. The Jews ought to remember their roots. Norton Malaver ought to remember his roots. Us blacks were out in the cotton field while they, the damned Jews, took their money from the poor hardworking people."); NLRB v. Katz, 701 F.2d 703, 705–08 (7th Cir. 1983) (showing movie about the Holocaust during a union meeting and Catholic priest's remarks at the meet—that "Paul and Mrs. Katz [employers] are Jewish and they're getting rich while we're getting poor. The priest said 'we should vote yes and that why should we make them rich because Jewish people are rich and we are poor and killing ourselves for them.'"—sufficient to make out prima facie case to overturn election); NLRB v. Silverman's Men's Wear, Inc., 656 F.2d 53, 57–60 (3d Cir. 1981) (allegations that union secretary-treasurer called employer's vice-president a "stingy Jew," if true, were sufficient to warrant a new election).

⁶² See, e.g., Int'l Ass'n of Machinists & Aerospace Workers, Lodge 751 v. Boeing Co., 833 F.2d 165, 167–70 (9th Cir. 1987).

⁶³ See *Groff v. DeJoy*, 600 U.S. 447, 470 (2023) (holding that "employer must show that the burden of granting an accommodation would result in substantial increased costs in relation to the conduct of its particular business").

⁶⁴ See *Kennedy v. Bremerton School District*, 597 U.S. 507 (2022) (holding that school violated the football coach's free speech and free exercise rights when it restricted him from praying on the fifty-yard line immediately after a football game). See also Anne Marie Lofaso & Martin H. Malin, *The Supreme Court, The First Amendment, and The Erosion of Public Employer Managerial Authority*, 101 DENVER L. REV. 521 (2024) (discussing the implications of *Janus* and *Kennedy* on management authority to discipline its employees).

⁶⁵ See H.R. 8573.

⁶⁶ 29 U.S.C. § 415. See Union Member Rights Poster, *supra* note 33.

⁶⁷ *California Saw & Knife Works*, 320 N.L.R.B. 224, 233, 235 & n.37 (1995), *enforced sub nom.* Int'l Ass'n of Machinists & Aerospace Workers v. NLRB, 133 F.3d 1012 (7th Cir. 1998).

Accordingly, I ask this subcommittee to put its energy into solving the real problem facing workers, which is employer interference with their right to free association and workers' lack of awareness of the broad spectrum of rights they enjoy under labor laws. For example, few private-sector workers understand that they are protected by the NLRA even if a union does not represent them. Although an employer can fire an employee for asking their employer to ameliorate working conditions, workers are protected if two workers (or even one employee on behalf of themselves and other workers) make those requests. Employees are protected if they discuss how to improve their conditions so long as those discussions occur during break times and in non-working areas. Employees cannot be fired for expressing their support for labor legislation. Workers cannot be fired for invoking their *Weingarten* right to union representation during an investigative hearing at which there is a likelihood of discipline.

Simply put, workers should be informed of all their rights under labor laws—not only LMRDA Title I rights, *Beck* rights, and their right to religious accommodations. One way to do this would be to require employers to post these rights in the workplace alongside other employment rights that must be posted.

Even when workers know their rights, the NLRB is sorely underfunded, making it challenging to conduct union elections and combat unfair labor practices. Costly union avoidance mechanisms exacerbate these problems. Employers who wish to avoid labor laws spend over \$400 million a year derailing union-organizing campaigns.⁶⁸ Accordingly, Congress should fully fund the NLRB to ensure the enforcement of all workers' rights.

And even when workers know their rights and successfully organize, they are often met with employer resistance to a first contract. Employees are vulnerable to employer unfair labor practices. Given the Act's weak remedial scheme, some employers prefer to pay lawyers to defend unfair labor practice charges, knowing that, even if they lose, the remedy is often a no-cost notice posting. Moreover, the Act is limited to public causes of action, meaning that access to private relief by a court is typically preempted.

This is why the passage of the Protecting the Right to Organize Act (PRO Act) is so important. The PRO Act would strengthen the Act's remedies and require the agency to seek injunctive relief to reinstate employees whenever it has reasonable cause to believe that the employee's job termination was unlawful under the Act. The PRO Act would also create a private cause of action, giving workers access to courts rather than relying on the NLRB's General Counsel to enforce their rights. The PRO Act would also make mandatory captive audience speeches unlawful, thereby diminishing the power of employers to interfere with employee free choice.

⁶⁸ See Celine McNicholas, et al. *Employers Spend More Than \$400 Million Per Year on 'Union-Avoidance' Consultants To Bolster Their Union-Busting Efforts*, ECON. POL'Y INST., Mar. 29, 2023, <https://www.epi.org/publication/union-avoidance/>.

To the extent that compliance with the LMRDA's disclosure requirements is problematic, those problems seem to be on the management side.⁶⁹ Congress should fully fund the U.S. Department of Labor's Office of Labor-Management Standards to ensure compliance with the LMRDA.

In short, I welcome this subcommittee's support for workers. I ask that the members of this subcommittee better target the problems facing workers so that workers know all their rights and can enforce those rights against all institutions, including the government, business, or labor unions.

Thank you.

⁶⁹ See Jeffrey Freund, *Putting 'Management' Back Into the Labor-Management Reporting and Disclosure Act*, U.S. DEP'T OF LABOR BLOG, Jan. 5, 2022, <https://blog.dol.gov/2022/01/05/putting-management-back-into-the-LMRDA>.

Chairman GOOD. Thank you. Finally, Mr. Taubman, you are recognized for 5 minutes.

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 42 years at the National Right to Work Legal Defense Foundation in Springfield, Virginia. My clients are individual employees, who wish to stand apart from the workplace labor union they did not choose, and do not want.

For 42 years I have helped litigate the Foundation's groundbreaking Supreme Court cases, like *Communications Workers v. Beck*, and *Janus v. AFSCME*. These decisions recognized individual employees' Constitutional and statutory rights to partially limit their association with labor unions they wanted no part of but were nevertheless forced to join or fund.

Despite these Supreme Court decisions, I must regularly explain to my clients that while they can choose to join any worship, house of worship, any affinity group, or fraternal organization that they want, Federal law prevents them from choosing the agent that exclusively represents them in their workplace.

In half the states without right to work protections, they must pay union dues, or be fired. Since October 7th, those once routine explanations of basic labor law have become dark, sobering, and often heartbreaking conversations about the reality of union antisemitism, and legalized compulsion in the workplace today.

Now, my phone is ringing off the hook with calls from unionized Jewish and Israeli graduate students at this Nation's elite educational universities, MIT, Columbia, University of Chicago, to name a few, asking me how they can disassociate from a union that is partnering with, and often leading groups that organize protests to shut down the campus, destroy property, chant the genocidal, antisemitic slogans, and menace them on campus.

Many of these employees are forced to pay dues that go directly to subsidize the union's celebration and support of Hamas's massacres. In case any of you need reminding, Hamas is a medieval death cult on the U.S. government's terrorist watch lists, not unlike ISIS and Al Qaeda, wearing masks at the workplace, while changing, "Death to Zionists from the River to the Sea," is not benign or legitimate union bargaining activity.

My phone is also 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 and exclusionary anti-Jewish, and anti-Israel propaganda.

My phone is ringing off the hook from teachers and legal aid lawyers, all of whom wonder how the union they used to support, and even championed, had suddenly turned away from advocacy for better benefits, and to a radical advocacy against Israel's just and moral defensive war.

A war that is occurring thousands of miles away from their workplace. Federal labor law has long allowed employees to be trapped

by exclusive bargaining agents they never voted for, and do not want. Today, Jewish employees find themselves forced under the thumb of exclusive bargaining agents who are loud and ardent supporters of the Hamas death cult.

At the National Right to Work, we are redoubling our efforts to help such employees forcibly saddled with antisemitic unions. We have filed Beck charges because unions falsely tell employees that they must join, and must pay dues, even when the money is spent to support radical campus protestors.

We have filed charges of religious and ethnic discrimination with the EEOC because unions refuse employee's requests for religious accommodations. Despite our best efforts, Title 7 and Beck are not nearly strong enough protections, as long as unions can force workers to pay anything to get or keep a 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 is the time for this Congress to 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 are hateful, threatening and deeply divisive.

What could be more American than that? Thank you, and I look forward to answering your questions.

[The Statement of Mr. Taubman follows:]

STATEMENT OF MR. GLENN TAUBMAN, STAFF ATTORNEY, NATIONAL RIGHT TO WORK
LEGAL DEFENSE FOUNDATION, SPRINGFIELD, VIRGINIA

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). 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 auto-workers 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. 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"). 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.

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. Employees who do not want anything to do with these hateful ideologies should be able to defund and disaffiliate from them. What could be more American than that?

Chairman GOOD. Thank you, sir. Under Committee Rule 9, we will now question witnesses under the 5-minute rule. I will wait to ask my questions, and therefore I recognize Mr. Wilson from South Carolina for 5 minutes.

Mr. WILSON. Thank you very much, Mr. Chairman, and thank you witnesses for being here today. Particularly, I am very grateful, Mr. Taubman, that the National Right to Work Committee has appreciated, is truly the champion for workers' rights, promoting freedom since 1955.

That is just extraordinary, to have such a strong life, and so successful. It should achieve a majority of the American states to enact right to work laws for protecting workers' freedom of choice. In South Carolina, it was instrumental in working with creating 10,000 jobs at the Boeing aircraft company, with its suppliers to build 787 jetliners several years ago in Charleston, Orangeburg, Aiken and Lexington.

I was grateful to be working with Governor Nikki Haley, U.S. Senators Tim Scott and Lindsey Graham, and Attorney General Alan Wilson, with the Right to Work Committee, and you prevailed over the corrupt National Labor Relations Act, and now 10,000 workers, thousands of families are benefiting from what the Right to Work Committee has achieved.

The Right to Work Legal Defense Foundation is working with Jewish and Israeli employees to protect their statutory and civil rights in the face of antisemitism. Can you discuss these workers' reactions to their unions, supporting antisemitic and anti-Israel causes, despite having a legal duty to protect the interest of all members they represent?

Mr. TAUBMAN. Thank you very much, Congressman Wilson, for that question. As I said in my statement, it is heartbreaking for me, as a Jewish American, and as a Zionist, to have my phone ringing off the hook every single day since October 7th by students, workers, teachers, legal aid lawyers, doctors, saying how do I get out of this?

I am surrounded by vicious people attacking me as a Jew, attacking me as a Zionist. I have friends in Israel. I have family in Israel. I have friends who served in the IDF, the most moral Army in the world, perhaps second only to the United States Army, and they are attacked in their workplace, so that is the reaction that I am seeing.

Unfortunately, I cannot say to all of these people exercise your Constitutional rights to get out because under the National Labor Relations Act, they cannot get out. They are forced to be part of a bargaining unit and forced to pay dues to a union or be fired.

Finally, although we have heard that unions have an obligation to tell people about their rights, in fact, few unions do. If you look at the exhibits to my statement, you will see that in Exhibit 5, for example. This is a pamphlet that the union at MIT put out to students.

They say, "You are required—required, to sign up for either dues or agency fees as a condition of employment. The cost of dues and agency fees is exactly the same." That is a lie. The whole point of Beck is that the cost of reduced dues is different. You do not have

to fund these obnoxious, outrageous, political actions, but the unions lie, and tell people they do.

Mr. WILSON. Well, thank you for the Right to Work Committee for telling the truth. Mr. Sussman, thank you for your courage. Indeed, the graduate student union had an email in December 2023, which condemned MIT administrators for setting down what they called peaceful protests. What were these peaceful protests?

Mr. SUSSMAN. Thank you, Mr. Wilson. The students would occupy buildings. They would occupy communal spaces on campus that were supposed to be shared, and over time they would escalate. I included in my testimony, the arrest records of several students, many of whom are graduate students in the union, one of whom is the Vice President who is paid by the union.

Many of those arrests were violent. I believe one person is charged with assaulting a 60-year-old disabled person.

Mr. WILSON. Again, thank you for your courage. I regret, Ms. Kopmar, I do not have time, but thank you for your courage, and indeed to have the associate legal aid attorneys to ignore, or disregard mass murder and rape. Thank you for the courage to stand up against that, and the Hamas puppets of the regime in Tehran need to be addressed. Thank you very much. I yield back.

Chairman GOOD. Thank you. I will now recognize Mr. Norcross from New Jersey for 5 minutes.

Mr. NORCROSS. Thank you. I want to start out by saying we live in the greatest country in the world. We live in a democracy, which we have elections, whether they are for Members of Congress, or for their representatives as their union voices, but I do want to take a moment and personal privilege to thank the Chairman.

He and I agree on little, if anything, but I do want to thank him for his public service and wish him well in any future endeavors that are coming out. We really need more public servants, and we appreciate what you have done, and wish you well.

I will start out by saying that we are in due process, I heard stories what is going on in this country with antisemitism is horrific in any form. We heard in many of our hearings what is going on in college campuses, and I could not agree more. We live in a country that is a democracy, and unfortunately many of those views are something that I personally disagree with, as many of us.

In this country, and to quote our friend from the Institute, Mr. Taubman, we did not choose, and we do not want many of our elected officials. Some might even be in this room, and we are forced to fund them, whether it is a union or our government.

The idea or a suggestion that because of a few bad actors, which we make no excuses for, are being antisemitic, and smearing the entire representatives or workers, I think is no different calling unions antisemites. You could call Republicans racist. You can call Democrats socialists, but it does not make it true.

If we look back in our history, we certainly did have racists that served in this House, but the idea that somehow this is breaking out—I am sorry, did you say something? You are looking to yield time from me, Chairman?

Chairman GOOD. Are you finished with your time?

Mr. NORCROSS. No. You were talking. I thought you were wanting me to yield some time.

Chairman GOOD. I thought maybe you were talking about the Southern Democrats and the KKK.

Mr. NORCROSS. No. I claim back my time.

Chairman GOOD. That is what you are talking about?

Mr. NORCROSS. Thank you, you are done. In more than one way. The idea of what we are doing each and every day is how democracies work. My question goes back to whether they have votes on authorizing strikes, ratifying contracts, union leadership, the votes that go on each and every day.

This is not the top down this is a bottom up. This is something that we believe in in our Nation, and certainly in the unions. Dr. Lofaso, can you talk to us a little bit more detail, what you started to talk about, where those rights of a union member when it comes to dues, when it comes to the votes on where that union comes together, but at the end of the day they have a vote, whether they agree with it, or they do not, just like we do in this country when we have votes.

Could you expand on some of those issues, particularly right to work states versus non-right to work states?

Ms. LOFASO. Okay. First of all, no worker can be compelled to join a union in any State. In right to work states, they also cannot be compelled to pay their dues. I think that we agree on that. In non-right to work states, or fair share states, the only thing that union represented employees have to pay are their agency fees, which is, as Mr. Taubman pointed out, they are reduced fees.

The Supreme Court has stated very clearly that unions cannot force anyone to pay for their political activities, or non-representative activities. There is a big difference in right to work states, and non-right to work states. Also, with respect to a national right to work law, there already is a solution for that too, which is to lobby.

The states can do that. Every State can do that if they want, and it would have the same effect. West Virginia was one of the most democratic states until recently. It was not right to work, and now it is recently right to work, sorry.

Mr. NORCROSS. No. We understand. The idea that they do have a choice, they are represented by agency fees, we understand all of that, but the idea of having a hearing, one of only maybe a dozen a year, making this your highest priority, I have yet to have, and I live in a very Jewish area, one person come up to me and talk to me about unions being antisemitic.

This goes with to the case of what we are doing here.

Chairman GOOD. The gentleman's time is expired. Thank you, sir.

Mr. NORCROSS. Thank you for giving me those additional 10 seconds, Mr. Chairman, I really appreciate it. You have a good day.

Chairman GOOD. I will now recognize Mr. Walberg from Michigan again, for 5 minutes. Thank you.

Mr. WALBERG. I thank the Chair for holding the hearing today, and again, I would State it is not anti-union. We are anti-union abuse of their power, and violation even of the law. That is what our concern is with today and has been. About a month ago, this Subcommittee held a hearing where I highlighted a Wall Street, courageous, Wall Street Journal opinion piece written by Mr. Sussman.

I am pleased to have Mr. Sussman here today to again be courageous and stand, and hopefully produce other young people that are willing to stand, not for republican, not for democrat ideals, but for American ideals, and decency that goes on—that ought to go on with this country.

I thank the Committee for its work in highlighting this important issue. Mr. Sussman, your written testimony notes that the graduate student union threatened to terminate anyone who refused to pay for their so-called activism. In all reality, that would virtually expel you from MIT, not for academic problems, not for disciplinary problems, but the fact that they were not willing to be represented by an entity that spoke against you and your beliefs.

You filed a charge against the GSU with the National Labor Relations Board, regarding the union violating your Beck rights, which allow workers to opt out of paying the portion of union dues that pays for political activity. You are following the law. My question is while the NLRB agreed that your rights had been violated, do you believe it adequately addressed the illegal union activity?

Mr. SUSSMAN. I do not. They required the union to send out a PDF stating our rights, and that was basically the last we heard of it. They continued doing the same exact tactics that I charged them with last November, but the NLRB closed the case anyway, and they refused to require training of the union agents, so that they would not make the same mistake.

Mr. WALBERG. Still have not. In your written testimony, Mr. Sussman, you detail numerous examples of the GSU, and its paid staff engaging in extreme anti-Israel, and anti-American. We must not forget that—anti-American activity. For example, 2 days after October 7th attack on Israel, a paid GSU organizer told reporters, and I quote, “Those who rebel against oppression cannot be blamed for rebelling against that repression.”

Despite the union that represents you engaging in behavior that is inconsistent with your beliefs, you have no choice but to associate with it, or to leave MIT. Question, do you think current Federal labor law needs to be reformed to allow workers who have moral objections to a union’s political stances to disassociate completely from the union that represents them.

Mr. SUSSMAN. Absolutely, yes. I have tried to use the law as it exists, and at every turn the law has failed me.

Mr. WALBERG. Yes. In some ways it is absurd to think, we are talking about a union of students, very much different than what union, steel workers union I was a member of at one time, and others had in mind. Mr. Sussman, an attachment to your written testimony shows that a December 2023 email from the graduate student union at MIT.

The email condemned MIT administrators for shutting down what it calls a peaceful anti-Israel protest and highlighted the importance of First Amendment rights. You responded to my colleague, Mr. Wilson, about some of those activities. Do you believe that the GSU has respected the First Amendment rights of the Jewish graduate students they represent?

Mr. SUSSMAN. No. They have not respected our rights, specifically speech, religion and association.

Mr. WALBERG. In fact, they have stepped on them. They pushed them down, pushed them back, tried to discourage any dissent from that, and still expected you to pay up, while people that should be representing you fight against you, your belief, your nationality, religion, and your American ideals as well.

Mr. Sussman, I would encourage you to continue standing firm. I believe others are watching. I believe there are others that will gain strength and courage themselves to follow you. It will not be easy, as Mr. Taubman has identified in his efforts for 40 years, but it must be done for America, as well as freedom, and First Amendment liberties, and I yield back.

Chairman GOOD. Thank you. We will now recognize Ms. Jayapal from Washington for 5 minutes.

Ms. JAYAPAL. Thank you, Mr. Chairman. I have been appalled at the rising level of hate crimes against the Jewish community that followed Hamas's terrorist attack on Israel on October 7th, and I believe it is absolutely critical that we speak out against antisemitism, that we recognize the severity, and we condemn and confront it authentically.

President Biden's national strategy to counter antisemitism, importantly recognizes that, "Protecting the Jewish community from antisemitism is essential to our broader fight against all forms of hate, bigotry and bias, and to our broader vision of a thriving, inclusive, and diverse democracy."

I am also very proud to come from Washington State, which is the third most unionized State in the country, and because of that we have the highest minimum wage of any State in the country. We have an incredible paid leave policy in our State. We have the third best environment for small businesses of any State in the country.

Unions have been an absolute, incredible partner to achieving justice and equality for all communities. Unions have long recognized the interconnectedness of all our issues, and that conditions on the job are impacted by conditions in the world. From the civil rights movement to marriage equality, and protections for undocumented workers, unions have been on the forefront of social and socioeconomic progress.

UAW Local 2325, which is under scrutiny by my Republican colleagues, has a history of activism opposing the Vietnam War, apartheid in South Africa, the Iraq War, and instances of police brutality. I am disappointed that my republican colleagues are convening this hearing to question a union exercising its First Amendment rights, especially at a time when there are real issues of antisemitism that we all need to address.

Unionized workers are standing up in record numbers to secure contracts that guarantee that they receive their fair share of corporate profits through dramatically raised wages and increased benefits. It seems to me that this hearing is really about criticizing unions, which has always been a Republican position, to try to undermine unions, instead of the real issues that we should be talking about.

We have heard a lot of attacks today directed at UAW Local 2325 for adopting a cease-fire resolution. Dr. Lofaso, can you share the process behind how this resolution was adopted?

Ms. LOFASO. I can share the process of how it is likely to be adopted because I do not actually have any firsthand knowledge of the UAW local. What normally is done is that unions have bylaws, and a constitution that they are ratified by majority vote, so it is a democratic process.

Then they—anything—then those are the rules by which they have to live by. After that a resolution like this would have to go by their rules, and if they did they would be democratic. Now, if sometimes democracies fail us, and so when there are dissenters. We have two dissenters here. They are important.

Their voices are important, because the law in this country has recognized that we do not need to protect popular speech. We do, but we do not need to because it is popular. We need to protect unpopular speech.

It is very important what they have done, and I think they prove my point, which is they had recourse, and to the extent they did not feel that they had recourse, which I can appreciate, like in Mr. Sussman's case, I think part of that is the underfunding of the NLRB. Sorry.

Ms. JAYAPAL. Yes. I agree with you there. I have a couple more questions I just want—but I want to point out some important things you said. It is a democratic process, right?

Ms. LOFASO. Yes.

Ms. JAYAPAL. Constitution, bylaws, democratic vote, it was adopted through a vote, and has always been the case, I think we have to understand that labor unions are an extension of democracy in the workplace.

Ms. LOFASO. Yes.

Ms. JAYAPAL. That is the way that they are structured. Can you discuss just briefly, because I do not have much time, how workers are impacted, how it impacts their ability to organize when Congress issues subpoenas over votes that the union, as a democratic institution, has taken as the Republican majority is doing?

Ms. LOFASO. Well, any time Congress issues a subpoena, it is going to have effect of repressing that institution because Congress is a scary body, right? It is the government. It is asking, it is compelling you to come to it. That would be something that would repress that democratic institution, and something that is odd for an elected body to do.

Ms. JAYAPAL. Extremely odd, and extremely undemocratic. Thank you so much. I yield back, Mr. Chairman.

Chairman GOOD. Thank you. We will now recognize Mr. Allen from Georgia for 5 minutes.

Mr. ALLEN. Thank you, Mr. Chairman, and I want to thank the witnesses for your courage and your honest testimony this morning. You know, the battle rages on in the country about, you know, like who are we? One of the values that we enjoy in our workplace, in the greatest workforce, the greatest military on the face of the earth, and what are those values based on?

For example, this hearing is in the House of Representatives. In our Chamber we have above the flag etched in stone, In God We Trust. In fact, it is on our currency. Is that God the God of Abraham, Issac, and Jacob? Genesis 12:3 is very clear about the circumstances that we are dealing with right now.

We have the full face of Moses looking down on that body, who gave us the law, which is the basis of our values that we enjoy. Most of our leaders ask for God to bless America. Well, that is covered very well in Genesis 12:3. God says, "If you bless Israel, I will bless you."

Then he says, "All the nations would be blessed through Israel." In my State, of Georgia, we are a right to work State, the 27 states. Lots of states are doing well, but Georgia has had the distinct honor to being the best State to do business in the last 10 years in a row.

Georgia has great companies, who value their employees, both union and non-union. It is damaging to these great companies, those who are non-union, to say that they are bad actors because they are not union. Folks, we have a modern workforce, and based on the values I just described, the scriptures are very clear on how you deal with your workforce.

The folks that work for you. They are very clear, and I do not have time to line all that up today because I have got a lot of questions to ask. The bottom line is we have got to decide where we want to be as a Nation. Right now, we are in crisis because we are a lawless land, and that is why we are having lots of these discussions, which are very difficult for a lot of the citizens of this country.

Mr. Taubman, under Communication Workers of America versus Beck, the U.S. Supreme Court determined that workers represented by a union continues to opt out of paying the portion of dues that funds union political activity. In your experience, do labor unions respect workers' decisions to exercise their Beck rights?

Mr. TAUBMAN. Thank you, and the answer is absolutely not. It demonstrated in part by what we have in this case at MIT. It is in the exhibits to my testimony. The union tells people you must pay full dues, or you must pay an equal amount of agency fees, equal, which is false, and that is what they tell these graduate students.

Mr. ALLEN. Are workers well informed of these rights?

Mr. TAUBMAN. Not in the least.

Mr. ALLEN. Can you discuss some ways that labor unions have used members' dues to support antisemitic, and anti-Israel activities?

Mr. TAUBMAN. It is all in the attachments to my statement. The unions, instead of trying to protect Jewish students from these pro-Hamas rioters, when the schools finally get up the nerve to suspend or expel the pro-Hamas rioters, the unions file lawsuits, and unfair labor practice charges against the schools to stop them from suspending the pro-Hamas rioters.

Mr. ALLEN. Ms. Kopmar, I have got 30 seconds. In your opinion, have any ALAA members stopped participating in unions because of the rancor leading up to the passage of the resolution calling for the cease-fire?

Ms. KOPMAR. Yes, definitely, I mean, many of us have been stifled. We are not able to be as vocal as we can. There as I mentioned on Gaggle, Gaggle is this email listserv that members are

able to post their emails, but Zionist members are constantly being bullied on it. It is not a safe space for any of us.

Me, I will never go on Gaggle because I know that I am going to be ridiculed and threatened, so I will never. My voice is stifled. Every time we go on a Joint Council meeting, we are also—a Joint Council meeting is a membership wide meeting, again, our voices are stifled.

We are called despicable names. We are bullied constantly, in front of leadership. It is not just a few bad actors.

Mr. ALLEN. That is why the leaders of this Nation have got to decide to protect our citizens, and Mr. Sussman, I have more questions for you. I will submit those for the record, and Mr. Chairman, I apologize, I ran over my time.

Chairman GOOD. My apologies to everybody for letting you go that long. Thank you, Mr. Allen. I recognize Mr. Courtney from Connecticut. I now recognize Ms. Manning from North Carolina for 5 minutes.

Ms. MANNING. Thank you, Mr. Chair and Ranking Member, and I want to thank our witnesses for sharing your stories. I am deeply disturbed about what you have been through, and I want to be very clear that antisemitism has no place in any workplace, in any school, in any union, or any other facet of American life.

It is simply unacceptable, and I want to emphasize that President Biden's national strategy to counter antisemitism actually requires the Department of Labor to disseminate resources to unions on recognizing antisemitism, and the importance of combating this hate in relation to workers' rights.

The national strategy, which I have put into my Combating Antisemitism Act would offer real tangible solutions to combat antisemitism in our country, and that is why I am asking once again, that we mark-up my legislation, and support the President's proposed strategy to take serious action to fight against the uptick of antisemitism, and despicable hatred in our communities.

Both of these could also be addressed by increasing funding to the EEOC and the OCR. With that said, Ms. Lofaso, you highlighted the legal duty of unions to fair representation and non-discrimination. Discrimination based on religious views in union organizations is illegal, according to Federal law. Is that correct?

Ms. LOFASO. Yes.

Ms. MANNING. Ms. Kopmar has highlighted her case in which four members of the Association of Legal Aid attorneys filed charges to expel her from the union. These charges came after Ms. Kopmar secured a temporary restraining order to stop a union wide vote from taking place on an anti-Israel, antisemitic resolution.

Do these filings to expel Ms. Kopmar constitute retaliation in your opinion.

Ms. LOFASO. Under those facts as you gave them, that sounds like retaliation to me.

Ms. MANNING. Thank you. Ms. Kopmar, I want to turn you. I want to thank you for bravely coming here today to discuss your appalling experience in facing antisemitism within your union, your workplace. You consider yourself generally a pro-union person, is that correct?

Ms. KOPMAR. That is very much correct.

Ms. MANNING. Would you agree that unions are instrumental in fighting for higher wages, better working conditions, and inclusivity in the workplace? Would you agree with that.

Ms. KOPMAR. Yes, I would.

Ms. MANNING. Like the ALAA, other unions, including the NEA, have weighed in on this issue. Does engaging in divisive, political resolutions help support these goals, the goals of a union?

Ms. KOPMAR. No. It does not.

Ms. MANNING. Thank you. As part of your effort to strengthen the union, and protect yourself from antisemitism, you mentioned that you filed charges with the Equal Employment Opportunity Commission. Is that correct?

Ms. KOPMAR. Yes. That is.

Ms. MANNING. In your experience, would giving more funding to the EEOC help them provide the action that they need to help resolve claims like yours?

Ms. KOPMAR. I believe so because I think I know that we have been waiting for a while to receive a response from the EEOC, so more funding would then lead to a quicker response.

Ms. MANNING. Do you believe that legislation that increases education about workplace antisemitism in combating anti-Jewish hatred for union members would help address this problem?

Ms. KOPMAR. I think so.

Ms. MANNING. As you have emphasized, the EEOC is a much-needed tool for union members, and all Americans who have experienced discrimination in any form. We have had other hearings on this topic, and it has become clear that there are also awareness issues that workers simply do not know that they can turn to the EEOC, or students do not know that they can turn to the OCR, when they experience Jewish antisemitism, or anti-Jewish hatred, so more funding would be appropriate.

Let me just close by saying that if my Republican colleagues are serious about combatting antisemitism in the workplace, or on college campuses, they need to do more than holding hearings.

They need to stop presenting us with budgets that drastically cut the funding for the EEOC, or the OCR, and they should bring my Countering Antisemitism Act to the House floor for a vote, so that we can give the government the tools they need to fight this rising form of discrimination. With that, I yield back.

Chairman GOOD. Thank you. We will now recognize Mr. Burlison for 5 minutes.

Mr. BURLISON. Thank you, Mr. Chairman. Mr. Sussman, in your testimony you noted that the GSU, the graduate student union, they illegally threatened to terminate anyone who refused to pay for their activism. You filed a charge against the GSU with the NLRB regarding them violating your Beck rights.

While the NLRB did agree that your rights had been violated, do you believe that they addressed the issue adequately?

Mr. SUSSMAN. No.

Mr. BURLISON. Can you elaborate?

Mr. SUSSMAN. Sure. They require that the union send out a PDF stating our rights, and then the union officers continued to do exactly the same thing that they had been doing all along.

Mr. BURLISON. They just continued. They are not doing any enforcement whatsoever.

Mr. SUSSMAN. That is correct.

Mr. BURLISON. Have you noticed other examples of politically motivated activity within the GSU where they pushed on their members?

Mr. SUSSMAN. They spent all of their time protesting against Israel.

Mr. BURLISON. I am sorry. I did not hear that.

Mr. SUSSMAN. They spend all of their time protesting against Israel.

Mr. BURLISON. Okay. They are spending so much time pushing against Israel, do they take any steps whatsoever to protect the rights of their Jewish members?

Mr. SUSSMAN. No.

Mr. BURLISON. That you can recall?

Mr. SUSSMAN. Not that I can recall.

Mr. BURLISON. That is tragic. Mr. Taubman, in your testimony you say that since October 7th, and the attack on Israel, labor unions have become organizers of hateful, anti-Jewish and anti-Israel propaganda, and resolutions. From the discussions that you have had with workers, and it is tragic to hear that you are getting phone calls from all over the Nation, have unions—I will ask the same question.

Have you seen where unions have stepped in to take steps to protect the Jewish members who are being discriminated against at this time?

Mr. TAUBMAN. Never once, and I have taken calls from all over the country, universities, hospitals, legal aid, not one employee has ever said to me oh, the union has helped me, or oh, I can go to the union, and they will help me. None.

Mr. BURLISON. Mr. Taubman, I hesitate to bring this up, but I just—there has been—I know that in my State, for example, there have been lawsuits and complaints against labor unions, particularly, you know, we have areas where there are a high percentage of minorities, and yet the labor unions have a very low percentage of minorities in the single digits.

There has been—there has often been a history, and I do not know if you have any comments about it, but it is just the nature of this system to create somehow emboldens discrimination within labor unions, and the history of that?

Mr. TAUBMAN. Sure. I think the bottom line is the old adage absolute power corrupts absolutely. If I can tell you pay me, or you are going to lose your job because I can get you fired, I would call that absolute dictatorial power in the workplace. Unions spend other people's money.

Justice Scalia in a Supreme Court Case called Davenport, recognized that unions have a unique privilege in this country, the privilege of demanding other people's money, which they can then go use on all of these sorts of far left, intersectional woke politics, right? It is a lot more fun to go running around and riot on behalf of Hamas, than it is to say let us do a workplace grievance and see if we can get better wages in this place because that is boring.

That is work. It is more fun to be intersection or leftist.

Mr. BURLISON. Do you think the Beck decision was kind of a compromise rather than throw out? I think that the forced unionization is a violation of the First Amendment rights of associations, so do you think the Beck decision was a way to kind of split the baby and say you do not have to join, you do not have to be a member, but you still have to pay.

Many of the examples are that you have to pay the exact same amount, and so the question is do people truly have a right of an association?

Mr. TAUBMAN. Well, yes. All of these decisions have been split the babies. If you go back to the original duty of fair representation decisions, *Steel v. Louisville and Nashville Railroad*, where the unions were discriminating against black workers, and refusing to let them join, the Supreme Court said oh, we do not want to strike down the Railway Labor Act, and these Federal laws.

We will create this thing called the Duty of Fair Representation, and that will fix the problem. Instead, they should have struck down these laws which violated people's free association rights. We are going to continue to litigate to make that happen, and hopefully it will happen in my lifetime.

Mr. BURLISON. Thank you for what you do, and I appreciate your comments. My time is expired.

Chairman GOOD. Thank you. I now recognize Mr. Scott from Virginia for 5 minutes.

Mr. SCOTT. Thank you, thank you, Mr. Chairman. Dr. Lofaso, is it true that those who belong to unions generally get higher pay than non-union members?

Ms. LOFASO. Yes.

Mr. SCOTT. Do they get safer workplaces?

Ms. LOFASO. I am sorry, I did not hear the question.

Mr. SCOTT. Safer workplaces.

Ms. LOFASO. Yes.

Mr. SCOTT. Better pay?

Ms. LOFASO. I have actually written on that.

Mr. SCOTT. Better benefits?

Ms. LOFASO. Yes.

Mr. SCOTT. Now, in paying union dues you said that they could opt out of paying the full dues, and just pay for those that go to representational expenses. Is that right?

Ms. LOFASO. That is in fair share states. In right to work states they do not have to pay any dues.

Mr. SCOTT. They get all of the benefits of the union efforts?

Ms. LOFASO. That is correct. There is a duty of fair representation.

Mr. SCOTT. Okay. Now, if you are paying your fair share, and not the full dues, do you have to pay for political activities?

Ms. LOFASO. No. No one has to pay for political activities.

Mr. SCOTT. How about the annual summer cookout?

Ms. LOFASO. No.

Mr. SCOTT. How about the end of the year holiday party?

Ms. LOFASO. No.

Mr. SCOTT. Just the representation of what the union is legally required for representation, the benefits that they get?

Ms. LOFASO. That is correct, and if they do not do those things, they can be sued, which I know Mr. Taubman knows very well, because that is what he does.

Mr. SCOTT. Now, in terms of your right to pay the lower dues, that is your Beck right, is that right?

Ms. LOFASO. That is correct.

Mr. SCOTT. People are—you are required to give your notice to opt out of the union. Is there any effort to let people know that they can opt into the union?

Ms. LOFASO. No.

Mr. SCOTT. Is that stacked against workers?

Ms. LOFASO. In my opinion, yes.

Mr. SCOTT. Okay. Now, you have heard from the gentleman from Missouri, the well-known fact that equal opportunity in unions is not always the case. If you find religious or racial discrimination in a union, what agency can you go to for relief?

Ms. LOFASO. The EEOC.

Mr. SCOTT. What do you think of cutting funding for the EEOC if that is your goal?

Ms. LOFASO. It would be very difficult to enforce the rights of people.

Mr. SCOTT. For those of us who are interested in protecting workers' rights, what do you have to say about the law that allows employers to fire workers, and often not have to pay anything?

Ms. LOFASO. I think that that is selfish, actually, because it puts a burden on every other person to pay for their representation. If then that person is fired, the union still has to represent them, and that costs them money, and that individual does not have to pay the union anything.

Mr. SCOTT. For those that do not belong to the union, the union has to represent you the same as they would a union member?

Ms. LOFASO. Yes. Otherwise, it would be a breach of their duty of fair representation.

Mr. SCOTT. Does that mean that they have to, if it is an individualized grievance, not just a general grievance, but an individualized grievance, a nonunion member has the right to the same representation as dues paying union members in right to work states?

Ms. LOFASO. Yes. Actually—the Supreme Court expressly said that in *City Disposal*.

Mr. SCOTT. I have introduced a bill, *Protecting the Right to Organize*. It says employers who fire workers who are trying for union activities can often escape without any sanctions. Is that true?

Ms. LOFASO. Yes.

Mr. SCOTT. What is the sanction for illegally firing a worker?

Ms. LOFASO. It would be back pay and reinstatement, minus mitigation.

Mr. SCOTT. Minus mitigation means if you left a nonunion shop, and got a good union job, and made more than you were making before, there would be no sanction?

Ms. LOFASO. That would be correct.

Mr. SCOTT. Thank you, Mr. Chairman. I yield back.

Chairman GOOD. Thank you. We will now recognize Dr. Foxx for 5 minutes.

Mrs. FOXX. Thank you, Mr. Chairman. Ms. Kopmar, you discussed in your testimony how the ALAA's pro-Palestine resolution impacted you and other dissenting union members. ALAA leadership later voted 124 to 18 against the resolution, condemning Hamas, and requesting the release of hostages.

A paid union staffer said all union membership that you sought to distract the union from its support for Palestine. What does the outcome of the leadership vote on releasing hostages say about those leading your union, and the individuals they have hired to staff the union?

Ms. KOPMAR. Thank you, Dr. Foxx. By voting down the release of the—by voting down that resolution to release the hostages in such an overwhelming manner, and overwhelming numbers, the union showed its true face that the lives of Jews do not matter.

They dehumanized the hostages, including American hostages, including hostages that came from New York, from Long Island, by not recognizing that they were abducted violently, and still being kept in Gaza. They demonized us for showing our support of Israel. I mean the things that were said in Gaggle, and the Joint Council meeting that night was so shocking to all of us, all of the Zionist members.

It showed the true face of the union on that night. They do not recognize that hostages are entitled to freedom, and human rights. The simple reason for that is because they are Jewish. To us, to me, that is antisemitism in its most basic form.

Mrs. FOXX. Thank you very much. Mr. Taubman, for decades you have litigated cases to protect the rights of individual workers who want to limit their association with labor unions who they want no part of. After the October 7 attack on Israel, was there an increase in the number of calls to you from workers seeking to associate from the union?

Mr. TAUBMAN. Thank you for your leadership, Dr. Foxx. The answer is that my phone has been ringing off the hook, and my colleagues' phones have been ringing off the hook from doctors, from teachers, from legal aid, from people all over the country wondering how they can get out of these horrible, antisemitic unions.

Mrs. FOXX. What were the Jewish union member's experiencing at the workplaces?

Mr. TAUBMAN. The other people on the panel, like Mr. Sussman can tell you, because they are there on the frontline. I can tell you anecdotally what I hear. Let me just read you from what some Jewish employees at CUNY City University of New York have said recently.

"Nails were found in their tires. Antisemitic flyers distributed all over the campus. Malicious and relentless campaigns to get them fired because they were Zionist. Discussions that observing Jews were undesirable for membership. Requests to remove observant Jewish faculty members." This is virtually Nazi like from out of the 1930's, and that is what these people are seeing on their campuses.

Mrs. FOXX. Thank you very much. Mr. Sussman, your written testimony notes that in April the graduate student union at MIT pushed through a cease-fire resolution that does not mention peace, hostages or Hamas. The divisive resolution passed with very low voter participation. Did the union ever seek out the opinion of Jew-

ish graduate students who they represent before pushing this resolution forward?

Mr. SUSSMAN. They did not, and some Jewish students attended the general membership meeting where they discussed the resolution, and asked the Committee members who did they discuss the resolution with. They said they looked inside themselves.

Mrs. FOXX. Thank you very much. I want to thank our witnesses for being here today to shed additional light on the antisemitism that is occurring within unions, and let the American people understand how deep, pervasive, and harmful this is to our Jewish citizens. Thank you, Mr. Chairman, I yield back.

Chairman GOOD. Thank you. I now recognize Ms. Houchin from Indiana for 5 minutes.

Ms. HOUCHIN. Thank you, Mr. Chairman. Thank you to the Ranking Member. Thanks for being here to testify before us today. Really appreciated all of your opening statements.

I have made very clear to this Committee my stance on unionization, which has been heavily influenced by my own state's success as a right to work State, the State of Indiana, and I am supportive of Federal right to work legislation because I recognize that under current Federal law, workers individual liberties, and their right to make decisions currently concerning unionization are poorly protected.

In your testimony, Mr. Taubman, you mentioned how some American unions are now discriminating against, and threatening Jewish workers, and that has been especially prevalent following the October 7th attacks on Israel. What legislative reforms do you suggest to Congress that we should consider to protect workers' rights with respect to unions?

Mr. TAUBMAN. Thank you for that fantastic question. No. 1, certainly is a national right to work law. This should not be a State issue. This should not even be a partisan issue. Nobody tells you, you have to join a specific church, or a specific group, or you have to pay money to a private organization.

That does not happen anywhere else in American life except for the privileged labor unions that have been doing this since the 1930's and the 1940's, that is the first thing. Pass a national right to work law. The second thing is if you are not going to pass a national right to work law, there are things like recertification elections automatically.

Every member in this room stands for an election automatically every 2 years. Every Senator every 6 years. Do you know how often unions automatically stand for re-election? The answer is zero. They never have to stand for re-election unless the employees can band together to throw them out, and in a place like MIT with thousands of grad students that rotate through for one or two, or 3 years, that will never happen.

Ronald Regan said the closest thing to eternal life on earth is a government program. I can tell you the closest thing to eternal life on earth for these unions is to represent a bunch of graduate students.

Ms. HOUCHIN. Thank you. Dr. Lofaso, in your written testimony you have a section about compelled worker—compelled union dues, and you note that under Beck, employees who work in right to

work states can't be compelled to pay any dues or fees. I am certainly glad that my State of Indiana is a right to work State, so that people are not compelled to pay union dues or fees, even the cost of representation.

However, you State that under Beck, employees who work in non-right to work states, can only be required to pay their "fair share" of the cost of their representation. My question to you is what constitutes fair share for the cost of representation to an organization that is politically and ideologically opposed to some of their members very being.

Ms. LOFASO. Well, under the that question, they would not have to pay for any of those activities.

Ms. HOUCHIN. They do have to pay for fees. Is that correct?

Ms. LOFASO. They would, but they could also withdraw, they can withdraw, by doing a section 19 NLRB objection, so that means they would not have to pay any of those dues to the union.

Ms. HOUCHIN. It seems like that we have had some conflicting testimony to that today that there are compelled fees that must be paid, and we will get to that. You also mentioned in your opening statement—

Ms. LOFASO. That would be unlawful.

Ms. HOUCHIN. Sorry, I am going to reclaim my time. You also mentioned in your opening statement that Congress and this Committee should focus on real problems, instead of what we are talking about today. Do you not believe that eradicating antisemitism from labor unions is a real problem?

Ms. LOFASO. I do actually, but I do not think that that is the problem that is the—is what is going on here. What we have heard today is that unions are—

Ms. HOUCHIN. I am going to reclaim my time. Would you not tell these other panelists that you have heard their stories, that what they are dealing with is not a real problem?

Ms. LOFASO. My personal opinion is irrelevant.

Ms. HOUCHIN. Would you concede that Mr. Sussman's testimony constitutes a real problem? Yes or no? I have got only 46 seconds left.

Ms. LOFASO. I do not have—I do not wish to give my personal opinion about anything.

Ms. HOUCHIN. You are not going to answer whether you think that the testimony we have heard here today from the fellow panelists, constitutes real problems. Thank you for that. Okay.

Ms. LOFASO. I think that they are a real problem.

Ms. HOUCHIN. I am going to move on to Mr. Sussman, your written testimony notes that the union that represents you, illegally threatened to terminate anyone who refused to pay for their activism.

You filed charges against GSU with the NLRB. The NLRB agreed that your rights had been violated. Do you think they adequately address the illegal union activity?

Mr. SUSSMAN. They did not adequately address it. No.

Ms. HOUCHIN. Thank you, I yield back.

Chairman GOOD. Thank you. We will now recognize the Ranking Member, Mr. DeSaulnier for 5 minutes.

Mr. DESAULNIER. Thank you, Mr. Chairman. By expression, I think a high school teacher told us that the only absolute you should deal with is the absolute you should not deal with absolutes. What we are dealing with here is very binary in both instances of the labor movement, my view, in antisemitism.

Often times, and it should be binary in the sense of the rules. You should not be antisemitic, period. You should value workers, and their employers, in a balanced way. Doctor, you talked about this. To the witnesses, particularly Ms. Kopan and Mr. Sussman, we probably disagree on a lot of things, but I agree that your minority rights should be protected.

They are minority rights. We lose elections, those of us who believe in democracy, unless there is a demonstratable legal analysis of unfairness, you accept the results. In that context, Doctor, you mentioned this a little earlier. Could you go a little bit further on how the law is meant to protect minority rights, but also the rights of the majority through the electoral process and the union movement.

One other thing, there was a comment earlier about unions being historically not including equity. I am from California. The California building trades is 85 percent minority and women. The labor federation is a little bit below that. Nationally, women now are a majority of the labor movement.

African Americans are at a higher percentage in a union, and people of color than in nonunion working places, historically we changed over time on regional bases, and other basis, but just for clarity, unions are very, very, very diverse right now, and that diversity is protected.

Not absolutely, so Doctor, with those comments would you care to speak on any of that protection of minority rights, and a level of diversity in the union movement?

Ms. LOFASO. Yes. First of all, I would like to—I feel my testimony was mischaracterized, that I do think antisemitism is a huge problem, but I just feel that I am here to talk about labor law. I am not an expert in that type of thing, and therefore my opinion does not really matter about that.

What really matters is what these people are experiencing, and they are saying, and our great justice system, will—they'll be able to go through it, and they will get remedies. Now, unfortunately, NLRA remedies are very weak, and therefore they cannot get the remedies that they need. I think if the NLRB were funded, then they would maybe could afford training, or more staffing to get this through.

In terms of minority rights, there are many things that if the union discriminates against anyone, including Jews, any type of religion, any person of any race, then that would be against the law. That would be against Title 7, and then that would be investigated by that agency.

They also could, and even if they do that, I think there is a difference between what about people who are breaking the law, and what the law is. Obviously, we have laws because people break laws. We do not regulate things that are not a problem, so we have solutions here for minority rights.

That is important. What we do not have, and that is what I meant by the real problem, are workers' rights that are meaningful, that can enforce this. Obviously, antisemitism is absolutely wrong, just like all hate.

Mr. DESAULNIER. You have said that the majority party's union members Right to Know Act is a solution in search of a problem, an example of over regulation. Would you expand on that?

Ms. LOFASO. Sure. We have already regulated this area. We have Ronald Coase, who was a great libertarian economist said you only regulate when there is a market failure. He has often misstated as never regulations. We only regulate when there's market failure.

Here what we have is what the Committee seems to be focusing on is the stuff that is already regulated, and has remedies, instead of what the real problem is, which is getting remedies for unfair labor practice. Mr. Sussman had an unfair labor practice problem. That is the real problem.

If a union actually will say that he had to join, if a union said that he had to join them, they were wrong, and they violated the law, and they should be prosecuted.

Chairman GOOD. Thank you. I now recognize myself for 5 minutes. Mr. Taubman, I am thankful to live in and represent Virginia, a right to work State, where employees thankfully cannot be forced to pay union dues. I certainly did not choose to pay any union dues when I was working in a unionized auto factory during my college time.

God forbid that we should ever have realized into law the democrats dream of this PRO Act, which essentially says to every employer across the country, "Embrace a union or close your doors," two options that would result from that.

You have noted, as incredible as this is today, that under Federal law, Jewish workers who live in non-right to work states, who suffer in non-right to work states, can be forced to pay union dues that express hateful—pay dues to a union, I am sorry, that expresses hateful antisemitic rhetoric or views.

You noted, but I will just ask you again, can you say any other aspect of American life where an individual is forced to fund a private entity that expresses speech that they find hateful, threatening or objectionable?

Mr. TAUBMAN. Thankfully, I know of no other example.

Chairman GOOD. Let us hope that this becomes the isolated example that we have to fight versus some occurring more broadly in our society. Ms. Kopmar, it seems that the terrible offensive cease-fire resolution, that you have described, that was 3 days after the October 7 brutal attack, never mentions the Hamas terrorists, and was ultimately adopted by the union.

That was really a continuation, was it not, and an escalation of the union having allowed antisemitism to fester under the surface for months, was it not?

Ms. KOPMAR. Yes. That is true.

Chairman GOOD. Can you talk about that? How it had been allowed just to continue prior to that resolution?

Ms. KOPMAR. Yes. Actually prior to the ALAA's resolution there were two additional resolutions that had been introduced by other ALAA chapters, namely the Bronx Defenders, as well as Camda

Chapters. Those particular resolutions were also very antisemitic. The Bronx Defenders resolution actually was advocating, or at least it advocated for the Hamas violence against Israel.

There was this hostile work environment that had already been fomented by these other chapters. There had been interoffice emails that were at Legal Aid, the city, where people were questioning whether or not Jewish attorneys can actually represent our clients. There had been this, sort of like this turmoil that had been going on that fomented itself with this resolution that was introduced in November.

Chairman GOOD. You referenced in your testimony verbally, and your written testimony about some of these terrible, hateful, offensive messaging through the Gagggle, the internal message board of ALAA, things as you referenced, and you said that we were called "fascist," "genocide deniers," "snitches," and "Zionist goals," we were told to "go kill ourselves."

The slogan, "From the River to the Sea," was routinely used, and so forth. In light of this did ALAA leadership ever intervene, or condemn these messages, or even call for some semblance of civility in the face of what the Jewish members, who they purport to represent, who having to suffer through?

Ms. KOPMAR. Never. They never stopped the bullying. They never called anyone out to stop the bullying, and to stop the vitriol, and in fact they doubled down right after that one Joint Council meeting that we had where we introduced the Release the Hostage resolution.

That very next day a paid ALAA staffer actually blamed the Zionist minority for all of the issues that it was having. They blamed us, and so they actually have been promoting this. They have actually been dividing the membership. They have been fostering the hostile work environment, so no, they have done nothing to tamp it down, and it is only been getting worse.

Chairman GOOD. Everyone should be concerned about the unique, horrific situation in the world, and in the country today, but when Israel can be horrifically attacked is blamed for an attack, and when Jews are discriminated against, harassed, intimidated, threatened and harmed, Jews are blamed for that. That is unique, and it should be condemned, unequivocally across the country, and everyone should be concerned about that.

With that, I would like to recognize the Ranking Member for his closing remarks.

Mr. DESAULNIER. Thank you, Mr. Chairman. I would agree with your overall sentiment that I found it frustrating as a long-time supporter of Israel's right to exist and having a very good relationship with the Jewish community in the San Francisco Bay area in California for 35 years in elected office.

Being a pro union in this instance, pro-democracy. One of the reasons I support Israel's right to exist is it is a democracy, but within that just like in America, that does not mean I agree with the current, or at any particular time, administration. I disagree with the policies after October 7th of the current administration in Israel.

That does not make me antisemitic. That makes me a believer in democracy, and we get in trouble in democracies, just my obser-

vation of history, when we start assuming that if you disagree with the majority party, of any democracy, that you are inherently against their God, or you have the moral authority.

We all have to reflect on that because I think liberals do it, conservatives do it, we just have to reflect and proportion. In relationship to what the testimony we have had here today, Mr. Chairman, I would be delighted to talk to you about how we can further minority rights to make sure they are protected because I think it does a tremendous disservice, and your testimony here, the disservice of a majority of people who are in the labor movement, who I would hope very strongly would not do what you have described in your examples.

I make that an offer. I would be happy to meet with you as well to see if I can help make sure that the disincentives are there to protect minority rights. Combating antisemitism and other forms of hatred transcends political divisions. I am being a little bit repetitive here.

It is a moral imperative that demands our unwavering commitment. We must ensure our workplaces are not only safe, but also inclusive, fostering environments where every individual, regardless of their background, can thrive and contribute fully. This hearing also importantly highlighted the many ways that law provides recourse for workers who feel they may have been mistreated by unions.

As I have said, I would be willing to work on remedies, if that's not the case, including funding agencies and disincentives for people who do violate the law, as well as the short falls of our current law when it comes to informing workers of their right to organize with their coworkers, free of employer coercion. I extend my sincere appreciation to the witnesses, experts, and advocates, whose contributions have enriched today's discussion.

Thank you all for being here and taking the time to prepare for this hearing over the July 4th holiday week. Moving forward, we must strengthen our support of issues, in my view, like the PRO Act, that bolster protections for workers, and uphold their rights in the workplace.

By doing so, we can build an economy that prioritizes fairness and opportunity for all, and I yield back.

Chairman GOOD. Thank you. I now recognize myself for closing remarks. I want to apologize to Jewish Americans here today, and across the country, for the necessity of having this hearing. The concerns here today have been specifically directed toward union bosses and union leadership across the country.

Again, how we got to the point where this hearing is necessary, but it is demonstrated by the content of what has been discussed here today, and by the testimony of our witnesses, and what they have experienced. While this might be a difficult topic, I am glad today's hearing could shine a light on the continued problems of antisemitism in this country, much of which is unique to our Jewish friends, including again, among the leadership of our Nation's labor unions.

For some reason, many union leaders would rather double down on defending a terrorist organization, than focus on local workers' issues. They would rather sow division than unite workers around

areas of common interest, and they are willing to abandon pro-Israel, Jewish employees, that have to face who then have to face coercion or retaliation as they fight themselves for the rights.

It reinforces my belief that unions have long outlived their usefulness. I will say it again. Unions have long outlived their usefulness in this country. As always, it is worth noting and repeating, that thankfully, private sector unionization is at the lowest level ever recorded in America, 6 percent.

The first priority of the union should be protecting the rights of its members, and unions that fail to do so should be held accountable. This Committee will continue to examine ways to strengthen current law to protect union members from abuses, and misguided pursuits.

I thank our witnesses for taking time today to share your stories and your insights, and your experiences today. Without further objection—without objection, there being no further business, this Committee stands adjourned.



NATIONAL RIGHT TO WORK LEGAL DEFENSE FOUNDATION, INC.

8001 BRADDOCK ROAD, SUITE 600, SPRINGFIELD, VIRGINIA 22160

GLENN M. TAUBMAN

Staff Attorney

Admitted & Licensed in GA, NY and DC Only

Phone: (703) 321-8510

Fax: (703) 321-9319

Email: gmt@nrtw.org

July 22, 2024

Chairman Bob Good and Ranking Member Mark DeSaunier
United States House of Representatives
Committee on Education and the Workforce
Subcommittee on Health, Employment, Labor, and Pensions
2176 Rayburn House Office Building
Washington, D.C. 20515

Re: Hearing on July 9, 2024, Confronting Union Antisemitism: Protecting Workers from Big Labor Abuses.

Dear Chairman Good and Ranking Member DeSaunier:

I had the privilege of testifying before the Committee on July 9, 2024. I write this letter to supplement my testimony, as the record remains open.

At the July 9 hearing, the Committee heard from Nassau County (NY) Legal Aid lawyer Ilana Kopmar about her experiences with a vile anti-semitic union, the Association of Legal Aid Attorneys, an affiliate of the United Auto Workers (UAW Local 2325), also known as the ALAA. The Committee should know that a similar UAW affiliate, the National Organization of Legal Services Workers (NOLSW), UAW Local 2320, is also engaged in vile anti-semitic and anti-Israel activities, including supporting pro-Hamas rioters on various college campuses. (See attached resolutions from the NOLSW UAW Local 2320 website). The NOLSW's activities also include a zoom meeting to promote the de-legitimization and destruction of Israel — the one and only home of the Jewish people. See below.

Needless to say, all such actions are not legitimate collective bargaining activities, and all of them are extraordinarily distressing and harassing towards the Jewish and pro-Israel employees subjected to these unions' so-called "representation."

Sincerely,


Glenn M. Taubman
Staff Attorney

Defending America's working men and women against the injustices of forced unionism since 1968.

----- Forwarded message -----

From: **Rachel Thomas** <rth...@nolsw.org>

Date: Sun, Jul 14, 2024 at 5:13 PM

Subject: Town Hall & Panel - NOLSW Palestine Solidarity, Thurs., July 25, 2024

NOLSW Siblings,

Please save the date for a town hall and panel discussion featuring student and staff organizers of various university encampments in support of Palestine, alongside legal workers who are supporting students and union siblings facing repression and discipline.

Our meeting is scheduled for

Thursday, July 25, 2024

5:00 p.m. PT

6:00 p.m. MT

7:00 p.m. CT

8:00 p.m. ET

We expect the meeting to run approximately one hour. Our panelists will share their organizing efforts, and there will be time reserved for questions from the floor.

Zoom information:

Topic: Town Hall & Panel - NOLSW Palestine Solidarity, Thurs., July 25, 2024

Time: Jul 25, 2024 08:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us>

Meeting ID: 882

Passcode: 61

Below are some recent NOLSW statements in support of the protests:

- [Solidarity with Columbia Students and Protesters](#)
- [Solidarity with Peaceful Protesters Facing Violent Backlash](#)
- [Solidarity with UAW Local 4811, Striking in California](#)

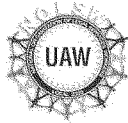
We look forward to this dialogue and building our Local's work toward Palestinian liberation together.

In solidarity,

The NOLSW Palestine Solidarity Working Group

Rachel A. Thomas
NOLSW Local 2320
Financial Secretary/Treasurer
Regional Organizer
rth...@nolsw.org
[\(346\) 307-1526](tel:(346)307-1526)





Members [About Us](#) [Bylaws](#) [NJCElections](#) [Solidarity News](#) [Contact Us](#)

Member Login 

resources
symbols
news items

UAW Local 2320

Solidarity with Columbia Students and Protesters

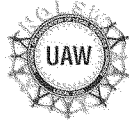


UAW Local 2320 (NOLSW) stands in solidarity with the students, workers, and demonstrators at Columbia University facing unjust arrest and reprisal for peacefully protesting their university's complicity in Israel's genocide in and continued illegal occupation of Palestine. NOLSW shares a vision for a Palestine free from apartheid and occupation and we are horrified at President Shafik's decision to call in the New York City Police Department to arrest protesters, many of whom are Muslim, Palestinian, and students of color. Taking punitive measures against students exercising their fundamental rights to expression, association, and peaceful assembly is inconsistent with democracy, civil liberties and bedrock principles of human rights. We denounce the suspensions and extrajudicial evictions that university administrators have undertaken against their own student body and demand the immediate reinstatement of all suspended student protesters, and for Columbia to drop all legal and academic charges against them.

UAW Local 2320

Copyright © 2024. All Rights Reserved.

Powered By [UnionActive](#)



MEMBERSHIP
DUPLICATE
MEMBERSHIP

Member Login 

[Members](#) [About Us](#) [Bylaws](#) [NJCElections](#) [Solidarity](#) [News](#) [Contact Us](#)

UAW Local 2320

Solidarity with Peaceful Protesters Facing Violent Backlash



Our thoughts are with our SWC-UAW 2710 siblings following this May Day, after reports that Columbia University and the NYPD closed campus exits, confined students, including student journalists, to locked buildings, assaulted students, and arrested dozens of students for peacefully protesting for Palestinian Freedom. We are also in solidarity with the students and faculty at City College who were arrested on May 1. We further stand with our UAW 4811 and 4123 siblings and the brave students at the University of California and California State University systems demanding divestment from genocide and apartheid at their campuses. We condemn the violence against peaceful student protestors, including members of UAW 4811 at UCLA, by outside agitators. We disapprove of campus administrations' shameful, reckless, and hypocritical failure to keep to keep students engaged in peaceful protests safe. After law enforcement and campus security did nothing to protect the students at the UCLA encampment, law enforcement violently raided the encampment the following night, further injuring students. To our knowledge, none of the agitators are being held accountable for their reprehensible conduct. NOLSW supports peaceful protests, and we condemn suppression of free speech and the use of violence, especially against our union siblings.

UAW Local 2320

Copyright © 2024. All Rights Reserved.

Powered By UnionActive


[Member Login](#)
[Members](#)
[About Us](#)
[Bylaws](#)
[NJCElections](#)
[Solidarity](#)
[News](#)
[Contact Us](#)

UAW Local 2320

Solidarity with UAW Local 4811, Striking in California



The National Organization of Legal Services Workers, UAW Local 2320 (NOLSW) proudly stands in solidarity with UAW Local 4811.

As you may know, students across University of California (UC) campuses, including Local 4811 members, convened campus encampments to protest Israel's genocidal war on the people of Palestine and the UC system's failure to acknowledge and address its own complicity in Israel's 76-year long occupation of Palestine. The students are demanding that their institutions divest from weapons manufacturers, military contractors, and companies profiting from Israel's genocidal war on the Palestinian people. Nearly \$20 billion of the UC system's overall assets is invested in weapons manufacturers and other companies targeted by the student protestors.

UAW 4811 is calling on UC to peacefully negotiate with stakeholders and reach agreement to address these concerns

through:

1. Amnesty for all academic employees, students, student groups, faculty, and staff who face disciplinary action or arrest due to protest.
2. Right to free speech and political expression on campus.
3. Divestment from UC's known investments in weapons manufacturers, military contractors, and companies profiting from Israel's war on Gaza.
4. Disclosure of all funding sources and investments, including contracts, grants, gifts, and investments, through a publicly available, publicly accessible, and up-to-date database.
5. Empower researchers to opt out from funding sources tied to the military or oppression of Palestinians. The UC must provide centralized transitional funding to workers whose funding is tied to the military or foundations that support Palestinian oppression.

We applaud our fellow workers for overwhelmingly authorizing their executive board to call for an Unfair Labor Practice strike if UC persists in committing serious unfair labor practices. As academic student employees, graduate student researchers, academic researchers as well as postdoctoral researchers, Local 4811 members are the backbone of the UC system, and without their labor, the UC institutions would not function. Despite this, the UC administration has compromised the safety of their students, including Local 4811 members, while trampling on their free speech rights by initiating and enabling the violent repression of peaceful student protestors at campuses such as UC Los Angeles, UC San Diego, and UC Irvine.

Chairman Good, Ranking Member DeSaulnier and distinguished Committee Members:

I am Adina Bechhofer, a graduate student at the Massachusetts Institute of Technology. I write this letter to shed light on the antisemitism which I witnessed permeating through the Graduate Student Union at MIT.

In the fall of 2021 when founders of the graduate student union (GSU) launched a union card signing campaign with United Electrical and Radio Workers (UE), I became aware of UE's support for BDS. As the president of MIT Graduate Hillel at the time, I was deeply concerned and requested to meet with the GSU leadership. I had favorably assumed that they were unaware of UE's support of BDS and would take steps to distance themselves from the movement that has been condemned as antisemitic by the majority of the members of the House of Representatives. The meeting was attended by MIT Hillel staff, other MIT Graduate Hillel members, founding members of GSU, and two GSU employees. During the meeting GSU and UE representatives gave their word that BDS and similar issues will never actualize on campus since their focus is solely on the welfare of the graduate students. However, they refused to put anything in writing.

Immediately following the horrifying October 7th attack, some members of GSU leadership posted on social media in support of "Palestinian resistance". Jeff Rosenberg, who was in attendance at the fall 2021 meeting, was interviewed by a news channel while he was attending a pro-Hamas rally at the city hall on October 9th. In the interview he justified the October 7th massacre.

In the months that followed, GSU leaders organized and were active in many anti-Israel protests on campus including ones which violated university policy and protests which involved harassing individuals in their offices. When students were non-academically suspended for violation of protesting rules, GSU sent out a message in support of the protestors "first amendment right" to violate university policy while protesting.

In April 2024, GSU passed a "ceasefire resolution" which failed to mention Hamas or call for the release of the hostages held in Gaza. The resolution condemned Israeli military projects including purely defensive technologies. In the supporting materials for the resolution, they linked an article specifically condemning Iron Dome as a tool of Israeli apartheid, which seems to imply that their solution for apartheid is more dead Israelis. In the same month, GSU endorsed the illegal encampment on the lawn of Kresge, where students and outsiders chanted "Death to Zionists" and "from water to water Palestine will be all Arab". GSU also partnered with

the Boston Party for Socialism and Liberation (PSL) which brought in speakers who've called on students to openly support Hamas and the armed wing of the PFLP.

In early May, GSU led protests which blocked the Stata garage entrance under the false pretense that MIT manufactured killer drone swarms which were being used by the Israeli military to kill Palestinians, a claim reminiscent of historical blood libels. The arrests and suspensions that followed have led to an increase of anti-Israel activity from the union. They launched a petition campaign in which they accused MIT of suppressing their voices due to the content of their speech, ignoring the repeated violation of rules and the endangerment of others that they engaged in.

It seems that GSU has devoted the entirety of their resources to attacking Israel and pro-Israel Jews on campus and it is a real shame that students who are ineligible for a religious exemption are still required to pay them dues.

All the best,

Adina

[Whereupon, at 11:57 a.m., the Committee was adjourned.]

