

By JOE FAHEY

Catholic Scholars for Worker Justice (CSWJ) was founded six years ago. Thirty members gathered at the Service Employees International Union (SEIU) office, SEIU in Dorchester Massachusetts, this June 3-5 to discuss the travails of adjunct (part-time) professors who are sometimes called the “migrant” workers of the academic world.

Adjuncts work for a fraction of what tenured faculty make and, unless they are organized, enjoy no benefits or academic freedom on their campuses. Some make as little as \$12,000 a year for full-time work and teach at as many as three institutions. They have little or no health insurance and live in one-room apartments or even their cars. Adjuncts, once a minority in higher education, now constitute half of our nation’s professors and their numbers are growing.

There is hope. Adjuncts who belong to unions not only make much higher salaries but also receive health benefits and in some cases *de facto* tenure. Unfortunately, adjuncts at some Catholic universities (including Duquesne, Loyola Marymount, Manhattan, and Seattle) who seek to join unions are met with Trustee-filed objections to the National Labor Relations Board (NLRB) which allege that federally sponsored elections violate the “religious freedom” of these Catholic institutions. The Trustees insist that they are not anti-union but these objections amount to union busting because adjuncts have to wait years before a federal NLRB decision due to the filing of a great many *amicus curiae* briefs and other delaying tactics that result in justice delayed and, therefore, denied.

Adjuncts at Manhattan College where I teach have been waiting four years for a national NLRB decision after a regional Board ordered an election (the ballots were cast but impounded pending resolution of objection by employer). If the NLRB decides in the workers’ favor we are almost certain to see the Trustees refuse to bargain and that will throw the matter into a federal court where the Trustees will find a much more friendly audience for their “we are too Catholic to have a faculty union” argument. Experts think the matter will find its way to the Supreme Court where, ironically, five Catholic justices are almost certain to support the Trustees of the Catholic institutions, given their recent decisions that favor corporations and limit labor rights. Tragically, the Association of Catholic Colleges and Universities and the Jesuit and Lasallian higher education associations have filed *amicus* briefs that result in adjuncts being denied the right to vote for or against a union.

“Why?” we wanted to know. And, why are Catholic institutions often no different than their secular counterparts? CSWJ Vice Chair, Joe Holland, offered an explanation in his comprehensive presentation on The Crisis of US Catholic Solidarity with Workers and Their Unions within the New Global Capitalism.”

Joe told us “When Catholic Christians succumb to the unjust bourgeois class prejudice against workers’ unions—even unintentionally and unconsciously—they block the Catholic Church’s evangelical preaching of Jesus’ message of solidarity as God’s unconditional love for all as children of God.” The problem, as Joe sees it, is that too many Catholic leaders have adopted the “materialist philosophy of anti-Union libertarian economics” that was popularized by the “Austrian School” of Ludwig Von Mises and Friedrich Hayek and, in the US by Milton Friedman and Ayn Rand. Joe concluded by focusing on Global Catholic Pro-Labor Solidarity and offered seven practical steps that include diocesan business-labor ministry; parish study-programs on Catholic Social Teaching; and Catholic labor studies programs in Catholic universities.

A good portion of our meeting was devoted to the good news from Georgetown University on the right to organize. Nick Wertsch of the Kalmanowitz Initiative at Georgetown explained the Just Employment Policy that has been official policy at Georgetown since 2005. Among other rights, this policy affirms that both direct and contracted employees “have the right to freely associate and organize” and that the university will respect this right “without intimidation, unjust pressure, undue delay or hindrance in accordance with applicable law.” Hence, when the cafeteria workers organized a few years ago they did so quite easily since the trustees and administration at Georgetown did nothing to stand in their way. In fact many students, faculty, and administrators supported the union effort. Clearly, Georgetown’s employment policy is centered on Catholic Social Teaching and should serve as a model national employment policy for all Catholic institutions.

Most significant, however, was the application of this policy to the drive last year by adjuncts to organize. While a number of Catholic institutions do not (or legally cannot) stand in the way of staff union drives, they clearly draw the line at adjunct faculty organizing since what they really fear is organizing by their full-time tenured faculty. So the first line of defense is to fight adjunct faculty and if those legal (though not moral) arguments succeed then all faculty at Catholic institutions will be union free.

Joe McCartin of Georgetown is working with others to enlist all Jesuit universities in the Just Employment Policy. But, make no mistake, we can expect stern resistance from Trustees on anything that hints at neutrality in union elections for faculty. The irony is that so many Catholic universities promote “social justice” as a core or mission value.

Hence, when the adjuncts at Georgetown filed petitions for an election with the NLRB on March 22, 2013 the administration adopted a neutrality policy and an election was held and won by the adjuncts on May 13, 2013. Justice was neither delayed nor denied. Georgetown adjuncts Kerry Danner McDonald, Mark Habeeb, and Bud Thompson Sr. explained the process at Georgetown and informed us that negotiations are progressing on a most

amicable basis. Earlier Le Moyne University and St. Francis College (Brooklyn) did not object to NLRB conducted elections and their adjuncts are unionized. These schools did not deem an NLRB sponsored election a threat to their Catholic identity and in allowing these elections to proceed unimpeded gave dramatic witness to authentic Catholic teaching on workers' rights. In Catholic teaching the civil law may never be used to override the natural law.

Another speaker who addressed us was an adjunct at Duquesne, Robin Sowards. In 2012 the trustees did not initially object to an NLRB election. The election was held and the adjuncts won (50-9) but the trustees changed their mind and objected to the election on the same grounds as the Manhattan College trustees: an NLRB election jeopardizes the religious freedom of the university. Sowards discussed a proposal whereby the union and the university would agree to a private election outside federal supervision thus eliminating the trustees objection to federal involvement. If they do not oppose adjunct unions per se then they can choose a non-governmental organization (such as the American Arbitration Association) to conduct the election and let the workers decide. So far no university has pursued this very viable option; it appears they are counting on federal court support for their position that federally sponsored elections for professors are inappropriate at Catholic universities.

Several of the Catholic universities are represented in their *amicus* briefs by national powerhouse law firms and the Seventh Day Adventists. 3,800 members of the Association of Christian Schools International have united against a small band of adjuncts who seek to follow Catholic tradition that—since Pope Leo XIII—encourages workers to form unions. One can only guess at the vast sums of money that are being used to bust the unions of professors who live below the poverty line.

Our meeting concluded with a lively discussion co-sponsored with The Labor Guild of Boston on Pope Francis and economic justice that featured Allyson Every of the Guild, Elaine Bernard of the Labor and Worklife Program at Harvard Law School, Fr. Bryan Hehir of the Archdiocese of Boston, Brian Lang of Boston UNITE/HERE, and Sr. Mary Priniski, O.P., Vice Chair of CSWJ. All are encouraged by the Pope's strong critique of capitalism with its relentless drive for profits over people and the implications for the American university system are quite clear.

This was a fitting end to a conference that left all with the conviction that the US university system is increasingly run like a capitalist corporation by administrators who apply utilitarian cost-benefit techniques to the search for truth. This results in professors being treated like mere replaceable parts that should be hired at the lowest wage the market will allow. John Henry Newman stated that the purpose of the university was to "map out the universe." Catholic universities are the last bastion of a strong liberal arts core but far too many are joining the secular rage of

mapping out the market, instead.

