

Where Courageous Inquiry Leads...

A Testimony by Laura Emiko Soltis
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My name is Emiko. I was one of the seven students that was arrested on Monday evening for sitting in a tent in the Quadrangle. I am a fifth year PhD candidate at Emory University, and it is as a member of this beloved community that I am writing a response to President Wagner's two statements regarding the "protest issue" on campus. As I do not have the privilege of having an *All Emory* button on my email account or the ability to post my statement on the home page of Emory's website, I must rely on the good will of friends, colleagues, and strangers to communicate this message to the wider public. Thank you very much for taking the time to read this statement and for your willingness to evaluate critically both sides of this issue.

First and foremost, it is necessary to clarify who we are as members of Students and Workers in Solidarity (SWS), the principles we stand for, and why we are engaging in collective action. SWS is a student organization that seeks only to speak as students in our capacity and responsibilities as students. We do not claim to speak for workers, who have voices and the capacity to speak for themselves. We are a democratic, non-hierarchical, autonomous organization that takes Emory's mission of ethical engagement, courageous inquiry, and knowledge in the service of humanity to be the cornerstone of our collective efforts. Moreover, the principles enshrined in the Universal Declaration of Human Rights make up a large part of the deep well from which we all draw our inspiration. Individual members also draw upon their own moral and religious beliefs to guide their actions in SWS.

SWS was formed in January 2010 in response to a number of food service workers who, at great risk to themselves, began sharing personal accounts of disrespect and intimidation at work. In these conversations between Emory students and food service workers, students learned that the workers who expressed interest in joining a union were being targeted by their supervisors and that the contracted food-service provider, Sodexo, had initiated mandatory meetings at Emory's campus facilities that were billed as informative sessions on unions. While technically legal, workers shared that these meetings effectively served as veiled threats against workers to prevent them from seeking union representation. The students of the newly formed SWS, while concerned about Sodexo employees specifically, soon realized that there was a larger structural issue at Emory that allowed such blatant offenses of Emory's core values to take place—the issue of sub-contracted labor. The students of SWS began researching Emory's labor policies and talking to many different types of workers on campus, and we found that Emory's current labor policies maintain a discriminatory two-tier labor system on campus. On one tier are direct employees hired by Emory, who enjoy protection under Emory's Code of Business Ethics and Conduct, certain benefits, and access to Emory's Employee Council. On the lower tier are sub-contracted workers, who are employed by a

company that is contracted by Emory University to provide certain campus services. These workers are excluded from the rights and responsibilities outlined in Emory's Code of Business Ethics, receive a fraction of the benefits afforded to Emory employees, and do not have any type of forum to address the quality of their workplace environment on the grounds of Emory's campus. We felt that in our capacity of students, we were ethically and physically bound to ensuring the well being of those who prepare and serve us the food which nourishes our bodies, which of course, makes all of our academic, intellectual, social and professional endeavors possible.

In March of 2010, we thus set forth our demands for the Emory Administration:

- 1) Implement a Labor Code of Conduct that would guide Emory's ethical responsibilities to ensure the health, rights, and well being of all direct and sub-contracted employees
- 2) Form a President's Commission on the Status of Labor which, on equal standing with other President's Commissions designed to protect the rights of vulnerable populations on campus due to race and ethnicity, gender, or sexuality, would oversee the Labor Code of Conduct and serve as an independent, investigative and reporting body that would be accountable to the Emory community.

Members of SWS called on the Emory Administration to implement these demands by April 9, 2010. Despite a petition of more than 1,000 signatures, and powerful testimonies of three brave food service workers¹ published in the Emory Wheel on March 22, 2010 in response to a misleading editorial² written by Sodexo marketing managers posing as food service workers, President Wagner and his cabinet wrote a public letter which stated that "the employees in question are not Emory employees, and Emory does not control the labor policies of its contractors," that Sodexo says that there is no problem, and that Emory has no responsibility toward its subcontracted labor force.³ This prompted a response from more than 78 faculty members, who co-signed a letter in the 2010 Commencement Edition of the Emory Wheel which condemned the Administration's disengagement from ethical responsibility and suggested that SWS demands would be "useful starting points" in addressing inequalities in Emory's labor policies.⁴

Yet, graduation came and went, summer rolled along, and the administration continued to insist that they do not bear responsibility for subcontracted workers. Over this past 2010/2011 academic year, SWS continued to engage with food service workers and fellow students and held several public forums in which workers, again, at great risk to themselves and their families, testified to a workplace at Emory in which disrespect and disregard for employees have become standard practice. Male workers of color shared how they are often called "boy" by their supervisors. One young woman testified

¹ <http://www.emorywheel.com/detail.php?n=28190>

² <http://www.emorywheel.com/detail.php?n=28104>

³ <http://www.emorywheel.com/detail.php?n=28258>

⁴ <http://www.emorywheel.com/detail.php?n=28455>

how her pregnant colleagues are continuously denied access to chairs without appropriate documentation from personal physicians who must be approved by Sodexo. Story after story, President Wagner and his administration continued to evade the issue and failed to appear at these forums upon frequent invitations by SWS to hear the testimonies of food service workers who, despite being employees of Sodexo, have “Emory” embroidered on their uniforms.

Then, in September, members of SWS came across a report by Human Rights Watch, a pre-eminent human rights organization respected around the world, which documented in its report “A Strange Case: Violations of Workers’ Freedom of Association in the United States by European Multinational Corporations” how Sodexo, the 21st largest corporation in the world, systematically violates international human rights standards and U.S. labor law. Similarly, in January, SWS was notified of yet another report by an independent human rights organization, TransAfrica Forum, documenting Sodexo’s violations of international law in its practices around the globe, including the United States, the Dominican Republic, Guinea, Morocco and Colombia.

Committed to ethical standards as articulated in the Universal Declaration of Human Rights, and its foundational belief that all human beings are born free and equal in dignity and rights, that they are endowed with reason and conscience, and should therefore act toward one another in a spirit of brotherhood, the members of SWS decided that our previous two demands were insufficient, and that Emory must also cut its financial ties with a corporation with documented and systematic human rights violations. We made these demands clear to the administration on numerous occasions. As President Wagner accurately stated, we met with administration officials for a total of nine times. What President Wagner failed to mention was that the officials he appointed to these meetings were largely uninformed of Emory’s own subcontracted labor force, refused to disclose any information about Emory’s contract with Sodexo (which effectively prevented productive dialogue on progressive steps forward), and were indifferent at best and instruments of deflection at worst.

Feeling disregarded and legitimately frustrated, the members of SWS called for a public statement by President Wagner addressing Emory’s continued relationship with Sodexo and Emory’s responsibility to subcontracted workers. In early April, we invited President Wagner to address the university community on Wednesday, April 20th at 12:40pm on the Emory Quad. Emory students, staff, faculty, food service workers, and members of the Atlanta community were invited to the quad at noon to listen to student and community speakers and to await President Wagner’s address. The highlight of the event was when Isaac Farris Jr., the nephew of Reverend Dr. Martin Luther King Jr., and current president of The King Center, underscored the importance of the civil rights movement and King’s dedication to economic justice, reminding the crowd, and especially the young generation, that King was marching with sanitation workers who were demanding respect as human beings when he was assassinated in Memphis on April 4, 1968. Moreover, Mr. Farris pledged the continued support of the Southern Christian Leadership Conference to the struggle for equality and human rights for all of Emory’s workers.

As 12:40 arrived, Vice President Gary Hauk walked toward the crowd, and delivered an address on behalf of President Wagner. To the students' disappointment, this statement was actually an email that President Wagner had sent to college sophomore and SWS member Alex Zavell the night before. The statement, which is also available on Emory's homepage, was yet another attempt at evasion of the issues of equality and ensuring dignified treatment of subcontracted workers on Emory's campus. Instead of addressing these issues, President Wagner referred to Sodexo's preferred response, that the "unrest" at Emory is due to the battle between SEIU (Service Employees International Union) and Sodexo, inferring that the students of SWS have fallen victim to the conspiracy of big unions and are unwitting pawns of SEIU. Again, I stress and personally testify that neither myself nor any member of SWS is paid by, benefit from, or has any affiliation with SEIU whatsoever. We are graduate and undergraduate students from all corners of campus who are concerned about the treatment of workers to whom Emory claims no ethical responsibility. Nowhere in President Wagner's statement does he address worker testimonies of mistreatment or disrespect on Emory's campus, actions Emory can take to ensure healthy and safe work environments for all, or even how Emory's ethical commitments relate to its business relations with Sodexo.

Unsatisfied with an email response and President Wagner's continued evasion of the issues presented by SWS, students entered the administration building and walked up to the fourth floor to wait for President Wagner. The door to his office was locked, so we decided to wait patiently in the hallway until President Wagner actually addressed the issues presented to him. There were many exchanges between the students, many of whom were sitting and studying for finals, and various administration officials including Vice President Gary Hauk and Senior Vice President and Dean of Campus Life John Ford. As 6:30pm arrived and the building was to be locked, still without word from President Wagner, we were informed that we had to leave the building. Having waited 12 months since our last dialogue with President Wagner and feeling the moral necessity of discussing Emory's continued relationship with Sodexo, we stated that we preferred to wait for President Wagner's return to campus. Over the next 90 minutes, we received conflicting statements and requests from administration officials. Eventually, Emory police arrived and threatened arrest if we did not leave the building. When we asked why administration officials were even considering arrests, which seemed drastically inappropriate in response to our continued commitment to respect and non-violence, we were told that it was not safe for us to be in the administration building overnight. When I personally asked if they thought it was safer in county jail, I did not receive a response. However, presented with a promise that we could meet with President Wagner the following day, we decided to exit the building. While outside, we asked Emory Police to explain to us the rules of why we could not stay in the building. We were instructed that Emory buildings are not sites for free speech, but that the Quad was a "free speech space" on campus.

Provided this information, the remaining students began to re-congregate, and slowly, what became known as "Tent City" began to take shape. Other student organizations began bringing in tents, and dozens of students began making the Quad a space where

people were free to study, play Frisbee, sleep, talk, laugh, sing, and watch movies together, and most importantly, communicate SWS's demands and the administration's official position with anyone who wanted to become informed. For the next six days and five nights, Tent City became a wonderful place. Faculty, staff, and students who were unable to join us came by and dropped off bagels, cookies, and even hot homemade meals. What was most unexpected, however, is that news of this safe space also traveled through Emory's cafeterias and coffee shops, and Sodexo workers began making late night and early morning visits to share their experiences at Emory and to get updates on the President's response. When we saw workers out on the other side of the Quad preparing the stage for graduation ceremonies, we asked them if and when they needed us to move. They told us that we weren't in the way and that we could easily stay through Wednesday, April 27th.

On Monday, April 25th, our sixth day on the Quad, we decided to hold an informal meeting to strategize for the upcoming week. Then, unexpectedly, at around 6:30pm, Vice President Gary Hauk approached our meeting accompanied by grounds crew members and told us we had "five minutes" to remove our things and evacuate the Quad. What had taken six days to build- a makeshift home with ten tents, food stations, and people's overnight belongings and schoolwork- was supposed to be removed in five minutes. As SWS was never informed in the six days of being on the Quad that it was restricted property or that the Tent City was in violation of facility usage policies, we asked Vice President Hauk why we were being removed. He then presented us with a questionable document that stated a university policy that prevented us from being on the Quad. Within moments of this initial notification, the grounds crew workers were instructed to move in, and they began disassembling tents and forcibly removing students' personal property along with the tents. We were all very confused and requested that we be given the opportunity to remove our own belongings. The grounds crew was instructed to stop dismantling for the time being while students gathered their things. An Emory Law School alumnus who was present read over the document that Vice President Hauk had provided and noted how the policy did not apply. Conversations concerning the legality of forced removal took up much of the time between 7:00pm and 7:45pm. During this time, grounds crew members proceeded to dismantle all but three remaining tents. President Wagner's claim in his public letter that "students were given every invitation on Monday evening to move their tents and other belongings on their own" and that there was "a clear choice on the part of the students" cannot be considered true statements. We were given several conflicting demands: first, we were told to leave the grass; then to just leave the tents; then we were told there would not be consequences if the tents were removed and students stayed on the grass. It was approximately 7:45pm when students noticed that several Emory Police cars had pulled up and approximately 15-20 officers were at the scene. To us, the presence of so many police appeared again to be an excessive show of force to a peaceful gathering of students who were concerned about the well being of fellow community members- the people who serve us food.

All of the students present were faced with a decision: leave in the face of unnecessary aggression and inconsistent demands, or stand our ground and continue to ask the questions that deserved honest answers. Most of the undergrads, faced with finals

the following day, left the tents and joined in a large circle to support anyone who decided to stay. I soon found myself in the company of six others, three other Emory grad students and three brave students from Georgia State and Georgia Tech who had joined our Tent City. They too, have Sodexo on their campuses and have likewise heard from workers about their mistreatment, and wanted to show solidarity in our efforts. A thousand things came to my mind- I had been at Emory for more than half of my adult life, I'd taught more than 40 students on this campus as a graduate instructor, I'd served on the President Commission for Race and Ethnicity, I had led a health and human rights organization for three years, I had sung with choirs at numerous fundraising dinners for Campaign Emory behind President Wagner, and most importantly, I had developed friendships with hundreds of my fellow students, my professors, secretaries, janitors, bus drivers, security guards at the library, and food service workers. I loved this community. I did not want to go to jail. President Wagner testified that his decision to arrest us was one of the hardest decisions of his professional career. President Wagner received his PhD in 1984, the year I was born. I was now at Emory trying to receive mine. It is fair to say that my decision to sit down and link arms with six other students as we watched armed policemen and women approach our flimsy green tent was the hardest decision of my life. With the same voice with which I wholeheartedly sang to encourage donors to give generously to Emory University, I began singing "We Shall Not Be Moved."

Many of us have seen the videos. We were seven students sitting in a circle, singing to keep our spirits up. My friend Joe, a graduate student in Philosophy, was on his knees praying. He was the first one the police pulled out of the tent and put in handcuffs. The next was Andrea, a second year graduate student in Public Health. I was third. Mike was next, he's a grad student at Georgia Tech studying computer science. Amariah was the fifth student removed, a student from Georgia State who is fighting another battle against budget cuts at public universities. Roger and Chris were the last two students. Two grown men fully embracing as the police came to separate them. We were all handcuffed and put in the back seats of the squad cars. I happened to be buckled up. Andrea and Amariah were not. In three separate cars, the seven of us were driven to the DeKalb County Jail. We arrived at approximately 8:30pm. The four men entered the prison in one door, the three of us women in another. We would not see each other again until noon the following day. Andrea, Amariah, and I were put in a small jail cell with about 18 other women. The next fourteen hours were the longest fourteen hours I have ever experienced. A few of us sat on metal benches, the rest on the concrete floor. An overflowing toilet sat open in the corner of the cell. The bright fluorescent lights and the loud bang of the mechanical door that made us jump every time it opened or closed prevented even a minute of sleep. I waited six hours to make my first phone call. I was pulled out of the cell to give my fingerprints five separate times. I had my second mug shot taken at 3:30am. I was given a TB skin test and underwent a pregnancy test. On the other side, the men had to strip naked, squat, and cough. It was extremely cold, and most of us were wearing t-shirts or tank tops. Yet, somehow we managed to have great conversations with the other women, who were all young women of color. Together, we shared in laughter, storytelling, and group huddles to keep warm. Seeing so much beauty and humanity in a space designed specifically to de-humanize and suppress reignited a fire deep within me.

Yet, in the extreme highs and lows of emotion I felt throughout that night, all I could think was, "So this is where courageous inquiry leads."

By 2:00pm on Tuesday, all seven of us were either back on campus or at our homes. We gathered together again at 6:30pm to give an informal press conference and vigil at the steps of the administration building. The support from the Emory community has been tremendous. All of us have received emails and letters of support, mainly pertaining to our arrests. One professor shared with us this story:

On the way to the vigil tonight, I tried to explain to my nine-year old son that we were going to a "pep rally" at Emory because two of my students, Andrea Nicholls and Roger Sikes, were arrested last night. They were opposed to a University "policy" and were trying to get Emory's "Principal" to change the policy and improve conditions for some of the people who work at Emory. When they had trouble having a satisfactory discussion with the Principal, they decided to pitch tents on the quad and demonstrate peacefully until they could get his attention.

"So why were they arrested, Mama?"

"Do you know what trespassing means, sweetie?"

"Yeah, its like if I go into somebody else's house without being invited."

"Right, after 5 days, the Principal decided to end the demonstration by asking the police to remove them from the quad and charge them with Criminal Trespassing."

"But Mama, how can they trespass at their own school?"

While many people, including myself, are wondering the same question, the students who were arrested did not get arrested just for the thrill or infamy of getting arrested. We were arrested because we were asking the questions that the administration doesn't want us to ask. We were arrested because our presence was bringing attention to Emory's glaring hypocrisy of claiming ethical engagement with the world while throwing in jail those students who seek only to ensure the human rights of all members of our campus community. This hypocritical stance can no longer sustain itself. People are now beginning to ask, *if Emory treats its own students with such disrespect and unwarranted aggression, how do they treat workers for whom they claim no responsibility?*

The ninety-year old Reverend Joseph Lowery, known as the "dean of the civil rights movement" and third president of the Southern Christian Leadership Conference, wrote a letter in support of the efforts of Students and Workers in Solidarity. In his letter, which was read aloud by Helen Butler on his behalf at the press conference, he said:

"While I cannot be here today in person, I am with you in spirit. I am proud of the courage you show to stand with the people that prepare and serve you food every day. With each new generation, the students continue the tradition we started in the Civil Rights Movement not to rest until there is justice for all. President Wagner, I call upon you to uphold your moral responsibility not only for the students, but for the entire community. Once again, in times of moral upheaval, it is students that point us toward the right course of action."

On behalf of the students who were arrested on Monday and the members of SWS, I encourage the Emory community to direct its concern and attention to the issue for which SWS has always existed: to ensure that Emory extends its ethical leadership to address the inequalities of our current sub-contracted labor policy. As a community, we must therefore respectfully, but forcefully demand that President Wagner:

- 1) Attend a good faith meeting with representatives of Students and Workers in Solidarity in order to identify reasonable and immediate measures to increase equity between direct and subcontracted employees. Such measures could include:
 - a. Elimination of the extra \$150 that “non-Emory employees, contractors or vendors” must pay in annual parking rates as compared to salaried faculty and administrators on campus; or make the MARTA passes provided free of charge to Emory employees available to subcontracted employees, or at least at Emory’s discounted purchase rate of \$15 per month.
 - b. Establishment of a President’s Commission on the Status of Labor that is on par with the three established commissions, in which subcontracted workers would have an institutional mechanism where their voices and concerns would be given due respect and consideration.
- 2) Implement a Labor Code of Conduct that would apply to a new contract with Sodexo or an alternate food service provider. Georgetown University’s *Just Employment Policy* could serve as a model of a new subcontracted labor policy. In the case where Emory changes food service providers, all current Sodexo employees must be rehired, as is common practice in the university food service industry.
- 3) Consider cutting institutional ties with Sodexo in light of numerous reports of its human rights violations around the world and its unacceptable behavior at Emory in the past that puts Emory’s reputation into disrepute.
- 4) Participate in a public forum with four representatives of SWS to address steps Emory will take to ensure that the treatment of subcontracted workers are in line with Emory’s high ethical standards. The Global Health Department at the School of Public Health has expressed interest in hosting such a forum before the 2011 Commencement ceremonies.

I extend my most heartfelt thanks for the community’s concern for the health and well being of us seven students during one of the most trying days of our lives. I invite the community to direct that same compassion to all of the workers on this campus whose hard work too often goes unnoticed. Together, all of us are Emory. The creation of a community where every member’s human rights and dignity are respected is indeed where courageous inquiry shall one day lead.