The Living Wage Debate Comes to Harvard (A)

Introduction

On the afternoon of April 30, 2001, a crowd of over 1,300 gathered in front of Massachusetts Hall, which houses the offices of Harvard University’s president and other top administrators. The rally, the largest in Harvard Yard in more than a decade¹ was held in support of a student-initiated campaign to persuade Harvard University to pay its workers a “living wage.”

Behind the microphone was John Sweeney, President of the influential American Federation of Labor-Congress of Industrial Organizations (AFL-CIO). The AFL-CIO, America’s largest labor organization, was strongly supportive of local living wage policies. “Forty million union households are standing with you!” Sweeney told the cheering crowd, made up of Harvard undergraduates, graduate students, faculty members, workers and community activists, who showed their support by waving signs, playing drums and chanting, “Hey, hey, ho, ho, poverty wages have got to go!”

Inside Mass Hall, a group of over 40 students was in its 13th day of a sit-in, the culmination of a two year effort to convince Harvard, America’s oldest and wealthiest university and one of its most prestigious, to implement a $10.25 per hour “wage floor” for its workers.

When students representing the Living Wage Campaign took over Mass Hall on April 18th, none expected that two weeks later they would still be inside. After several less successful efforts over the preceding two years, not even the most optimistic among them believed that they would succeed in mounting a Campaign powerful enough to actively engage a broad spectrum of the University community in the living wage issue, let alone receive favorable receive press coverage around the world, attract the highly visible support of Massachusetts Senators Edward Kennedy and John Kerry and former U.S. Secretary of Labor Robert Reich, and garner endorsements from hundreds of Harvard University faculty members, thousands of community members, and many labor unions and political organizations.

But as the Boston Globe added, “[The students] also feel a little overwhelmed, because this stand-off seems increasingly hard to resolve. When a protest grows so impossibly large, and draws such unexpected support, how on earth is it expected to end?”²

Several big questions now confronted the Campaign and, in particular, the group occupying Mass Hall—the “inside team,” as the students called it. Should they end the sit-in, declare victory...

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because it brought unprecedented attention to the issue of a living wage, and continue to pressure the University without the leverage of actually being in the building?

Or should they continue the sit-in, in hopes of winning concessions from Harvard, even if this meant risking the loss of support from those who cared about the issue—but who perhaps felt that the sit-in tactic had run its course?

More basic still, how should the Campaign deal with Harvard, and Harvard with the Campaign, when the University steadfastly refused to “negotiate” with the protesters? These student activists, said University officials, were employing tactics inappropriate in an academic community. Moreover, the students had no official status vis-à-vis wage negotiations between the University and its workers. That role, Harvard emphasized, belonged to the unions.

Launching the Campaign

The Living Wage Campaign began in the fall of 1998. Students from Harvard’s Progressive Student Labor Movement (PSLM), an organization of primarily undergraduate students interested in promoting social justice, initiated a movement designed to apply the City of Cambridge’s proposed living wage ordinance, which would establish a “living wage” of $10 per hour, to Harvard University, the City’s largest employer.

Across the Charles River, the City of Boston had enacted a similar living wage ordinance in September 1998. Boston was one of 22 large cities to enact some form of living wage policy between 1994 and 1999, and while the terms and scope of such policies varied somewhat by locality, as one observer put it, “all of them aim explicitly to raise workers out of poverty.”

Leading unions and community organizations around the country, including the AFL-CIO, Association of Community Organizations for Reform Now (ACORN), and Industrial Areas Foundation had begun to support local living wage campaigns since the first local ordinance was secured in Baltimore, Maryland in 1994. AFL-CIO President John Sweeney had campaigned for his post on a reform slate that included local wage policies, and ACORN had positioned itself as a “living wage clearinghouse,” cataloguing and publicizing successes, establishing an e-mail list for living wage activists nationwide, and organizing meetings for advocates and researchers.

Reflecting on these larger trends, a member of the core group of PSLM organizers told the press, “In the beginning, the question we were asking was, ‘How do we generate support for labor activism and connect the ideas to our own community?’

That first year, the students spent the fall months researching the University’s employment policies, interviewing campus workers and union officials, and beginning to disseminate information to the student body.

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When the Living Wage Campaign’s request for a meeting with the Harvard administration was refused in February 1999, the Campaign staged its first march on Massachusetts Hall. The event attracted a crowd of over 200 students, faculty members, and local union representatives, and it featured historian Howard Zinn, author of *A People’s History of the United States*. This public event was the first of many tactics employed by the Campaign to engage the Harvard community and push the University to increase the wages of its lowest paid workers. The following month, the Cambridge City Council passed a resolution urging Harvard to adopt a living wage.

In late March, Harvard President Neil Rudenstine announced that he and Provost Harvey Fineberg had decided to appoint a special task force made up of Harvard faculty and administrators (The Ad Hoc Committee on Employment Policies) to “review the University’s current policies with respect to its contingent workforce and to make recommendations as necessary.” In more ways than its members likely imagined, the Committee’s analysis and recommendations would become a focal point of the debate to come.

Meanwhile, in May, the Cambridge City Council passed its own living wage ordinance, establishing a living wage of $10 per hour, adjustable for inflation, for city workers and employees of firms with “large” city contracts.

In the same month, a drive by the Living Wage Campaign to educate faculty about the issue and to solicit support yielded endorsements from 115 Harvard faculty members.

As the 1998-1999 school year ended and most students left Cambridge to pursue internships or jobs, a small number of Living Wage Campaign members remained on campus to sustain Campaign momentum and broaden the Campaign’s base of support. These students spent the Summer reaching out to alumni, obtaining over 100 commitments to withhold donations (“gifts”) from Harvard until the University implemented a living wage. Despite the paucity of students on campus in the Summer, the Campaign managed to organize a 200-person rally, which kicked off the active involvement of representatives from many Boston-area community organizations.

Throughout the next school year, the Campaign continued to solicit support for the living wage issue, both inside and outside the University community, by organizing concerts, rallies and theatrical events, and by contacting alumni, faculty, and local public officials. In December 1999, Living Wage serenaded Harvard administrators in their offices with Christmas carols about “the poverty that they create,” as the Campaign’s website later described it.

In April 2000, the Cambridge City Council passed a second resolution urging Harvard to implement a living wage. At a rally in Harvard Yard following the resolution, Cambridge City

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Councilors Marjorie Decker and Jim Braude announced that they would refuse to approve building permits for Harvard until the University implemented a living wage.

The University, The Community, and the Marketplace

Like many colleges and universities, Harvard had a complex and sometimes troubled “town-gown” relationship with its local community. Tensions grew during the 1990s, when the University began to accelerate its land acquisition activities to meet campus growth needs in both Cambridge and Boston.

Cambridge is an ethnically diverse, politically active city that benefits in many ways from the presence of Harvard, the Massachusetts Institute of Technology, and other public and private institutions of higher learning. But the city’s location, educational resources, connections to the high tech economy, and amenities—including its picturesque, historic character—had made Cambridge an increasingly popular place to live and work. Home prices doubled in Cambridge in the 1990s, and rents skyrocketed in many neighborhoods after a controversial rent control policy was eliminated statewide, under referendum, in 1994.

It didn’t help that wages for low-skill workers, including many immigrants, had been stagnant in America—in real, inflation-adjusted terms—for decades. To explain this important labor market trend, researchers and advocates pointed to a host of factors: de-industrialization (the loss of high-wage factory jobs in many communities), de-unionization in key sectors (which removed collective bargaining power for workers), a trend toward “outsourcing” work to contract companies by many businesses and government agencies (to reap efficiencies from competition and shave payroll costs), and even increased competition in the global economy.7

High inflation in housing costs and downward pressure on wages had put a squeeze on low-income workers and their families—not only in Greater Boston but in many other economically successful regions. These trends had also generated renewed attention to universities’ economic impacts on their communities.

Back at Harvard, the Campaign’s momentum was growing. By Spring 2000, the Campaign had the unanimous endorsement of all labor unions representing University workers. In addition, many students, faculty members, key local officials, and members of the Cambridge community had begun to pay attention to the living wage issue.

The Mills Report Appears

On May 4, 2000, a year after President Rudenstine’s initial mandate and seven months after its original release target, the Ad Hoc Committee on Employment Policies released its long-awaited report on the living wage issue at Harvard.

The committee was made up of three administrators and five faculty members and chaired by Harvard Business School Professor D. Quinn Mills. In its report, the Committee found itself “in

agreement with the underlying premise of the Living Wage Campaign—that workers on the Harvard campus should be paid fair and competitive compensation for the jobs they perform and should be treated with dignity as part of the larger University community.” However, the Committee went on to conclude that, “the University meets and exceeds its stated goal of providing fair and competitive compensation. Harvard provides very generous compensation and benefit packages and a favorable work environment.”

On the pay issue, the Committee noted, “Viewed through the lens of compensation alone, Harvard’s record is equally strong. [As of Fiscal Year 1999] Under 3 percent of Harvard’s regular workforce of 12,722, all of them unionized, make below $10 an hour in wages. 194 of that group, all of them part time, make below $10 an hour when total compensation is factored in.”

Beyond the regular workforce, the report presented findings on “casual” or temporary employees, noting that many were students, retirees, or people supplementing income from other jobs. And on the controversial matter of employees of outside contractors, the report indicated the following:

[An estimated] 2,000 employees of outside companies worked on campus in service jobs—dining, custodial, security, and parking. Unions represent many of these workers. A recent analysis indicates that somewhat less than a quarter of these contracted employees earn wages of less than $10 per hour; of these, more than half are part-time workers. Total compensation for these workers is not known.

Finally, the Mills Report, as it came to be known, recommended that the University:

1. Expand its workplace education program at a cost of $2,800 per year per eligible worker;
2. Provide subsidized health insurance for regular service workers who work at least two days a week at a cost of $2,000 per employee;
3. Decline to contract with outside service companies that do not provide health insurance for regular service workers;
4. Improve benefits and perquisites provided to long-term casual employees;
5. Establish guidelines for contracting with outside service companies that have on-going contracts in excess of $50,000 per year, requiring that these companies maintain employment practices and insurance consistent with the university’s commitment to fairness.

Two members of the Committee expressed a dissenting view on the recommendation that Harvard require outside service companies to provide health benefits to Harvard-based workers. Questioning the practicality of this recommendation and citing an absence of sound analysis to support it, the dissent stated, “The Committee seeks to impose its feeling of guilt and remorse on an economic and political system that has a different set of values. In so doing, they err. Further, they do harm rather than good.”

8 Report of the Ad Hoc Committee. See full citation at footnote above.
Representatives of the Living Wage Campaign responded quickly to the Committee’s recommendations, as well as its presentation of the facts. The Campaign countered, for example, that the apparently small number of workers earning less than $10 per hour—the key group over which the living wage debate raged—reflected the Committee’s refusal to consider the wages of its hundreds of subcontracted workers. Including the latter in the analysis would have put the number of workers making less than $10 per hour at well over 1,000, said the Campaign.

The Movement Intensifies and Engages the Unions

Arguing that the Committee’s health care and education recommendations were far too limited and too indirect a response to the issue of “poverty wages,” the student-driven Living Wage Campaign quickly organized a “Workers First!” concert and rally. The event was to draw critical attention to the Mills Report and to let the Harvard administration know that the Campaign was alive and well.

Drawing a crowd of over 1,000 students and community members, the “Workers First!” event featured the film stars and Cambridge natives Matt Damon and Ben Affleck, whose mother was a dining hall worker at Harvard. But attention from the wider university community—beyond the activists—remained limited, both to the living wage issue and the new report.

In late May, President Rudenstine announced that he would resign, effective June 1st of the following year. As the Campaign later noted, “The search committee to select his replacement includes no students, unlike such committees at other schools. Its choice will be approved by the Harvard Corporation, which does not release minutes of its meetings.”

On another front, Campaign members decided to investigate progress on the Mills Report’s recommendations. By October 2000, based on interviews with Harvard workers and union representatives, the students had concluded that the education and other recommendations were not being implemented effectively. Specifically, many workers who were eligible for health benefits and literacy programs said that they were never informed of their eligibility or told how to enroll. Many of Harvard’s immigrant Spanish, Portuguese and Creole-speaking employees were especially likely to cite such information barriers. Additionally, hundreds of workers interested in the new literacy programs were put on waiting lists. These workers said that they had yet to hear back from Harvard.

From the Campaign’s perspective, the University administration appeared unwilling to address these concerns beyond suggesting that implementation would take time. Campaign organizers thus began a series of meetings to forge a coalition among the multiple unions representing Harvard workers. Nine of eleven unions agreed to individually push for living wage language in their next contract and, in cooperation with the Living Wage Campaign, to write a labor Code of Conduct that the unions would work together to establish as University policy.

The student activists knew that union support was critical for the Campaign’s legitimacy and, more practically, because the power to negotiate specific wage increases resided with the unions. Navigating this was no simple matter. The wages of Harvard’s lowest wage workers were set through contracts with private companies (in the case of outsourced functions such as campus security, some food service, and sanitation) and through a variety of wage contracts between the University and the

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9 Living Wage Campaign website, “Campaign Timeline,” site at footnote above.
unions (for functions provided by Harvard employees in those areas). The four unions representing Harvard’s lowest-paid workers were:

- The Service Employees International Union (SEIU) Local 254 representing janitors;
- The Harvard Union of Clerical and Technical Workers (HUCTW) covering workers in those job classifications (including lower-wage laboratory workers);
- The Harvard University Security, Parking, and Museum Guards Union (HUSPMGU) representing security guards and parking attendants; and
- The Hotel Employees and Restaurant Employees International Union (HERE) Local 26 representing workers in the University dining halls—not to be confused with the contract employees in the privately managed cafeterias and other food operations on campus.

These unions varied considerably in their organizing capacity, negotiating style, and recent history of accomplishment—and faced distinct competitive dynamics in the market for their members’ skills. Organizers of the Living Wage Campaign saw an opportunity, through their activism, not merely to give the unions more clout at the bargaining table with the University but also to spur the unions to be bolder and respond more creatively to the needs of their worker constituents.

From the perspective of union organizers and negotiators, on the other hand, activism around the local living wage debate mirrored broader national and global trends—trends with tricky implications.

Veteran union organizers and long-time observers of labor policies felt that local living wage activism in America reflected what Elaine Bernard, Director of the Harvard Trade Union Program, describes as “the increasingly messy future” of the labor movement worldwide. Beyond unions, a growing number and variety of non-traditional players and initiatives, including grassroots student movements and other political efforts, have sought to influence labor standards and wages. Some efforts employed savvy media campaigns in addition to more traditional direct constituency building and seek influence specifically by widening support beyond traditional unions—or even by “end running” unions perceived to be ineffective or overly risk-averse.

Established labor advocates welcomed much of the new support and even admired creative tactics, but they had concerns as well. Some activist groups, they felt, were much better at getting the attention of employers or policymakers than at bargaining over wages or policy—or otherwise putting to use all the attention generated. Some groups built effective coalitions while others splintered, struggled with a narrow base of support, or even deepened divides between labor and other political movements. Some groups did their homework on markets and public policies and prioritized issues effectively, while others presented long and seemingly inflexible lists of demands with little evidence to directly support them.

Two widely publicized, large-scale protests—the first at World Trade Organization talks in Seattle in 1999 and at the second at summit meetings organized by The World Bank and International

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Monetary Fund in Washington, DC in the year 2000—were cases in point, said some analysts. These events, and the high-tech organizing around them, reflected both the potential and the tensions inherent in such non-traditional efforts to promote labor equity by “taming global capitalism” or, as one account put it, “taking on the Goliaths of globalization.”

On Campus, Frustration Builds and the Campaign Faces a Big Decision

In November 2000, Campaign members met with Harvard Provost Fineberg and President Rudenstine during their office hours. Both indicated that they saw the living wage as a closed issue and would consider no future policy changes. They emphasized that the report of the Ad Hoc Committee on Employment Policies reflected the views of the Harvard community. Student activists had repeatedly stressed that the Committee consisted only of the administrators and faculty members selected by the President and that the Committee had spoken with only one worker—who was brought into the process by the Living Wage Campaign.

The Living Wage Campaign next wrote the members of the Harvard Corporation, the University's highest governing body, to request a public discussion of living wage and other issues. The Corporation Secretary replied that the Corporation would not meet because "they regard such matters as falling fully within the administrative responsibility of the President and other senior officers of the University."

A meeting later that month with the University’s head of human resources, the office responsible for implementation of the Mills Committee recommendations, likewise frustrated Campaign organizers. They learned that the literacy program was serving hundreds fewer workers than planned, that subcontracting companies would not receive the report until January 2001, and that subcontract workers would not receive the recommended benefits until their contracts were renewed—not for several years, in some cases.

In December, the Living Wage Campaign staged "Neil Rudenstine's Christmas In Jail," a parodic holiday pageant about the university president going to jail for paying criminally low wages. The production featured students, workers, union representatives, local politicians, and representatives from local community, religious, and labor organizations.

Based on Harvard’s financial reporting, the Campaign publicized the fact that for the fiscal year, the University had run an operating surplus (income minus expenditures) of $120 million, of which $51 million was in “unrestricted” funds. In the preceding 12 months, Harvard had announced that its Capital Campaign raised $2.6 billion, hitting its targets months ahead of schedule, and that the University’s total endowment hit $19 billion—the largest endowment of any private university in the world.

Spring 2001 brought more pressure on low-wage workers at Harvard—and a varied set of responses from the Campaign and its supporters.

In February, for example, the University reclassified workers in Harvard Business School dining facilities, reducing their wages from above to below the hotly debated living wage, without a change in job content. And the Harvard Medical School announced the outsourcing of its custodial work, continuing a campus-wide trend. The 20 full-time and 92 part-time employees would be offered jobs at the private firm awarded the contract, but their wages and benefits remained unclear at the time of the announcement. A dean at the Medical School told the Harvard Crimson, "This is probably the most comprehensive outsourcing of maintenance [at Harvard] to date."12

In response, the Campaign delivered "love your workers" Valentine messages to President Rudenstine at his home.

In mid-March, a series of highly public confrontations between University officials and the Campaign underscored the stand-off. As Dean of the College Harry Lewis began to address a group of parents in a Harvard auditorium during Junior Parents' Weekend, six parents silently raised signs supporting a living wage for university workers. Officers of the Harvard University Police Department ordered the parents to put down the signs, leave, or be arrested.

That same weekend, thirty Campaign members converged on the Sunday afternoon news conference at which Harvard announced its selection of former World Bank economist, former U.S. Treasury Secretary, and former Harvard faculty member Larry Summers as the University's new president. The students called on Summers to implement a living wage for Harvard workers, and they again criticized Harvard's search process as "secretive." The Campaign added that Summers, a free-trade advocate, had been no friend of wage protection in his prior posts, suggesting that the new President-elect should move quickly to articulate his views on the living wage issue at Harvard.

In response to a press conference question about the protests, Summers said he anticipated meeting with the Undergraduate Council and other student organizations to gauge undergraduates' concerns. "I expect over time to meet widely with different groups," he concluded.13

The next day, the Campaign led 200 students and others in a march on Loeb House, where members of the Harvard Corporation were meeting with Summers. Campaign members reiterated the previous day's concerns and requested a meeting with the Corporation, as Harvard Police blocked their approach to the building.

April would prove to be a turning point. Early that month, Living Wage Campaign representatives met again with President Rudenstine during his office hours. In response to concerns

about the substance and implementation of the Mills Report, according to Campaign members, President Rudenstine defended the thirteen-month investigation as “thorough” and concluded that it would be too “time consuming” to initiate any further research into a living wage policy.14

The Campaign, through its website and other media, would later point to this and other meetings with Harvard administrators as justifying civil disobedience—“pressure to force the changes”—on behalf of the living wage cause. An op-ed in the campus newspaper penned by Campaign members made this case:

Since President Neil L. Rudenstine’s committee of business professors and administrators released its report on low-wage labor last May, administrative responses to our concerns have essentially consisted of a single word: No… As much as we would like it to be otherwise, the chance of genuine dialogue, much less achieving a living wage through it, is zero … The Living Wage Campaign has given Harvard administrators more than two years to demonstrate their commitment to eliminating poverty on our campus. Administrators have refused to do so, and we now have no choice but to use pressure to force the changes that they will not willingly make.15

The Occupation Begins

On April 18, 2001, convinced that they had “exhausted every avenue of dialogue with the administration that could lead to a living wage,” and “every other strategy when dialogue …failed,”17 including op-ed articles, teach-ins, student, faculty and parent petitions, alumni refusals to donate money, appearances on television and radio and at conferences, and a series of public demonstrations, 46 members of the Living Wage Campaign entered Massachusetts Hall, Harvard’s administrative headquarters and home to the President’s office, and began their sit-in for a living wage.

When the protesters occupied Mass Hall, they used what campus reporters characterized as a “newer, sleeker, more media-savvy form of protest first seen in Seattle and Washington D.C.,”18 a reference to the technology-intensive and media-oriented protests at the WTO, IMF, and World Bank meetings over the previous two years.

But in other ways, the Mass Hall sit-in contrasted sharply with the large, scattered, and sometimes violent anti-globalization protests in Seattle and D.C. First, the students were highly organized and careful with a variety of details. As they rushed into the building, the protesters secured one office, the conference room, the foyer, the hallway and a bathroom. They brought with them the tools they would need to broadcast their message: video cameras, digital cameras, two laptops with modems to maintain email communication and a website, and cell phones complete with chargers to ensure continued communication. When police attempted to restrict their movements and access to the bathroom, the protesters successfully defended their space by joining hands and chanting demands to act humanely and fairly.

In addition to the Living Wage Campaign protesters inside Mass Hall (the “inside team”), an equally well-organized “outside team” worked to gather over 150 supporters around the building. As the initial supporters began chanting, picketing and demanding that the administration negotiate with

14 “A Brief History of the Living Wage Debate at Harvard.” at www.livingwagenow.com
the protesters, the outside team called on local unions for support, contacted the media with press releases, distributed flyers to students and 18-page media packets to the first journalists to arrive.

Soon after the occupation, Harvard workers from a number of different unions marched and spoke on behalf of the protesters, including carpenters from locals 40 and 41, SEIU janitors, HUCTW clerical and technical workers, and HERE dining hall workers. Later that evening, a panel of students, clergy members, academics, and Harvard janitors spoke about the urgency of the living wage, and dining hall workers marched to Mass Hall to deliver pizzas to the protesters.

Over the first two days, the inside and outside teams labored, under what they perceived to be the constant threat of removal of the inside group by University Police, to attract attention and support for their cause within the University and well beyond its walls. Students divvied up responsibilities for contacting other students, campus organizations, faculty, community leaders, and alumni—urging that all of these show support by attending a noon rally, coming to an evening vigil, and contacting President Rudenstine to urge him to agree to the students' demands. Veterans of campus protests in the 1960s later contrasted this focus with that of disrupting activities in University buildings—something the Living Wage protesters scrupulously avoided (at least after the first few days of songs and chants!).

Two days later, a rally in front of Mass Hall—one that included outspoken faculty advocates for the living wage—showed the first broad public support for the sit-in.

That same afternoon, Massachusetts Senator Edward Kennedy, a national figure long associated with the minimum wage and the issue of economic justice more broadly, made an unanticipated visit to the sit-in. Kennedy was in town for meetings, and the Campaign asked for his support on the living wage. Little did they expect that he would visit the sit-in himself.

Although the Senator was denied entry into Mass Hall by Harvard Police officers, he shook hands with protesters through the building’s open windows. Before a crowd of some 100 students, workers and community members, Kennedy emphasized that the living wage was not only about workers themselves but about their families. He also compared the students to other young people who had campaigned for social justice in the past. When asked by a student if he would call President Rudenstine and ask him to give workers a living wage, Kennedy quickly replied, “I promise I’ll call him. Absolutely.”

That evening, four of the 46 Massachusetts Hall protesters exited the building to start a “tent city” of supporters in Harvard Yard, the historic open space and heart of the campus, directly in front of Mass Hall. Ten days later, by the time of AFL-CIO President John Sweeney’s visit, “tent city” would occupy nearly half of Harvard Yard and include over 100 tents, housing hundreds of student and community supporters.

**Attention Grows: The Public Face of the Sit-in**

In the first two days of the sit-in, the Living Wage Campaign had had little success attracting the attention of the media, with coverage limited to National Public Radio, *The Boston Globe* and a short piece in *The New York Times*. These stories tended to emphasize the undeniable David-meets-Goliath
quality to the stand-off: big, wealthy Harvard, with its $19-plus billion endowment, was being challenged by a small band of students to pay a few hundred workers a “living wage.”

That all changed, however, with Senator Kennedy’s Friday visit.

In addition to bringing the public spotlight, student activists later indicated that Kennedy’s visit gave the protesters a major boost, helping to ensure that the occupation could make it through the first weekend when fewer students and workers would be on campus to show support and publicly monitor Harvard’s response.

Over the weekend, the sit-in gained considerable momentum and attracted the support of a growing number of faculty members from across the University, including all but two Harvard undergraduate house masters—residence hall faculty who play a prominent role in the intellectual and cultural life of undergraduates on campus. The house masters issued a joint statement suggesting a face-to-face meeting between student leaders and the University administration. The statement further called for “a step-by-step plan for larger community dialogue that will take advantage of Harvard’s extensive intellectual resources in the areas of economics, labor negotiation, law, business, religion and ethics, and public health.”

The Campaign also received the support of former Secretary of Labor and former Harvard faculty member Robert Reich, who made an impromptu appearance at Saturday’s rally, a day after Senator Kennedy, telling the crowd, "What I want to do is express my strong support for what Harvard students are doing here today, yesterday and the day before. I've dedicated a lot of my life to the proposition that people need to be paid a living wage. The notion of a working poor ought to be an oxymoron in America." Reich continued, "You are expressing the moral consciousness of this community. Do not minimize for one second the effect that students can have on the public dialogue.”

The questions now were several: would Harvard recognize and respond somehow to the Campaign’s growing support? Would it have the students removed in spite of the sit-in’s new visibility? Would the nation’s oldest university, one with a long history of refusing to negotiate with civil disobedience protesters, deal with the sit-in group at all?

Talking to the University (Sort of)

Although Monday came and went with no real change, President Rudenstine had begun to dispatch University administrators to conduct informal talks with the protesters. “Although careful to stress that the conversations were not ‘negotiations,’ administrators said that the talks were aimed at getting the protesters out of the building and ending the ‘harmful’ and ‘disruptive’ weeklong protest.”

16 Many of these stories can be heard and/or read at the campaign web site [www.livingwagenow.com](http://www.livingwagenow.com)
For their part, Campaign members were steadfast in public: they indicated that they would remain in the building until Harvard granted a living wage of at least $10.25 an hour for all University employees. The Campaign used its website, daily rallies, press releases, and more to keep the focus on the social justice aims of the campaign. The students were unsure how to deal with Rudenstine’s unofficial ambassadors, but they sensed that the latter had no real authority to negotiate on Harvard’s behalf.

On Wednesday night, student morale received a big boost when some 300 dining hall workers, all members of the HERE Local 26, marched over from their strike vote meeting, surrounded Mass Hall, and even blocked nearby Massachusetts Avenue, a major thoroughfare, for a time. In negotiations with Local 26 over a new contract for its workers, the University rejected the union’s attempts to bargain on behalf of the students.

Meanwhile, Paul Grogan, Harvard Vice President for Government, Community, and Public Affairs, asserted that, "There will not be any 'negotiations' while they're in the building," and President Rudenstine made clear his "willingness" to meet with students "once the sit-in has ended."

Observers would later note that Rudenstine was not, in any sense, an experienced negotiator. Moreover, Harvard’s famously independent schools would likely chafe at a campus-wide wage control, not to mention the precedent of negotiating with protesters, so Rudenstine could not look to his Deans to support concessions to the students.

Each communiqué from the President’s Office, whether a letter from President Rudenstine or a press release on the events, framed the issue as one of inappropriate and coercive tactics given the need for “reasoned dialogue” within a university. In an email of April 23rd to the Harvard community (see Exhibit 1), President Rudenstine stated:

The University has listened seriously and repeatedly to the views of students, faculty, staff, and interested others over time…We are fully prepared to continue to exchange views, in appropriate settings, once an environment of genuinely free discussion has been restored.

Three days later, as informal discussions appeared to yield little progress, President Rudenstine sent another message across campus:

The students who are engaged in the sit-in have demonstrated their commitment to concerns that are important to all of us. I appreciate the nature and depth of those concerns, and share a personal commitment to the welfare of all who work at Harvard. At the same time, the path to continuing progress on such important matters is through reasoned discussion and deliberation. I myself am committed to following that path. I hope the students will join me.

In his second statement, Rudenstine offered more direct indictment of the sit-in itself, calling it "inconsistent with the fundamental principles of an academic community" (see Exhibit 1).

Complicating the exchange between student protesters and the University president was the matter of Rudenstine’s imminent departure. Larry Summers would take office in July.
Seen as a staunch defender of globalization and free trade, Summers’ public image—whatever his private sympathies—was hardly a progressive one on the issue of wage floors. Moreover, his role in decision-making about a future living wage at Harvard was unclear, as was the role of the Harvard Corporation. Was Summers “pulling the strings” to ensure that he would not inherit an unworkable wage problem—or a public relations nightmare—in his first year as president, or was he deferring to Rudenstine in the latter’s final months as President? Was the Corporation now engaging Rudenstine from behind the scenes, in spite of the earlier note to the Campaign indicating that this matter was for the President to decide?

By April 29th, after 10 days in Mass Hall with little rest, nowhere to bathe, and the pressure of constant meetings—the “inside team” practiced consensus decision-making on key issues of strategy—Campaign members appeared unwilling to yield to the Administration’s repeated requests that they leave the building. In a response to the President’s official statements (see Exhibit 2), they asserted:

[We] find Rudenstine’s statements deeply disappointing in their refusal to discuss the issues at hand: fair wages and benefits…No one should live in poverty, and especially not anyone who works for an institution as wealthy as Harvard …These are simple ideas. They are ideas that our community overwhelmingly supports. It is time for President Rudenstine to join the rest of our community in affirming these ideas by working with us to implement a living wage policy.

The Campaign likewise re-iterated a strong critique of the Mills Committee—its process and its findings, stressed indications of growing public support, not only for attention to the “fair” wage issue but for the sit-in tactic specifically, and offered to conduct “negotiations in good faith” to include workers, faculty, and union representatives in addition to members of the Campaign. Finally, the Campaign’s statement disputed the notion that the sit-in was inconsistent with university principles (see Exhibit 2):

Peaceful acts of civil disobedience for broadly-accepted goals are part of a proud tradition at this university, in this country, and throughout the world. We think that it is the university’s three-year refusal to conduct productive dialogue, its ongoing denial of fair wages, and its current refusal to negotiate, that are inconsistent with the fundamental principles of a university.

The protest was not without its ironies and moments of comic relief. Several news stories noted, for example, that the conscientious students were cleaning the occupied Mass Hall offices each morning before the day’s “political work” began. Beyond having considerable media savvy and tech skills, a number of protesters had taken graduate-level Harvard courses on negotiation, strategic management, political advocacy, and labor law. They led teach-ins inside Mass Hall and connected by cell phone and email with supporters on the outside, discussing bargaining principles, nuances of labor agreements, executive decision-making, political precedents, the organizational culture of Harvard, the upcoming transition in the President’s office, and more.

**Openings and Shifting Winds**

The Harvard administration was unwilling to engage in substantive discussion as long as the protesters remained in the building, and the protesters were unwilling to leave Mass Hall in lieu of such discussion. Support of faculty, labor and political leaders, and others of the living wage objective, though not (in every instance) supportive of the sit-in tactic, continued to grow. The campaign had, by
now, been featured prominently on CNN, ABC, and NBC, on radio, and in The New York Times, The Los Angeles Times, and dozens of smaller news outlets across the country and around the world. The stand-off made a great story.

And then a breakthrough—perhaps. President Rudenstine, at a faculty meeting called to discuss the sit-in, announced that he had decided to form a new committee charged with reexamining the living wage issue. "This represents a very significant move that the President is willing to look again at this whole series of issues so soon," Vice President Grogan said. "This is an extraordinary thing to do."

On the eve of that meeting, faculty members supportive of the Living Wage Campaign quickly had organized their colleagues across departments for discussions of the Campaign’s objectives and the sit-in tactic, and they drafted and circulated a letter addressed to both Rudenstine and Summers. Close to 400 faculty members signed the letter. Published as a full-page ad in the campus newspaper, The Harvard Crimson, and in The Boston Globe, it declared:

> We agree that every Harvard worker, whether directly employed by Harvard or hired through an outside contractor, should be paid a living wage of at least $10.25 per hour, adjustable for inflation ... and supplemented with benefits ... We take this wage standard directly from the City of Cambridge living wage ordinance ... underpaid workers in our university community typically work two and three jobs to compensate for their poverty-level wages. As the wealthiest university in the world, Harvard can easily meet the City’s living wage standard.

Rudenstine’s apparent flexibility had an immediate impact on public perceptions of the sit-in. As a Crimson staff writer put it, “The decision represents a significant concession for administrators who had initially called the issue of a living wage of $10.25 per hour for all Harvard employees ‘closed’ when the sit-in began 13 days ago.”

> Citing Rudenstine’s decision to reopen the issue, twelve of the thirteen undergraduate housemasters changed their positions on the sit-in, issuing an open letter that called on campaign members to end the occupation. A week before, the housemasters had written an open letter expressing support for the students campaigning for a living wage and urged administrators to negotiate. "We believe that students have brought this phase of their campaign to a successful completion," read the latest letter, “and we urge them to come out of Massachusetts Hall in a peaceable fashion to permit normal life to return to the premises, and to allow the orderly work of the University to resume.”

**Crossroads**

As the sit-in went into its second weekend, the protesters began to consider President Rudenstine’s offer of a new committee. On the campaign’s website, protesters acknowledged that an important moment had arrived—but pressed for further support:

> After an extremely positive meeting of the Faculty of Arts and Sciences, it seems that there might be progress. It is crucial during this time to continue pressuring the Harvard administration. Though we are hopeful, we have no guarantee that things will continue to move in a positive direction, and negotiations have still not begun.
Though Harvard officially maintained a “no negotiation” stance vis-à-vis the protesters, Rudenstine visited the sit-in in person, expressing a personal sympathy for their cause and, as one protester recalled, “looking very tired and very troubled.”

Protesters sensed that broad support for the occupation was beginning to wane. For one thing, some students, including Campaign supporters, had begun to express anger at the constant upheaval in Harvard Yard. And though they were publicly supportive of the students, some of the unions were concerned about damaging their relationship with the University and how broad decisions on wage policy would affect their existing wage agreements.

Somehow, the Campaign would need to ensure that the proposed second committee would not fall short as the Mills Committee had. Substantively, there were other issues: making it possible for SEIU, the janitors’ union, with its wage negotiations already concluded, to re-open wage negotiations if a wage increase were approved for other workers; making it possible for non-unionized subcontract workers – those not protected by collective bargaining – to be included. Somehow.

Provost Harvey Fineberg had just paid the students a visit in which he told them that, as a matter of principle, there would never be any negotiation as long as they remained in the building. Protesters later indicated that this visit created a genuine crisis of morale within the group.

Beyond having mixed feelings about the proposed committee and the lack of resolution on the central wage issue, students had immediate, and quite personal, concerns now that events were coming to a head. The semester was nearly over, final exams lay ahead, and uncertainties loomed about Harvard’s possible reprisals against the protesters.

On Monday April 30, the day before May Day, the international day of the worker, AFL-CIO President John Sweeney greeted a record crowd of over 1,300 Living Wage Campaign supporters gathered in front of Mass Hall.

Sweeney helped to ensure the Campaign’s place at the center of the national labor movement. His presence and his outspoken support—“Forty million union households are standing with you!”—meant a great deal. But the protesters were exhausted and confused after over two weeks cramped inside the building. They faced a crucial decision.

Should they end the sit-in, declare victory because it brought unprecedented attention to the living wage issue, and continue to pressure the University without the leverage of occupying Mass Hall?

Or should the Campaign continue the sit-in, work to get further concessions from Harvard, and—at minimum—get commitments that the new committee would not be “business as usual”? That is, could they ensure that the structure and work process of the new committee would be significantly different from those of the Mills committee?

If they stayed, they would need a way to talk to Harvard in spite of the University’s steadfast refusal to “negotiate” with protesters. Furthermore, they risked removal by the University police and the loss of media and political attention, as well as the support of those who cared about the issue—but who perhaps felt that the sit-in tactic had run its course.
EXHIBIT 1

Statements of President Neil L. Rudenstine

April 23, 2001

Since last Wednesday afternoon, a few dozen students have been staging a sit-in on the first floor of Massachusetts Hall, the building that houses the offices of the president, provost, vice presidents, and associated staff, and is also home (on the third and fourth floors) to a number of first-year students. I want to offer a brief perspective on these events.

It was more than two years ago that a group of students expressed their concerns for the welfare of lower-paid workers at Harvard. With their concerns in mind, I appointed a special faculty committee to examine aspects of employment practices at Harvard. Members of the committee met with interested students, and also invited their submission of written materials, as part of an intensive year-long study that resulted in a comprehensive and detailed report (currently available at www.provost.harvard.edu/adhoc/).

The committee issued a set of recommendations aimed at substantially enhancing the career opportunities and economic well-being of lower-paid workers at Harvard. It also discussed and explicitly decided not to endorse the concept of a mandatory wage floor imposed without regard to collective bargaining. The committee's report and recommendations were made public; members of the University were asked for comment; and the committee chair and Provost Fineberg invited concerned students for a full discussion of the report's recommendations.

Having reviewed the committee's report, consulted the Deans of Harvard's Faculties and Schools, and considered the comments received from the community, I approved the committee's recommendations and directed their implementation. I believed then, and believe now, that the committee's recommended approach--focused on investments in innovative education and job-skills training programs for service employees, as well as expanded access to health and other benefits--is both progressive and sound. It also respects the collective bargaining process as the established means to set wages for employees represented by unions.

This past year, as in the committee's recommendations have been implemented, I have met numerous times with student advocates of a mandatory wage floor, as have several other members of the administration. The concerned students have forthrightly expressed their views, as we have ours. The students now inside Massachusetts Hall continue to disagree with the University's approach, and that is their right. It is also their right to express their views, with vigor and passion. But it is not their right to occupy a University building, to interfere with the conduct of work inside it, and to disrupt the lives of nearby student residents, in an effort to force a different decision. The view that efforts at coercion and disruptions, as opposed to discussion and persuasion, represent a proper means to achieve a desired result is a mistake, and inconsistent with the fundamental principles of a university.

The University has listened seriously and repeatedly to the views of students, faculty, staff, and interested others over time, and indeed has taken substantial action to benefit employees in light of both expressed concerns and special committee's exceptionally thoughtful report. We are fully prepared to continue to exchange views, in appropriate settings, once an environment of genuinely free discussion has been restored.
April 26, 2001

Yesterday and again today, at my initiative, one of the House Masters and a senior member of the faculty met with representatives of the students sitting in at Massachusetts Hall. Through them, I conveyed my request that the students leave the building, in order that we may resume conversations about the welfare of workers at Harvard in an environment of genuinely free and responsible discussion.

I conveyed my willingness, once the sit-in has ended, to meet directly with concerned students, as well as with workers, to hear personally from them about their strongly held views.

I conveyed my personal assurance that I and others are prepared to set in motion a structured process, in appropriate Faculty and other University forums, to give serious further attention to issues regarding the welfare of workers at Harvard.

I also conveyed my commitment that such a process, while informed by the report and recommendations of the special faculty committee that considered such matters in 1999-2000, would not be limited by them.

As of this moment - 8:00 p.m. on Thursday - the students have not decided to follow this path, although I believe it is consistent with the recent open letter that I received from the House Masters, and with similar views expressed to me by many members of the University.

Several other points should be stressed:

First, when the sit-in began, I instructed those monitoring the situation that the safety and welfare of the students, and indeed all members of the University, should be an absolutely essential concern. No efforts were made to remove the students physically from the building, and food has been available to them, along with any medical assistance that might be required.

Second, I have made clear that the occupation of a University building, and interference with the activities of other members of the University, are extremely serious actions inconsistent with the fundamental principles of an academic community.

Third, the students have been apprised of the increasing security concerns raised especially by conduct outside Massachusetts Hall. In the past few days, growing numbers of people from outside Harvard have joined in demonstrations within Harvard Yard. A few incidents, bordering on serious physical conflict, have already taken place. This escalation has deepened considerably my own concerns about the interests and welfare of all persons in Harvard Yard. Our security officers have managed this situation in highly professional way, and will continue to do so. But concern for the maintenance of safety must be reciprocal.

The students who are engaged in the sit-in have demonstrated their commitment to concerns that are important to all of us. I appreciate the nature and depth of those concerns, and share a personal commitment to the welfare of all who work at Harvard. At the same time, the path to continuing progress on such important matters is through reasoned discussion and deliberation. I myself am committed to following that path. I hope the students will join me.
Living Wage Campaign Responses to Rudenstine Statements, April 29th

During the past eleven days, we in the Living Wage Campaign have been inspired by the outpouring of support for a living wage, and for our sit-in, from all parts of our community. Workers from janitors to secretaries to dining hall workers have assembled solidarity rallies and given speeches outside Mass Hall; hundreds of students have taken part in panels, rallies, and vigils; three hundred faculty members have organized the Faculty Committee for a Living Wage; alumni/ae and parents have traveled to Cambridge to visit students sitting in; organizations from PBHA to the Harvard Anthropology Department have endorsed the sit-in; and unions and community groups have provided supplies from food to tents to funding. The support of our community has been inspiring and overwhelming.

Since the sit-in began last Wednesday, we have encountered very little public opposition; and significantly, when we have spoken with counter-protesters, many have come to agree with us that a living wage is necessary, and that a sit-in is a fair action at this point in the Campaign's history. The one consistent source of opposition to our sit-in has been the Harvard administration. This week, President Rudenstine released two statements about the sit-in. We would like to respond to those statements.

In his first statement, President Rudenstine pointed to the report of the Ad Hoc Committee on Employment Policies as having been a fair solution to the problem of poverty in our community. In fact, the Committee's report has resulted in only 19 Harvard workers receiving health benefits, and the extension of ESL classes to a few hundred workers. Even if report implementation were improved, it would not be enough: benefits and education are important, but cannot substitute for fair wages. Harvard workers cannot pay their rent on $6.50 per hour, regardless of the number of dental appointments and literacy courses Harvard allows them. The simple proof of this fact is seen in the experiences of the hundreds of workers at Harvard who work two and three jobs--as many as 90 hours per week--because Harvard's low wages do not cover their daily needs. The inadequacy of this report is not surprising, as the committee which produced it was hand-picked by the administration. It included only administrators and faculty chosen by President Rudenstine, it did not meet with a single union representative, and the only worker with whom it met was brought by the Living Wage Campaign to do so. Its deliberations were seriously impaired by a fundamental divorce from the workers and larger community that lie at the center of this discussion.

In President Rudenstine's second statement, he agreed for the first time that the Ad Hoc Committee's report might not be Harvard's only solution to the problems of low-wage workers, and we are glad that he has shown some willingness to look into further policy changes. However, he has shown no willingness to seriously negotiate those policy changes. He has instead sent representatives to tell us that he will begin discussions once we leave the building. He has not specified any timeline for those discussions, nor has he said whom they would include, nor has he made any assurance that the discussions will be anything more than discussions. It seems all too likely that discussions, if designed by the administration, would resemble the fruitless, unrepresentative ones that we have witnessed for the past three years--the failed discussions which have created the need for this sit-in. The first type of discussion that we have seen is that in which students, workers, unions, faculty, and alumni/ae present concerns to the administration, and administrators reject them. The second type of discussion has been the administrative appointment of a private committee which included no students, workers, union representatives, or elected faculty members. Such exchanges can hardly be called free or honest dialogue, and yet they encompass the range of the administration's proposals for
dialogue over the last three years. We have no reason to believe that administrators will now propose anything more meaningful, free, or honest.

We have proposed what we believe to be a real dialogue: we have proposed that the administration negotiate with us now. We are prepared to conduct negotiations in good faith, and if administrators will agree, we are prepared to include workers, faculty, and union representatives, as well as ourselves, as each of these constituencies is an integral part of the Living Wage Campaign, and each has an important stake in our university's labor policies. We are prepared to work together for a solution that will improve the lives of Harvard workers, and improve Harvard as an institution.

President Rudenstine has rejected our proposal by arguing that our action is coercive and "inconsistent with the fundamental principles of a university." We would like to respond briefly to these claims. First, it is not coercive for our community to stand together as it has, both inside and outside Massachusetts Hall--students, unions, workers, faculty, alumni/ae, parents, and community members--and to say that we all think that workers here deserve a living wage. It is not coercive to say that we will use civil disobedience when all other modes of discussion and action are met with firm administrative refusals. What is coercive is the decision of a handful of administrators to deny the consensus of our community, and to deny a living wage to more than 1,000 people.

Rather than coerce the administration, the sit-in is bringing the voices of our community into a fairer, more equal balance. For the past three years, the basic imbalance of power within the university has permitted administrators to unilaterally reject the calls for a living wage, even as they have streamed in from thousands of members of our community. The sit-in has given our community's many voices greater standing, allowing students, workers, unions, and faculty to speak with the authority and power often denied them. Re-balancing the power relations in this way is not coercive, nor is it disruptive to the community: it is in fact fair, and it is respectful of the community.

We further deny that a sit-in is "inconsistent with the fundamental principles of a university." Peaceful acts of civil disobedience for broadly-accepted goals are part of a proud tradition at this university, in this country, and throughout the world. We think that it is the university's three-year refusal to conduct productive dialogue, its ongoing denial of fair wages, and its current refusal to negotiate, that are inconsistent with the fundamental principles of a university.

Finally, we find Rudenstine's statements deeply disappointing in their refusal to discuss the issues at hand: fair wages and benefits. These are the issues for which we are sitting in, they are the issues that thousands of members of our community have come out to support, and they are the issues that we look forward to negotiating with the administration. No one should live in poverty, and especially not anyone who works for an institution as wealthy as Harvard. No one should face medical emergencies without health coverage. No one should have to work 80 hours per week simply to pay rent and buy groceries. And no one should return home after working two jobs only to have to eat dinner in a soup kitchen or spend the night at a homeless shelter. These are simple ideas. They are ideas that our community overwhelmingly supports. It is time for President Rudenstine to join the rest of our community in affirming these ideas by working with us to implement a living wage policy.