

February 17, 2015

To New York University President John Sexton, NYU Board of Trustees Chairman Martin Lipton, NYU Abu Dhabi Vice Chancellor Al Bloom:

As student, faculty and worker organizations at New York University, we continue to be appalled by increasing reports of human rights violations that occurred during the construction of the NYU Abu Dhabi campus, and which seem set to continue. NYU President John Sexton has characterized the University as a sanctuary. But sanctuaries do not allow the workers who build their structures to be intimidated and beaten, to have their passports withheld, or to be expelled from the country where they work. It is not too late to redress these wrongs. We are writing to demand that NYU live up to its principles as "a private university in the public service," by compensating workers for past abuses and securing present and future labor rights. This letter follows on the heels of a damning, February 10th, 2015, Human Rights Watch report: *Migrant Workers' Rights on Saadiyat Island in the United Arab Emirates: 2015 Progress Report*, which details numerous labor rights violations on the Saadiyat Island NYU Abu Dhabi (NYUAD) campus.

As you are no doubt aware, the report documents a series of severe violations of NYU workers' rights. For instance:

(1) *Brutal punishments for demanding better working conditions.* NYU workers were deported for striking to demand higher wages. One electrician was earning approximately \$250 per month (including overtime); he and others were demanding a monthly wage (including overtime) of \$408. Strikers in this and other instances were brutally repressed. This included the repeated use of surveillance and intimidation, arrest, beating, and deportation.

(2) *Misleading, inadequate NYU response to violations of workers' rights.* NYU claims to redress labor violations as soon as they discover them. For instance, on February 25th, 2014, NYUAD's Vice Chancellor Al Bloom emailed the NYU Student Senate claiming that 43 workers who had substandard accommodation had been moved to better accommodation. However, when Human Rights Watch investigators followed up, they found that the violation of those workers' rights went well beyond substandard housing. These workers were also paid substandard wages and in some cases had even those wages stolen. The workers' passports had been confiscated by their employer. Many of them had already paid recruitment fees equal to approximately one year's worth of wages.

(3) *Endemic low pay, long hours, and withheld wages.* Other NYUAD workers testified that they received the equivalent of \$300 per month with overtime, for working 6.5 days per week. Recruitment agents had promised that they would be paid twice that amount. These workers had paid \$2,570 in recruitment fees to agents in Bangladesh, approximately nine months' worth of wages. Furthermore, workers working for a contractor hired to perform construction on the NYU site reported to Human Rights Watch in January 2014 that they had not been paid since mid-October.

(4) *Delayed payments.* Several NYU workers testified at the time of being interviewed that they had not received any payment in 15 weeks.

We are aware that many of the workers affected by the abuse that occurred during the construction of NYUAD have moved on, and that many have returned home. These workers are entitled to compensation for the violation of their human rights. Furthermore, we believe that the treatment of these workers reflects a broader disregard by NYU of its own Statement of Labor Values, and for human rights and fair labor practices at NYU campuses. We remain concerned that current and future workers at the NYUAD campus will be subject to similar treatment. Of course, such labor abuses are part of a system much larger than NYUAD. Nevertheless, NYU, by virtue of its great wealth and global reputation, can make changes that would influence labor relations well beyond its campus' borders. We make the following demands:

(1) **Just compensation for NYUAD construction workers:** This should include monetary compensation and damages for the workers that were jailed and deported. This amount must cover lost and withheld wages, delayed payments, medical costs for injuries, as well as damages for substandard accommodation, time spent in jail, physical and mental abuse, violations to right to freedom of speech, freedom of association, freedom of religion, deportation in October 2013, and the added stress and expense of making their way back to their hometowns from the deportation hubs of Dhaka, Bangladesh and Karachi, Pakistan. Workers can be contacted upon request.

(2) **Secure worker's freedom of association, right to organize, right to strike and collectively bargain:** This should cover all labor at the NYUAD campus, including operations, construction, etc. Securing these rights must include amending NYU's Statement of Labor Values to allow for workforce organization and expression of workforce grievances. We recognize that UAE law bars unionization, but the International Labor Organization (ILO) recognizes the right of every worker to organize and collectively bargain. We believe that workers at all NYU campuses are entitled to this right. The best protection of workers' rights is workers' own self-organization. Without NYU's recognition and protection of such a right, there is no guarantee that the retaliation -- including violence, confiscation of passports, and deportation -- that the construction workers faced for striking in October 2013 will not be repeated against future workers at NYUAD.

(3) **Disclosure of the code of conduct:** At a teach-in on December 6, 2014, between students and faculty of NYU and NYUAD, we were made aware of a code of conduct that operationalizes labor standards at NYUAD. However, we were told that this code of conduct was confidential and not available for review by members of the public. We demand that this document be publicly released and made available online. We see no reason why this code of conduct should remain confidential, particularly as such policies on the New York campus are part of the public record. This confidentiality serves only to deflect responsibility for breaches in fair labor practices.

(4) **Implementation of the Statement of Labor Values by appointing independent labor compliance monitors:** NYU has committed to appointing an independent labor monitor. However, the current monitor, Mott Macdonald, has several conflicts of interests which have

caused us to further question NYUAD's commitment to its Statement of Labor Values. Most notably, Mott Macdonald has contracts on Saadiyat Island and is dependent on the government of Abu Dhabi for business contracts in the UAE. Mott MacDonald's methodology is questionable as it failed to report that more than 250 workers were deported in November 2013 for striking. The selection process for the new monitor is happening now. We demand that this selection process be transparent, and that NYUAD appoint a truly independent monitor with no contractual ties to the Abu Dhabi government, and with a reputable record of labor monitoring. We also insist that the terms of reference for new monitor be publicized. We demand that NYU implement the recommendations from the truly independent monitors immediately.

As "a private university in the public service" and a global network university, NYU must respect and uphold workers' universal human rights in New York, Abu Dhabi, Shanghai, and in its multiple global sites.

We expect a public response from the Office of the President by March 1, 2015.

Sincerely,

Graduate Student Organizing Committee-United Autoworkers' Union
NYU Student & Labor Action Movement
Coalition for Fair Labor at NYU
NYU Law Students for Economic Justice
NYU Law Immigrant Rights Project
NYU South Asian Law Students Association
NYU Law Anti-Trafficking Advocacy Coalition
NYU Law Students for Human Rights
NYU Against Child Trafficking
American Association of University Professors, NYU Chapter
NYU Students for Justice in Palestine