

# An Organizer's Tale:

## LIU Brooklyn's Lockout and Union Contract Negotiation

Emily Drabinski

*Before coming to organizing work, I think I would have said that we move people by explaining our position, by helping others understand why they should come with us. Now I understand that we move people by listening, by connecting political work to what matters to them, by demonstrating that they will be better off if they cast their lot with us.*

I am a faculty librarian and a member of the faculty union at LIU Brooklyn. We are the Long Island University Faculty Federation, the first and one of the only private higher education faculty unions in the country. Ours is a union with a long history of agitation and collective action that has sought and secured powerful workplace protections for its membership. Since the 1970s, the union has organized, fought, and achieved things that would have been impossible if individuals had been asking for them alone. These include establishing tenure, maintaining administrative contributions to healthcare, and, for librarians, a workload and compensation package that comes as close to matching that of classroom faculty as any I've seen in the country. Decades of incremental organizing and struggle have made those things possible.

Our most recent contract ran from 2011 to 2016, a five year contract that was ratified after a multi-day faculty strike to protest historically small salary increases and cuts to healthcare. During that time, the university acquired a new president of the board of trustees and a new university president. This new administration entered contract negotiations with priorities that some of you may recognize from your own institutions, an interest in transferring power from faculty to a growing central administration that sought to "run the university like a business," with preference for efficiency and productivity. They wanted the Moody's credit rating of the university to improve, and that rating usually gets better when unions are weak. Unionized workers must be bargained with and, as a rule, cost more than non-union employees. We had seen the other unions at our university get dismantled by the administration one by one: clerical staff had failed to negotiate a contract and were working under an imposition; the janitorial services union had been broken and those jobs outsourced to a company that paid lower wages and provided worse benefits. We knew we

were heading into a difficult round of negotiations. They proved to be even more difficult than we expected.

The union's interests in negotiations were several, but a primary motivator of our bargaining position was a desire to secure salaries for full-time faculty at the Brooklyn campus that matched the wages at the Long Island campus. As we prepared for negotiations, we discovered that Long Island faculty made 20% more than we were making in Brooklyn. We did not feel this was fair. We wanted salary parity for full-time faculty in Brooklyn. Our union also includes part-time faculty, and we wanted to maintain and increase the gains we had won for that group in terms of salaries and contributions to healthcare coverage, while preserving workload. Like most universities, we run primarily on part-time labor. Nationwide, more than 70% of courses in higher education are taught by part-timers who earn less than full-time faculty and often have zero job security (AAUP, para. 4). We wanted to maintain and improve working conditions for the half of our unit that lived and worked in precarity.

This was the stage that was set for us as we neared the end of contract negotiations in August 2016. We knew it was going to be an adversarial bargaining season—and it was. Administration agreed to move toward pay parity for full-time faculty, but wanted to pay for that out of draconian cuts to part-time pay. They would not move. Neither would we. As negotiations ground toward a stalemate, the faculty prepared to give ourselves the option to go on strike. As a private university, our unions are not bound by the Taylor Law, a statute in New York State that prevents public workers from going on strike. At the end of the day, the strike is what gives the union the most power: we can withhold our labor, the labor necessary for management to make a profit. Such an action has time and again compelled capital to negotiate. They need the workers to go to work, as much at a university as at an auto plant. Striking was an action we were prepared to take. As it turned out, we would not have a chance to make this hard decision to put our careers and the lives of our students on hold and at risk. At the end of negotiations, we were locked out by university administration.

When I heard the news I had to Google it. A lockout is

something like a management strike, except rather than the workers withholding their labor, management withholds everything else: access to the workplace, wages, and benefits. On September 2nd, 2016, at the end of contract negotiations where administration had failed to accede to any union demands, my pay was stopped, my health insurance taken away, and I was shut out of my email and all online course sites. The university hired extra security to make sure I could not enter the campus or my office. I was fired, and so was every single member of the LIU Brooklyn faculty. We were locked out because we wanted a better deal, a fair shake, something we felt entitled to and largely had the power to push for because we had a union. Our union offered us a structure through which to organize ourselves, and a structure for negotiations with our administration.

Exhortations to *organize! resist! stand strong! fight back!* were loud in those days after management fired us en masse. We continue to hear them in the wake of the 2016 presidential election, following every mass shooting, every disclosure of sexual harassment and assault. The lockout taught those of us who had to fight to get back to work what those exhortations mean in real terms. Organizing is exhilarating, tedious, exhausting, thrilling, simple, and complicated. We all had to learn fast, and still have more learning to do. We learned three critical lessons that have changed the way I think about organizing for power in contexts from presidential politics to the most minor of workplace struggles over fax machines and copy paper.

A few practical steps are necessary for organized resistance. First, find out who is on your side and where they stand on what matters to you. We learned very quickly that we could not be successful except when we had mobilized numbers that could undermine the advantages held by management at the bargaining table. They had more money than we did, more access to communication tools, and the capacity to make the membership very, very afraid and, in turn, very, very compliant. We had to know that enough of us would gather for a rally or protest to be perceived as a threat by management. Organizing is, at its root, about making and keeping lists. We had lists of our members, lists of the events they had attended and events they had skipped. We had their phone numbers so that we could call and keep them in the loop, as well as to encourage them to call each other. We knew from our lists that there were more of us than there were of them,

and we kept track of our capacity to mobilize each other for the actions in the days and weeks and months that followed the lockout.

Second, find out who your leaders are. Leaders aren't necessarily department chairs or people with seniority. Leaders are people who other people follow. Building power is about assembling a mass of people who can push toward a particular outcome, whether that means a negotiated contract, library funding, gun control legislation, or a presidential election. Lists of people are critical, but so are the individuals who can reliably deliver these groups to events, polls, and phone banks. For us, we needed to find the leaders in every academic school and division. We needed the leaders in nursing to call nursing faculty to the rally, and library leaders to bring the librarians to the front. Identifying leaders means identifying key sources of power essential to making people show up.

Third, talk to each other; and talk and talk and talk. We talked to each other to develop a shared analysis of what was happening to us. We talked to each other to find out what mattered to each of us. We talked to each other to discover what each of us was willing to do and how far we were willing to go to secure a better contract for everyone in the unit. Sometimes these conversations were inspiring and sometimes they were disheartening, but they were critical to helping us understand how much power we had built with each other and what kind of resistance we were prepared to mount. Before coming to organizing work, I think I would have said that we move people by explaining our position, by helping others understand why they should come with us. Now I understand that we move people by listening, by connecting political work to what matters to them, by demonstrating that they will be better off if they cast their lot with us. This means urgent listening rather than urgent speaking, always with an eye toward understanding where people are and what it would take to move them to fight back harder.

After twelve days, we got back in. We had an extended contract that carried us through the end of May and we continued to bargain. Management continued to push back. In the end, we got a signed contract that takes us through 2021. We won some things: parity payments for Brooklyn's full-time faculty so that we will make the same rank minimum as our counterparts at the Long Island campus. We won a contract that includes binding

arbitration, a requirement that management collect dues or an equivalent fee from all unit members to fund union activity, and a guaranteed return to the bargaining table. When our contract expires, we will bargain again. Had we worked under an imposed contract, management would not have a contractual obligation to bargain with us again. Of the five unions we have on our campus right now, we are the only union that has those three guarantees, the linchpins in that union structure. Without those things, I believe, you do not have a union at all.

But we also had some losses. We signed a contract that includes concessions, which means we gave power back to management. Most of these losses hit our contingent workers the hardest. Those least able to absorb the blows of reduced pay and workload took the biggest hit. And now we're left with the bones of a union—its structure—and we must build it back up again.

Here's what I learned from this experience, our one big success—we are the only unit on campus with a negotiated contract. Our big failure—the livelihood of much of our casual labor force has been devastated. Management is highly organized. They were single-minded in their efforts to control us. They have more money than us and more power than us, but we outnumber them. In order to push against forces that have more power than us, we have to organize each other. We have to all be together, working consistently in a forward direction over time. We

were not organized enough to force management to offer us a contract without concessions. We cannot let that happen again. When we look at the world as it is right now, there is so much we cannot let happen ever again. We all have so much to stand against, to fight for, to resist, and to organize to change for good.

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## References

American Association of University Professors (2017). Background facts on contingent faculty. *American Association of University Professors*. Retrieved from <https://www.aaup.org/issues/contingency/background-facts>

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## About the Author

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