

**ITEM H.108
 FOR ACTION**

<i>FOR PRESBYTERIAN MISSION AGENCY EXECUTIVE DIRECTOR'S OFFICE USE ONLY</i>			
A. Finance		E. Corporate Property, Legal, Finance	J. Board Nominating & Governance Subcommittee
B. Justice		F. PC(USA), A Corporation	P. Plenary
C. Leadership		G. Audit	
D. Worshiping Communities	X	H. Executive Committee	

Subject: Comment on Recommendations 1 and 2 of “A Resolution to Support Hotel & Hospitality Workers through the Adoption of Just Policies in the Presbyterian Church (U.S.A.) from the Advocacy Committee for Women’s Concerns (ACWC)”

1. **Direct the Presbyterian Mission Agency and Office of General Assembly to include protective language in every hotel contract so that if there is a labor dispute at the contracted hotel, the Presbyterian Church (U.S.A.) can pull out of the contract without penalty.**

2. **Direct the Presbyterian Mission Agency and the Office of General Assembly to adopt a policy that gives preference to hotels where workers are organized and commits to honoring and upholding boycotts that are directly related to workers’ wages and working conditions.**

Recommendation: That the Executive Committee forward the following comments on Recommendations 1 and 2 of “A Resolution to Support Hotel & Hospitality Workers through the Adoption of Just Policies in the Presbyterian Church (U.S.A.) from the Advocacy Committee for Women’s Concerns (ACWC)” to the Presbyterian Mission Agency Board with a recommendation to approve and forward to the 221st General Assembly (2014):

Comment:

The Presbyterian Mission Agency Board (“PMAB”) and the Office of the General Assembly (“OGA”) stand strongly behind the values for fair employment practices expressed by the ACWC but hold reservations about the details required by this recommendation. Speaking up for just compensation and reasonable working conditions is a part of our scriptural and confessional mandate and true to our historical witness.

Our concern is that, as currently presented, the resolution does not take into account the comprehensive ministry of the church and prior actions of the assembly.

1. Recommendation 1 directs the Presbyterian Mission Agency (“PMA”) and OGA to include protective language in every hotel contract. Any contract in the hospitality industry is a negotiation between skilled meeting planners and hotel managers who give and take to create an agreement that is beneficial to both. It is already practice of the OGA and the PMA to insert language very similar to that proposed in the recommendation into any contract at the beginning of negotiations. In the course of negotiation this contractual language may prove to be unworkable or other reassurances take on greater relevance. It is sometimes the judgment of the agency to drop the protective language in lieu of other considerations in order to complete the

contract. To require every contract to include specific language puts those who confer on our behalf in a bind that may not meet our comprehensive missional and justice goals.

We would propose that if the General Assembly adopts this recommendation, it consider inserting language such as “attempts to” before the words “include protective language...” in order to encourage meeting planners in the negotiation stages.

2. Recommendation 1 also makes reference to “a labor dispute at the contracted hotel” without defining what constitutes a labor dispute. Such general language is not useful when it comes as a directive from the General Assembly. Staff is left parsing what constitutes a labor dispute and who qualifies as a party in the dispute.

We would propose that, if the General Assembly adopts this recommendation, it might be more helpful for the recommendation to use language such as “...so that if the contracting entity of the PC(U.S.A.) determined that the hotel violated the missional goals of the church, it could pull out of the contract.”

3. Of greatest concern are the implications of Recommendation 2 which “commits [the PMA and OGA] to honoring and upholding boycotts ...”. Such a policy abdicates to other bodies (such as Unite Here) our missional responsibility to engage in a prayerful, thoughtful process of engagement before initiating a boycott. The Presbyterian Church (U.S.A.) has a vital history, going back almost a century, of joining strategically in boycotts. In 1979, the church established 8 criteria before entering into a boycott. Among those criteria is to ask if “... other approaches to correcting the injustice [have] been seriously undertaken?” Furthermore the assembly instructed: “There are many methods of seeking social change, and boycott should rarely, if ever, be the strategy of first resort. Discussion and persuasion, exposure to public opinion, legislative remedy, and legal action are only a few of the options.” (*Minutes*, UPCUSA, 1979, Part I, p. 253, “Boycotts: Policy Analysis and Criteria”)

As currently written the PMA and OGA would be required to respect a boycott declared by other institutions without engaging in our own process of study, persuasion, negotiation or witness. We would be relinquishing our own policies and the discernment of our councils to bodies with no connection or responsibility to our membership. The final conclusion of these boycotts would not be determined by the church, but by other entities for us.

One of the strengths of our Mission Responsibility Through Investment (“MRTI”) program is the way it opens avenues for the church to engage businesses in concrete, thoughtful conversations before moving toward any consideration of divestment. A boycott should be the end of the conversation between the Presbyterian Church (U.S.A.) and an institution, not the beginning.

Different language would instruct all the agencies of the church, when made aware that a hotel has been targeted for boycott by some organization, to initiate an investigation of the issues, conversation with the parties, and determination of how the PC(U.S.A.) might best contribute to the issues of justice before entering into a contract.

4. Recommendation 2 also instructs the PMA and OGA to “adopt a policy that gives preference to hotels where workers are organized ...” without recognizing the many hotels whose workers are treated with justice but are not currently organized. Are good managers and the workers employed by them to be bypassed for preferential treatment for unions? This standard would imply that all of the hotels in Louisville and in many whole states (and all of our conference centers) do not meet the justice goals of the Presbyterian Church because their workers are not organized.