

MEMORANDUM

To: SSSA Council, including Affiliate Presidents
From: Peter W. Wielhouwer, SSSA Executive Director
Date: March 22, 2010
Re: 2012 Annual Meeting in San Diego, California

Situation

The Southwestern Social Science Association is currently contracted to hold its 2012 annual meeting at the Manchester Grand Hyatt, located in San Diego, California. On October 28, 2009 several members of the SSSA leadership were contacted by a person representing groups called "Unite Here," "Sleep With The Right People," and "Californians Against Hate," urging SSSA to boycott the hotel.

SSSA's Executive Council has discussed this, sought legal advice, communicated with the groups involved and the hotel management, and researched our options. This memo distills those communications, research, and advice for you. *Please read it carefully, as it contains very important information about the boycott and what the consequences of our options would be for us.*

We have decided to put this before the whole SSSA Council and the affiliates' leaders in order to generate an open and productive discussion prior to making a decision about whether or how to honor the boycott recommendation. Affiliate presidents, please feel free to discuss this with the rest of your leadership and members, and with the members of the SSSA Council. This item will be on the Executive Committee and SSSA Council meeting agendas in Houston. Both SSSA President Doug Eckberg and Executive Director Peter Wielhouwer are making themselves available to discuss this memo and related topics with you, but you are not restricted to them, of course.

In the end, it is the SSSA Council that is responsible for making the final decision about conference site issues and matters with such significant financial implications for the association. We desire, however, to know what our members think before entering into a final decision process.

Why the boycott

The groups make two sets of allegations against the hotel owner, Doug Manchester. The first allegation is that he made a personal contribution to the signature-gathering phase of the campaign in favor of Proposition 8, the California referendum that defined marriage as a union between one man and one woman. The second is that the hotel treats its housekeepers unfairly and that its employees lack a job security guarantee should the hotel be sold.

The complaining groups' main website: www.sleepwiththerightpeople.org
The Manchester Hyatt's response website: www.mghsdtruth.com

Allegations and Assessment of their Merits

Over the last several months, the SSSA Executive Director, as well as other leaders, have been assessing the situation, including the merits of the boycott itself. The allegations are drawn from the letter sent to SSSA leaders in October, 2009. Assessment is based on media reports, Manchester Hyatt documents, communications with a Hyatt representative by the SSSA Executive Director, and public statements by several academic groups.

Allegation 1: "Doug Manchester gave \$125,000 to anti-gay campaigners in January [2008]—an early infusion of cash that paid for the signature gathering to get Proposition 8 on the ballot."

Assessment: *True.* As is his right, Mr. Manchester made a personal contribution to this cause. However, since then, Mr. Manchester has apologized and made \$25,000 in cash and \$100,000 in in-kind donations to gay and lesbian organizations and initiatives. According to a Manchester Hyatt document requested by SSSA, "Doug Manchester has apologized for his

previous personal donation, has re-affirmed his commitment to the gay and lesbian community, and has vowed to never again financially support any initiative that limits the rights of others....Mr. Manchester believes that every American is deserving of the opportunity to receive all of the benefits from civil marriage, gay or straight." *The contributions and apologies have been verified by research into local media stories about the boycott. This information matches closely the public statements of Mr. Manchester, as stated on the website referenced above.*

Allegation 2. "Manchester's Hyatt does not have a job security guarantee for workers in the event that the property is sold."

Assessment. *False.* The hotel responds, "Hyatt Corporation has a signed contract with the ownership of Manchester Group Financial that is good through 2030. This contract guarantees that Hyatt and their employees will manage this hotel through 2030 even if the current ownership sells their assets to a new investor."

Allegation 3. "Manchester's Hyatt allegedly forces housekeepers to clean more rooms than housekeepers at other Hyatt hotels, including the other Hyatt hotel in San Diego. In 2006, housekeepers began lunch hour protests against working conditions in the hotel, saying that their daily room quota had been increased from 17 to 30 rooms per shift!"

Assessment: *Ambiguous at best, negative spin definitely.* The Hyatt disputes the general accusations. SSSA's Executive Director queried the Manchester Hyatt on these issues, and this is their response: "Housekeepers at the Manchester Grand Hyatt on a volunteer basis participate in a program that assigns credits to the room based on the level of cleaning required. This program allows housekeepers to work an eight hour day and also provides financial incentives for the housekeeper. Although 98 percent of housekeepers participate and are happy and satisfied with the program, no housekeeper is forced to participate." Apparently the room cleaning workload is based on whether a room is being cleaned for new customer or for a customer staying over another night. The more thoroughly the room needs to be cleaned, the more credit the housekeeper receives, reducing the overall number of rooms assigned that day. Housekeepers who clean rooms for continuing customers get assigned more rooms per day. This system is apparently common across the Hyatt brand. *Unite Here's characterization of the program appears to be at least ambiguous, and perhaps deceptively incomplete.*

SSSA Leadership's responsibility and actions so far

SSSA's Executive Committee and Executive Director have a fiduciary responsibility to our association, and to maintain our viability and excellent reputation as an association. We also have a responsibility to represent our members in a fair, equitable, and economically responsible way.

We have researched the problem, sought legal advice, and assessed the responses of other academic and professional organizations. One key source in looking into this was verifying the claims of Unite Here about supporting groups in their Boycott Relocations document. For comparability, the SSSA Executive Director sought to verify the claims about academic groups, since we are part of the academic community (as opposed to lawyers or writing groups).

To the best of our knowledge only a couple of academic organizations have honored the boycott completely by negating an existing contract; a few others have agreed not to initiate contracts with the hotel in the future. The majority of academic groups in the Boycott Relocation document are subgroups of major groups; thus, for example, the National Communications Association did not negate its contract, but some departmental groups moved specific events off site. This January, the American Historical Association did not move its conference out of the Manchester Hyatt, but it took a series of compromise and "send a message" measures, similar to those discussed in the next paragraph.

The vast majority of actions that other groups have taken related to the boycott consist of (1) relocating specific events, such as individual panels, meetings, or receptions, from the Manchester Hyatt to other venues; (2) expanding the number of conference panels that address topics related to the boycott allegations; (3) individual subgroups of parent organizations scheduling their Manchester-related conference events offsite; (4) making statements in support of homosexual and labor rights; and (5) attempting to negotiate alternative lodging and panel location arrangements for conference attendees who do not want to patronize the Manchester Hyatt.

The Way Forward

A key early step the SSSA Executive Director believes we should take is to survey our members to assess (1) their opinion about SSSA honoring the boycott, including bearing the financial responsibility for the decision, and (2) the extent to which they want an alternative venue for our 2012 meeting. We should also inquire SSSA affiliate leaders to ascertain whether they are willing to hold their business meetings and receptions at the hotel. Our association lawyer has suggested that when doing this, we clearly remind members that SSSA leadership has the final say on SSSA location decisions.

Regarding responses to the boycott request, we essentially have three options.

Option 1. Don't boycott; don't do anything.

Option 2. Completely honor the boycott; request breaking SSSA's contract with the Manchester Hyatt, paying any penalties (more than \$118,000 under the contract); finding a new conference location for 2012. *Implications.* In addition to the contract penalties, we may have to pay higher prices for hotel rooms and have a hard time finding complimentary meeting space at this late date. The issue of how to make up the \$118,000 would have to be addressed, including but not limited to a temporary increase in registration rates; assuming conference attendance remains at about 1,000 per year, that works out to an additional \$118 per attendee, which could be spread out over three or four years (at about \$40 or \$30 per person per year, respectively).

Option 3. Don't honor the boycott as an association, but facilitate meeting and guest rooms offsite for members with objections to patronizing the Manchester Hyatt. In that process we would seek concessions from the hotel or Hyatt corporate in order to protect our financial situation. The Manchester Hyatt and Hyatt Corporation have agreed, in principle, to help us with making some such alternative arrangements. We could waive the "Conference Hotel Surcharge" for that year, costing the association the revenue stream that pays hotels when we don't fill our contracted hotel rooms (as is the case with the DoubleTree this year, in which we will owe them around \$25,000). This revenue stream would have to be made up, probably with temporarily increased registration rates for everyone.

Other actions we could take include (1) encouraging panels and roundtables on gay rights and labor topics; (2) making some statement in support of or in opposition to the boycotting groups' social and political agendas.

Hyatt Corporate's Perspective. SSSA Executive Director had an extended conversation with the Director of National Sales for the Hyatt chain in early March. She pointed out that the Manchester Hyatt is independently owned (as are nearly all Hyatts), and that Hyatt is a management company. She stated that it is Hyatt's perspective that the contract's provisions should be enforced as written, so even though SSSA might be in a difficult position, they would not tell the Manchester Hyatt to forego the terms of the contract. The Director did affirm, however, that the individual hotel had the final say as to the extent to which they exercise their rights under the contract.

Legal Advice. SSSA's legal counsel, David Whipple, has pulled together a document with several significant points. He strongly urges SSSA not to honor the boycott because (1) the original contract was entered in good faith by both parties, when there was no indication that such a boycott might happen; (2) the financial penalties are quite significant to the association; (3) there may be significant

negative long-term consequences for SSSA in light of the fiscal losses and deteriorated reputation of the association. Ultimately, he recommends a course of action along the lines of Option 3 above including, if we choose, “other actions” discussed.

Moving forward, the Executive Director and site selection personnel should query potential conference sites about possible problems, especially labor issues, that may pose comparable problems for us.

SSSA leadership should discuss whether SSSA as an organization will develop a policy about taking political positions or advocating political or social issues within the parameters of our 501(c)(3) status. Each affiliate should have a similar discussion.

Related documents, all posted at
<http://www.sssaonline.org/index.php/executive-council-and-committees>

1. Original Boycott Letter to SSSA Leaders: *SWTRP Doc – sssaletter.pdf*
2. Claims of Boycott-based Meeting Relocations and endorsements: *SWTRP Doc –BoycottRelocations Claims.pdf*
3. Manchester Hyatt’s response to the boycott allegations: *Hyatt Letter 7.23.09–FINAL_LGBT.pdf*
4. Email string between SSSA Exec. Director and Hyatt regarding boycott allegations: *Wielhouwer-Hyatt email string.pdf*
5. SSSA’s Legal Counsel Opinion: *Attorney Response regarding Manchester Hyatt.pdf*

Other Related News and Association Statements

APA Letter.pdf

CAHSAH Letter Prop8 Q & A.pdf

MESA Statement.pdf

AHA article.pdf

AHA Protest Jan 2010.pdf

AALS 2009 Annual Meeting Statement.pdf