

NYU Coalition for Fair Labor:

Following Up on the Nardello Report and Further Travel Bans to the UAE

May 15th, 2015

On April 16, 2015, we wrote to President John Sexton and other NYU administrators applauding Tamkeen and NYUAD for hiring Nardello to investigate allegations of violations of UAE labor law and NYUAD's Statement of Labor Values as well as point out concrete steps that need to be taken to rectify the violations of NYUAD's stated policies that the report outlined. The Nardello Report evaluated the numerous reports by NGOs and journalists that alleged and documented cases of labor abuses in the construction of NYUAD's campus on Saadiyat Island in Abu Dhabi. The report corroborated many of these allegations, including non-reimbursement of recruitment fees, deportation of striking workers, and a hiring process leading to a third of the employees building the campus being exempted from the Statement of Labor Values.

Simultaneously, John Sexton issued a letter to the NYU community, "Thoughts on the Report from Nardello & Co. on Construction Labor on Saadiyat Island," in which he acknowledged that "...there were real lapses" and "shortcomings." In that letter, President Sexton stated that an independent third party would be appointed to oversee payment for employees of firms exempted from the Statement of Labor Values. These employees that were not paid, did not have recruitment fees reimbursed, and even in some cases were deported, are still waiting for compensation and the creation of a fair and transparent process to address their grievances. Nardello concluded that roughly 35% (or 10,000 employees) were not covered by the labor guidelines, and made several specific recommendations including: abolish all exemptions; hire an independent compliance monitor; increase transparency; ensure that workers are compensated for any loss of benefits and implement and enforce policies that prevent future losses, underpayment of wages, and substandard living conditions; establish confidential and effective grievance procedures for workers and conduct more worker interviews.

However, in the month since the Nardello report and President Sexton's letter were issued, we have neither heard from any members of NYU's leadership regarding this critical case nor have we received a response to our letter. There has been no announcement about the appointment of a labor standards monitor, nor has an auditor to oversee the process of compensating workers for recruitment fees, low pay, etc. been appointed.

At the same time, we remain concerned about the repeated denial of entry to the UAE to scholars and artists who have raised concerns about labor conditions on Saadiyat Island. Last week, two well-known artists, Ashok Sukumaran, based in Mumbai, and artist and Associate Professor of Art at Cooper Union, Walid Raad, from New York, were denied entry to the UAE on grounds of "security". These denials come after Professor Andrew Ross' travel ban on similar grounds in March. Banning scholars and artists from entering the UAE clearly raises concerns about academic and artistic freedom that we continue to

urge NYU to address.

We therefore write again to call on the NYU administration to swiftly, transparently, and comprehensively meet its obligations to its past and current employees.

Specifically, we call on the NYU administration to:

- 1) Identify an independent and experienced monitor of labor conditions. The Nardello report made it abundantly clear that Mott MacDonald did not do an adequate job. This is something that we had warned would be an outcome when we heard that Mott MacDonald, a firm with significant interests in the Saadiyat island project, received the contract to monitor labor conditions.
- 2) We call on NYU to formulate a clear and efficacious system to address the cases of illegal recruitment fees, deportation, and lack of payment. The deported workers, and others denied back pay for several months, deserve restitution for their abusive treatment, deportation and loss of income. All workers who incurred recruitment debt should be compensated for the \$1000-\$3000 amounts found in the Report.
- 3) NYUAD's responsibilities on Saadiyat Island do not end now that construction of its campus is complete, and the Nardello report has been issued. As the region's premier research institution, NYU has an obligation to devise meaningful solutions to the problems of systematic migrant labor abuse that will continue to plague the workforce employed on Saadiyat sites all around NYUAD in the years to come. Moreover, as a Global Network University, NYU must take the lead in research and teaching on the ethics of global higher education. We continue to encourage the administration to support cross-campus research on the history and current context of migration, labor and globalization in Abu Dhabi and across its Global Network University sites.
- 4) We ask once again for an immediate investigation and redress of travel bans targeting scholars and artists to the UAE.