



AMERICAN
PSYCHOLOGICAL
ASSOCIATION

October 6, 2009

TO: APA Members

FROM: APA Board of Directors

Subject: Manchester Hyatt – 2010 Convention Hotel

Some members have raised concerns about APA's planned use of the Manchester Hyatt as a headquarters hotel during the 2010 San Diego convention. The purpose of this memo is to let members know that we are aware of two areas of concern: the possibility of labor issues at the hotel—apparently unfounded based on our research—and the hotel owner Doug Manchester's political activities in support of Proposition 8.

Please see below for new information in response to a communication from Unite Here, a labor union, about the Manchester Hyatt. A number of questions that arose when the union contacted some of the APA Divisions have been forwarded to us via numerous list serves. In an effort to ensure that all members have access to the same information we are responding to the questions we've received to date via this memo. As more information becomes available we will continue to share it.

In a second section of this memo we are also providing information about Mr. Manchester's political activities and how we plan to respond to them. This information was first shared with numerous list serves last week but we include it again for the benefit of those members who did not see it.

Questions and concerns about allegations being made by Unite Here.

Q. Are there picket lines at the Manchester Grand Hyatt? What is the nature of the labor dispute?

The Manchester Grand Hyatt is a non-union hotel. According to Manchester Hyatt management, there is no labor dispute at the hotel and there are no picket lines. APA staff has confirmed that there were no picket lines at the hotel during two recent visits to the property. Unite Here has been unsuccessful in its efforts to unionize the hotel's employees. There are occasional demonstrators from the Unite Here union; these demonstrations do not involve Hyatt employees as best we can tell. It is also important

to note that there is no evidence that there has been any wrongdoing on the part of the hotel or its management vis-à-vis the treatment of its employees. The Manchester Hyatt Hotel provided APA a statement that it “warrants and represents that it has had no unfair labor practice charge or complaint pending or threatened against it. The hotel has further stated in writing that the hotel has “never received any notification from the National Labor Relations Board about any group of associates within the hotel or within any department of the hotel, who have expressed an interest in organizing and there is not currently and has never been an organized labor election campaign underway.”

Q: Unite Here has claimed that the housekeepers at the Manchester Hyatt are forced by management to clean more rooms than housekeepers at other Hyatt hotels and that they were holding lunch hour protests. Is this true?

The Hyatt Corporation says this is a distortion of the facts. The Manchester Hyatt participates in a corporate program that assigns “credits” to rooms depending on whether the guest is staying over (1/2 credit) or checking out (1 credit). Room attendants work between 14 and 15 credits per eight-hour workday. The national standard for rooms cleaned in an eight-hour day varies from 13 to 20, according to “Hotel Management and Operations,” by Denney G. Rutherford, PhD, and Michael J. O’Fallon, PhD (2007, John Wiley and Sons Inc.)

Hyatt says before the program was instituted at the Manchester property, some housekeepers learned about it second-hand, which resulted in confusion among staff. Hyatt says there was a brief period of time in 2006 when workers were gathering across the street from the hotel to protest the new work policies. However, according to the Hyatt, once the new work policies were fully explained to the hotel’s staff, the protests ended.

Hyatt also reports that the turnover rate among housekeepers at the Manchester hotel is under 5 percent.

Q. There have been reports that Unite Here’s tactics and activities have been improper. Hyatt says one thing and the union another, so which should we believe?

There is information available about Unite Here’s goals and activities on the Web. Likewise, Hyatt has posted information regarding its relationship with the union. Also provided below are links for web pages to third party entities which monitor union activities and labor issues, some of which have raised serious concerns about Unite Here’s management and tactics.

Individual members can read these reports based on their interest level.

<http://www.unitehere.org/>

<http://www.hyattpressroom.com/welcome.asp?status=0>

<http://www.unionfacts.com/unions/unionProfile.cfm?id=511>

<http://unitehereexposed.com/index.cfm>

<http://www.unionfacts.com/articles/democracyElections.cfm>

Questions about APA's use of the Hyatt as a convention hotel given Mr. Manchester's political activities

Q. What is the background of the issue with the Manchester Hyatt?

Doug Manchester, a San Diego businessman and owner of the Manchester Hyatt, donated \$125,000 to an organization supporting Proposition 8, the California state ballot initiative that in 2008 amended the state Constitution to restrict the definition of marriage to one man and one woman. This was a personal donation from Mr. Manchester. The hotel is operated and managed by the Hyatt Corporation, which had nothing to do with this contribution. However, as a result of Mr. Manchester's donation, several prominent lesbian, gay, bisexual and transgender (LGBT) organizations have called for a boycott of this hotel.

Additionally, the union Unite Here, which has been trying unsuccessfully to unionize this hotel, has called for a boycott. Some LGBT organizations are supporting the union's call for a boycott.

Q: What is APA's position on Mr. Manchester and his opposition to same-sex marriage?

APA has been a strong advocate for full civil rights for LGBT people for nearly 35 years. We are proud of that record of advocacy based on the social science research on sexual orientation. APA has supported legal benefits for same sex couples since 1997 and civil marriage for same-sex couples since 2004. Most notably, we have adopted policy statements, lobbied Congress in opposition to the Defense of Marriage Act and the Federal Marriage Amendment, and filed amicus briefs supporting same-sex marriage in legal cases in Oregon, Washington, New Jersey, New York (three times), Maryland, Connecticut, Iowa, and California. In California, the APA brief was cited by the state Supreme Court when it ruled that same-sex marriage was legal in May 2008.

While we strongly disagree with Mr. Manchester's position vis-à-vis proposition 8, our decision to abide by our contract with the Hyatt is based on our belief that the large expense of failing to abide by the contract would be more productively spent on funding for APA activities in support of psychology and the application of psychology to help disadvantaged groups including the LGBT community. We see the San Diego convention as an important opportunity to call attention to the social science research on sexual orientation, the abilities of gay and lesbian parents, and the benefits of marriage for all people.

Q. Given APA's position supporting equal marriage for LGBT people, why is the association still planning to use this hotel?

APA signed a contract with the Manchester Hyatt in 2004 in order to reserve both sleeping and meeting rooms for the 2010 convention. It is typical that such agreements contain substantial penalties for cancellations; such penalties protect both the host organization (APA) and the hotel, and are standard in the industry. The APA Board of Directors decided in February, when it was informed by Unite Here of the boycott efforts, that APA would have to honor its contract with the Manchester for two reasons:

The official Board policy is not to cancel hotel contracts unless there is imminent danger to attendees or staff; and in a time of serious financial crisis, cancellation of the contract would cost APA more than \$1 million due to its contractual obligations.

Rather than take an action that would be prohibitively expensive to APA and have no bottom-line effect on the Hyatt (the hotel would still get its money), the Board opted to meet its contractual obligations but also use the San Diego meeting as an opportunity to communicate APA policy positions on LGBT rights generally and same-sex marriage specifically to both a California and national audience. Ideas for how we will do this are outlined in a subsequent section below.

Additionally, the Global Hyatt Corporation has a long history of supporting diversity and has enjoyed a good standing with the LGBT community. The Human Rights Campaign, the largest U.S. LGBT advocacy organization, has named the Hyatt Corporation one of its "Best Places to Work" every year since 2003; Diversity Inc. and the Advocate magazine have named Hyatt among the top companies for LGBT employees.

At the same time, Board members are sensitive to the impact of this issue on LGBT and other members, and have heard the concern expressed about the Manchester Hyatt being a headquarters hotel during the 2010 APA convention. If individual members choose not to stay at the Hyatt there will be other lodging options available to them.

Q. Why can't APA cancel its contract with the Manchester Hyatt and use another property? Haven't other organizations canceled plans to meet there?

The Manchester Hyatt has indicated to APA that it would enforce the terms of the contract were APA to cancel. Those terms involve a penalty of more than \$1 million if we were to cancel now. That amount escalates closer to the convention dates. Some organizations have reportedly canceled plans to meet at the Hyatt. Those organizations may have had different contract provisions than contained in the APA/Hyatt agreement. Other organizations, including the National Education Association, the American Public Health Association, the American Historical Association and the California Association for Health Services at Home, held meetings at the property despite the call for a boycott. Like APA, these organizations are supportive of LGBT rights and workers' rights.

Q. What about members or divisions of APA who refuse to meet in the Manchester at the convention? What is your message to them?

Initially, some groups within APA moved to support a boycott of the hotel to protest Mr. Manchester's support of Proposition 8. APA believes that in the end, a boycott, although a strong symbolic gesture, would not achieve the desired results; the Manchester Hyatt Hotel would receive the same revenue - whether the rooms are used by our members or not - because of major contractual penalties that APA would have to bear if we cannot fill our room block. Furthermore, if too many groups asked to move out of the Hyatt, there would not be enough space to house them in other hotels near the Convention Center. All meeting space in the near-by Marriott and Hilton hotels is already reserved. There are some large rooms available in the convention center but very few rooms that would work well for a small group, i.e. a division meeting. Other hotel space, if available at all, would likely be a significant distance from the Convention Center and would require payment for meeting rooms. (Divisions normally get meeting space at the headquarters hotel at no charge because of our sizable room block at the hotel).

For all of the above reasons, APA has asked groups not to formally boycott the hotel. Instead, we are asking APA divisions and other entities to focus on positive actions to highlight APA's policies and to educate the public on the science related to same-sex marriage. At the same time, we recognize there is no single point of view and understand that individual members may choose not to stay in the property. We respect that personal choice.

Q. What will APA do to call attention to the science related to same-sex marriage?

The convention provides an unprecedented opportunity to bring the weight of scientific research to the public debate about same-sex marriage. APA has supported legal benefits for same-sex couples since 1997 and civil marriage for same-sex couples since 2004.

APA's President-elect Carol Goodheart, EdD, has appointed a governance and staff work group to assist in developing a positive approach to the opportunity presented by the Convention. As a starting point, the work group has developed the following plans, which have been approved by the Board of Directors. Additional ideas for potential public education activities are welcome.

- ∞ A press conference with speakers and briefing papers focusing on the latest, best science around sexual orientation and the mental health benefits of marriage;
- ∞ A plenary program focused on same-sex marriage and the diverse public debate going on in our nation about it;
- ∞ A presidential citation to a leader in the movement for same-sex marriage;
- ∞ Informational packets on APA policies on sexual orientation and marriage rights issues for attendees and the public.

In summary, the goals of the Board of Directors and the work group are to give our members full information, respect the personal choices of convention attendees, publicize the social science research on sexual orientation, and demonstrate fiscal responsibility.