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Bosses Are Retaliating Against Workers for Showing Solidarity With Palestinians

Workers are losing their jobs and professional opportunities for expressing pro-Palestinian sentiment. Others are choosing to self-censor amid a climate of fear.

SARAH LAZARE



A Harvard faculty member wears a watermelon pin, a pro-Palestinian symbol, in Cambridge, Mass., on May 10, 2024.

(John Tlumacki / The Boston Globe via Getty Images)

Last April, after the death toll in Gaza climbed to 34,000 and Israel carried out its second raid on Al-Shifa Hospital, Erin Donevan started wearing a small circular pin that said “Free Palestine” to the Catholic school where she taught ninth-grade English. Bishop O’Dowd High School in Oakland touts its commitment to “enriching society” and “social justice,” and, according to Donevan, teachers sometimes wore pins or hung posters in their classrooms for other causes, like Black Lives Matter, support for

Ukraine, and LGBTQ rights. By wearing a pin for Palestine, Donevan told me, she hoped that she could signal to students that she was an adult they could talk to if they were upset or confused. She told me, “I was thinking about my students and knowing they all have access to the same Internet I do, and they are seeing these incredibly traumatizing things.”

On April 25, Donevan received an e-mail from the school’s principal, Doug Evans, asking her to “please refrain” from wearing the pin on campus, citing a complaint from a student’s family. Donevan declined, writing back that she believes the pin is in line with the school’s own stated commitments to dignity and diversity. “I can no longer listen to land acknowledgments at assemblies or cheer along with our O’Dowd elders as they celebrate the Ohlone Shellmound’s rightful return to Indigenous stewards without insisting on wearing this pin,” she wrote.

A few days later, they met in person, and Evans asked her to remove the pin again, but she again declined. In a May 9 e-mail, the principal wrote, “It is very clear that your failure to follow my instructions as the principal of our school regarding not wearing the pin in your classroom or during instruction is insubordination.”

Donevan described the decision to keep wearing the pin as “super small” but personally meaningful. “In the grander scheme of things, there are teachers who can’t teach anymore, because their schools have been destroyed, whose students have been martyred,” she explained over the phone. “It felt wild to be in a space with these young people, be in an assembly or mass, and look around and see such silence.”

The back and forth continued until June 4, when she attended a meeting that included Evans and other school officials. There Donevan was told to remove her pin or face termination, and she again declined. She received her termination letter the next day, and joined the growing ranks of workers who were retaliated against for their Gaza solidarity advocacy.

It is difficult to know exactly how large this club is; many (but not all) of those facing retaliation are not in unions or not in touch with organizations that are tracking this. However, anecdotal evidence and available data sources indicate that the number is high, with workers fired or punished for expressing pro-Palestinian sentiment both within the workplace and outside of it. Alleged retaliation and repression has torn through higher education, affecting both tenured and adjunct faculty, as well as graduate and undergraduate workers. But it has also hit other fields, with workers raising concerns about retaliation in K-12 education, healthcare, the tech industry, the service industry, cultural organizations, Jewish institutions, and numerous other sectors. Workers are losing their jobs, but also losing professional opportunities or simply living in a climate where fear of retaliation leads to self-censorship. “It was bad before October 7, but it’s been exponentially larger since then,” Alek Felstiner, a labor lawyer, told me over the phone.

Widespread retaliation

Some groups have tried to quantify this phenomenon. The Council on American-Islamic Relations, an advocacy organization, said in its latest civil rights report that in 2023 the organization received 1,201 complaints about employment discrimination related to Islamophobia. Farah Afify, research and advocacy

coordinator for the organization, told me this marks a 113 percent increase in employment discrimination complaints compared to 2022. “Complaints include instances in which employees are seeking religious accommodations but not getting them,” Afify explained. “But since October 7, 2023, it has included a huge number of complaints where employees are sharing something in support of Palestine, either at work or on social media, and facing disciplinary measures as a result.”

In May, the advocacy and litigation organization Palestine Legal published a report about the crackdown on Palestine solidarity in the United States. It found that “the wave of politically motivated repression in the workplace has been the most severe in the country since at least the Vietnam War.” Between October 2023 and December 2023, Palestine Legal received 383 reports that “involved employment concerns, including 124 individuals who had already been terminated from their positions,” the report states.

This number has only increased since publication: A media contact for Palestine Legal told me that since January 1, the group has had 604 intakes involving employment-related issues. Palestine Legal does not specialize in employment cases, so this is almost certainly a fraction of the number of people seeking support for employment discrimination.

Felstiner, an attorney for the Levy Ratner law firm, is part of Palestine Legal’s referral network. He said, “I’ve been in the Palestine Legal referral network for at least five years, and the volume now is 10 times. It’s a completely different order of magnitude, and that’s only people who were in a position where they were able to contact the organization for help.”

Nine in 10 workers in the United States are not covered by union contracts, and for most of them, the default framework is “at will” employment. This means their bosses can fire them for any reason as long as that reason is not illegal. Labor law says employers are not supposed to fire someone for racist reasons, for example, or for engaging in protected concerted activity, like when a group of workers discusses hazardous working conditions. But in reality, at-will status gives bosses considerable discretion and power. Public-sector workers have more speech protections than private-sector workers, and for both, unions offer significant protection. But no one is immune, and workers across the board, including those with unions, have alleged retaliation.

In some cases, workers have filed lawsuits, charging that the retaliation was illegal. Felstiner told me, “Many of the people I’ve consulted with would not have strong legal claims due to being private employees who were employed at-will and were fired based on political speech outside the workplace. Some have stronger claims based on their racial, ethnic, or religious identity, or because they are public employees with First Amendment rights.”

But advocates and some labor leaders say that, whether or not retaliation is legal under US labor law, it is dangerous and morally reprehensible as a growing trend. For Carl Rosen, the president of the United Electrical Workers, a labor union of 30,000 members, a greater principle is at stake. “Democracy in our country is diminished when individuals can’t speak out on an issue that matters to them because their employer wants to dictate what their speech is going to be,” he told me.

In the case of Donevan, whose position was nonunion, the principal cited various justifications for why she should remove her pin: the “controversial issues” section of the employee handbook, the school dress

code, and a rule that “the prestige of the teacher’s position will not be used to advocate partisan opinions.” He also said other students and families had complained. In each case, Donevan said, she did not have her questions answered and was not convinced by the administration’s reasoning. (Evans did not respond to a request to comment on a detailed list of allegations.) When Donevan received her termination letter, dated June 5, it was blunt: “As a private school, Bishop O’Dowd High School has significant discretion to regulate employee speech.”

I asked her why it felt important to continue wearing the pin. “On a very zoomed-in, individual level, it was feeling really my whole humanity was being impacted by action in my personal life,” she said. Donevan was going to protests and participating in direct actions to oppose US support for Israel. “And then I would go to work, and it was like it wasn’t even happening,” she said. “You’re driving to work and check your phone and see the most horrific thing you can imagine seeing, and then cry a little, then turn it off and go work in a school where it felt like nobody was talking about it.”

Professional repercussions

But not all retaliation is firing; there are many other ways workers can be penalized for their pro-Palestine positions. In May, the National Writers Union released a report documenting 44 cases of alleged retaliation in the media industry between October 7, 2023, and February 1, 2024, together affecting more than 100 people. This included terminations, but also cases where awards were rescinded, assignments were restricted or canceled, workers pressured to resign or subjected to online harassment.

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One case in Minneapolis shows how alleged retaliation can take many forms. Christine Harb, a Palestinian American final-year medical resident in family medicine, was invited by Asian, Muslim, and LGBTQ collectives of staff members at Hennepin Healthcare, a public hospital in Minneapolis, to present a private lecture on the social determinants of health in Palestine. The event and topic, scheduled for June 7, had been approved by executive leadership and the Health Equity Department, organizers told me.

Just days before the event, when Harb was almost done with her PowerPoint presentation, Hennepin Healthcare abruptly—and indefinitely—postponed the talk “with no conversation with me,” Harb said. Even though she does not work for Hennepin Healthcare, Harb told me that the loss of a professional opportunity felt retaliatory. Harb previously lived in the West Bank, and has a grandmother, brother, and

cousins who live there. Friends of hers have lost family members in Israel's current operations in Gaza. She found the postponement, which was effectively a cancellation, disrespectful and insulting.

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Organizers say that Dr. Nneka Sederstrom, chief health equity officer for Hennepin Healthcare, justified the cancellation, in part, by arguing that the event should focus solely on "Palestinian culture." Eiko Mizushima, an occupational therapist who helped organize the event, wrote in an op-ed for the *Sahan Journal* that "Hennepin Healthcare has mandated that if Dr. Harb, or any other Palestinian guest lecturer, were invited back to speak that there would be new guidelines to censor their topics and PowerPoint presentations in order to maintain a sole focus on 'cultural celebration.'"

But Yosef Amrami, a psychologist for Hennepin Healthcare who was among those who invited Harb, told me, "It's not really clear what they mean by focusing on culture. It's hard to separate the culture of an occupied people from the actual context. It's like being told you can't discuss slavery or Jim Crow when talking about African American history and culture."

As a result, several staff members quit the collectives that had done the organizing for it. The cancellation became the subject of a petition and at least one demonstration by Healthcare Workers for Palestine at the State Capitol in St. Paul.

I asked Hennepin Healthcare's media team to explain why the event was canceled and to respond to workers' concerns that it constituted retaliation. It sent me a statement from Dr. Sederstrom: "There is a persistent and false narrative suggesting that Hennepin Healthcare has banned discussions about Palestine or has not addressed the crisis in Gaza."

"At Hennepin Healthcare, we believe there is no single 'right' way to show support or solidarity," the statement continues. "We are saddened by the notion that hosting specific people or sharing specific

messages is the only valid way to stand in solidarity. Activism takes many forms, and we all have the ability to contribute in ways that align with our own values.”

“On November 13, 2023, we issued an internal statement reaffirming our commitment to healing, condemning terrorism in all its forms, and standing in solidarity with healthcare workers in the Middle East,” the statement adds.

But Harb rejected these remarks. “It’s a demonstration of how healthcare institutions are complicit, and in some ways have abandoned healthcare colleagues who are actively being killed because of their commitment to the Hippocratic Oath,” she said. “American healthcare institutions are very much playing an important role in silencing any attempt to shed light on what’s happening to healthcare workers, specifically in Palestine.”

Amrami, whose position is nonunion, said, “there are still negative feelings and a sense of moral injury because of the event being canceled.”

For one staffer, the lingering effects were so negative she decided to leave her position. Mizushima, who was not represented by a union, resigned from her job in September “in part” because of the ordeal, she said. The cancellation of the event, and subsequent blowback, contributed to a hostile work environment, she told me over the phone. “To see the equity department picking and choosing who they stand up for with the cancellation of the event, and how they treated us and Dr. Harb, that’s the beginning of the fall of any equity department.”

Jingoism and targeting

The United States is a major supplier of weapons to Israel, and is also a key political backer and funder: It has spent at least \$22.76 billion on “Israel’s military operations and related U.S. operations in the region,” according to Brown University’s Costs of War project. This political reality has been accompanied—and enabled—by a jingoistic media climate. Some employers who retaliate cite the need to avoid controversy or politically charged positions.

In May, labor and delivery nurse Heslen Jabr was given an award for her excellent care to patients who suffer perinatal loss. Jabr, an employee of New York University’s Langone hospital, is Palestinian American, and in her award acceptance speech, she made a connection between the suffering of the bereaved mothers she works with and the suffering of bereaved mothers in Gaza. “It pains me to see the women from my country going through unimaginable losses themselves during the current genocide in Gaza,” she said, adding: “Even though I can’t hold their hands and comfort them as they grieve their unborn children and the children they have lost during this genocide, I hope to keep making them proud as I keep representing them here at NYU.”

Jabr was fired the next day. A spokesman for NYU Langone, Steve Ritea, told the press that “Heslen Jabr was warned in December, following a previous incident, not to bring her views on this divisive and charged issue into the workplace.” (Jabr is accusing the hospital of discrimination and filing a lawsuit.)

Worker advocates say there are also structural factors behind the apparent increase in workplace retaliation for pro-Palestine speech. “What’s different after October 7,” Felstiner, the labor lawyer, said, “is that people are getting identified as attending a rally or posting something on Twitter or Instagram and then having organizations target them. And they often get summarily fired immediately, within a day or so of their employer getting contacted. At the scale it’s happening, that’s new.”

Advocates have also raised concerns about a different tool employed by the Anti-Defamation League (ADL). On November 9, 2023, seven legal organizations, including the Center for Constitutional Rights and National Lawyers Guild, wrote a letter to “workplace leaders” sounding the alarm about the ADL’s campaign to get companies to sign a “Workplace Pledge to Fight Antisemitism.” Fighting antisemitism and other bigotry is critical, the legal organizations say, but the ADL wrongly conflates criticism of Israeli state policy with antisemitism. The letter urges workplace leaders to “reject attempts to push a distorted definition of antisemitism that aims to censor criticism of Israel and advocacy for Palestinian rights by falsely labeling it anti-Jewish.” (The ADL was recently removed from Wikipedia’s list of credible sources, because editors accused the organization of “often acting as a pro-Israel lobbying organization.”)

The letter warns that “advocacy for Palestinian rights is being punished on a mass scale, and is causing a discriminatory and hostile environment for individuals who are connected to and are morally compelled to speak out about the current crisis in Gaza and throughout Palestine.”

But it’s not just organizations. In March, the US House Committee on Education and the Workforce issued a subpoena to the Association of Legal Aid Attorneys—UAW Local 2325 after the union adopted a pro-Palestine resolution. “This inquiry is a McCarthyite silencing tactic meant to chastise lawyers and legal services workers for their protected political speech and intimidate other unions from speaking out,” Lupe Aguirre, senior staff attorney at the New York Civil Liberties Union, said in a press statement.

Parts of organized labor have been pushing back against these attacks on speech—and on US support for Israel. This summer, UAW Local 4811, which represents graduate students, organized a strike to protest the University of California school system’s crackdown on pro-Palestine protests, and tens of thousands of academic workers at six campuses participated. In September, Cornell University took disciplinary action against graduate student Momodou Taal for his participation in a Gaza solidarity demonstration. When it became clear that this discipline would likely result in Taal’s deportation, his union, Cornell Graduate Students United-UE, fought back, and has so far been able to stave off his deportation. And in July, unions representing nearly half of all unionized members called for a US arms embargo on Israel, pursuant to a permanent ceasefire.

It is difficult to know what impact the incoming Trump administration will have on workplace retaliation, but the climate could get worse. Trump openly opposes unions and worker power. And the conservative Heritage Foundation, which enjoyed close ties to the first Trump administration, has already drafted a plan to try to crush the Palestine solidarity movement. Called Project Esther, the proposal advances “a legal strategy to suppress speech favorable to Palestinians or critical of the U.S.-Israel relationship, by employing counterterrorism laws to suppress what would otherwise be protected speech,” according to reporting from *Drop Site News*, citing legal experts.

Those who are dealing with the fallout from retaliation, meanwhile, have their lives to manage. Donevan has been teaching for about a decade, and worked for Bishop O’Dowd High School for two school years before she was fired. She described her ordeal as stressful. “As soon as I got the e-mail where they used the word ‘insubordination,’ I felt like I was playing a game of chicken,” she said. “I knew they didn’t want to fire me, because it would reveal they were taking a pro-Israel stance.”

Donevan said the school had a double standard. At morning prayer and at assemblies, when the topic of Ukraine and Russia came up, they “named violence against Ukraine,” she said. But when Gaza was mentioned, “they would say ‘the conflict in the Middle East,’ and never name Palestine.” She underscored, “I can’t imagine they would have complained if I had worn something pro-Ukrainian.”

Donevan is unemployed and focused on parenting her three toddlers. She said she is applying to “a bunch of education or education-adjacent roles, and interested in returning to special ed.”

“Really I’m just trying to find work that’s aligned with my values—or at least not actively working against the values I hold.” **N**

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