

Unionization Committee Report

Basic Summary

Over the summer and first half of the Fall Semester, this GSO Ad-Hoc Committee met several times to discuss (1) the pros and cons of graduate student worker unionization, (2) the feasibility of graduate student worker unionization on our particular campus, and (3) the ways in which a graduate student worker unionization push would have to proceed. Below are our findings.

Background on Unionization

There has been a recent nationwide push on the subject of unionization of graduate students, both at private and public institutions. Efforts for unionization are ongoing or in discussions at University of Albany, University of Missouri, and Columbia among others. These efforts have mainly surrounded the recognition of graduate students as workers for the university, with rights as employees. They also have come in response to many issues that have been seen at Syracuse University, including issues of healthcare.

Recently, the students at Columbia University have had a decision reached on their petition to the NLRB. This issue was brought to the Regional Director of the National Labor Relations Board (NLRB) Karen P. Fernbach, and last week she denied Columbia's petition on the grounds that she did not have jurisdiction to reverse the National Board's 2004 decision. However, the decision clearly outlines that "In many respects the duties of student assistants are the same as those of admittedly 'employee' counterparts on the Columbia University faculty". (For more information on that decision see [here](#)) The Graduate Workers of Columbia University will now bring their petition to the NLRB in Washington D.C.

The issues of unionization are complex and the complexity of the issue is reflected in the conversations this committee has had over the past several months. There are many differences between labor law at private and public institutions, resulting in many different paths to unionization. At many public schools, unionization has been accomplished by a traditional union drive however, at many private universities unions have been instituted by a slow accumulation of organizing activity. A 2004 decision by the NLRB in a case at Brown University stripped graduate students of protections that a previous ruling at NYU have given graduate students. Thus, much unionization effort in the past 10 years has happened at public universities, including the University of Illinois system, the California State University system, and University of Connecticut. The most recent victory for private school unionization came at NYU in 2013, when the administration of the university agreed to allow the graduate student union to be recognized. It remains to be seen what the future of unionization at private schools will be, but at the moment it appears to be a slow process.

Conversations with Individuals From Other Schools

Most of our research consisted of reaching out to individuals from other schools who are either involved in a push towards unionization or have successfully unionized.

Laura Jaffee talked to a student at University of Connecticut, **Maria Seger**, who is involved in the unionization effort there. Key points of this conversation were:

NYU is still the only private university (such as Syracuse) which has so far successfully unionized. Their method was to become large enough, powerful enough, and loud enough that the university eventually recognized them. The fact that the NLRB will not recognize unions at private institutions (see above section entitled “Background on Unionization”) is a big problem, and part of the push at UConn is to try to get the NLRB to reverse this decision.

UConn has worked with a local union, United Auto Workers Union, to try to join with them. (This is possible because UConn is not a private university. Because of that difference, I will dwell on the specifics of that instance here. For more information, please contact Laura Jaffee.)

The most important and successful part of the unionization drive was **getting broad support from students across the university** (alternatively, one could phrase this as **making sure students from across the university were interested**) through the method of **having face-to-face conversations with students, knocking on doors, attending departmental meetings**, etc. Seger broke this down into two related ideas: 30% of “outreach” time was speaking to students who were already pro-union to inform them of the current situation and 60% of the outreach was spent talking to students who were undecided on the union, or who were vaguely anti-union. Through talking to these students, the unionization committee discovered that the main reason people were either undecided or mildly anti-union was because they were **frightened of potential retaliation from the university, frightened of deteriorating relationships between faculty and students, and frightened of the graduate student relationship getting worse because of the union**. Through talking to these students about the potential benefit unionization could have on students’ lives, wellbeing, and even the value of their degrees, many of the undecided 60% became pro-unionization.

10% of the time was spent talking to people ideologically opposed to the union. Seger said that if you get a hard no or hear that someone is ideologically opposed to unionization, the best thing to do is to thank them for their time, explain that you won’t bother them again, and quickly move on. **The point of a unionization drive is not to pester, bother, or try to change the mind of people extremely opposed to the idea**. Instead, it is more to see where the university population is at and try to outreach to people who may be pro-union but are frightened about potential negative consequences.

Beside fear of university retaliation, other fears of negative consequences include: fear that RA’s will have less grants (at least at some public schools where unionization did happen, this was not the case – contact Laura Jaffee for more details on the specifics of this part of the conversation) as well as a pervasive fear that some salaries will be cut to “balance out salaries.”

Dan Moseson talked to a graduate students involved in unionization at Yale and Colmbia. His notes are below:

We polled union organizers at Columbia and Yale about various aspects of their experiences trying to get graduate worker unions off the ground.

Grievances

Columbia students have organized in response to the success of the effort at NYU and issues of student-worker vulnerability and exploitation, including late pay, lack of access to grievance procedures, poor administrative handling of all kinds of incidents (e.g., bias, discrimination, sexual assault/harassment), graduate workload, losses of funding, and a general sense of the precarious nature of intellectual work.

Yale organizers cited grievances that overlap significantly with what THE General Body and to some extent the GSO have taken on over the last year at Syracuse. After a survey of 400 people on campus, they arrived at a consensus on problems with teaching and funding, funding of grant recipients, significant pay cuts, mental health care on campus, racial and gender equity, and support for students who are parents. On racial and gender equity, Yale has made many commitments but had not, as of this August, 2015 conversation, followed through. The Yale representative with whom we spoke noted that while Yale has the second highest endowment in the nation and many construction projects in progress on campus, graduate students are still struggling to get by. They are also struggling around the issue of recourse in general, via a contract and access to a grievance procedure, especially in the lab sciences.

Who's included?

At Columbia, the proposed bargaining unit has about 3,000 members including everyone studying and working on campus. This includes hourly workers, people teaching, possibly STEM research assistants. This means that some undergraduates are included as well.

At Yale, the unit includes everyone studying for a Ph.D. Yale's organizers are trying to get a consensus on the need for a union first, then negotiate over the bargaining unit. They are working to include international students, who are very vulnerable (with regard to visas, for example) and face much discrimination.

Timeline

Columbia's union drive began in January 2014. The organizers spent the spring and summer of that year contacting people on the ground in every department in the bargaining unit. Their card drive - a way to poll and generate support - took a couple of months, as did the effort to rally a strong majority of students. They did not approach the university administration until they had evidence of a strong majority consensus on the need for a union.

Yale has had a campaign for a grad union for about 25 years. The current iteration has reached a majority level of support in the last year and a half. Like Columbia, the organizers did a lot of work behind the scenes for a year and a half to ensure they could claim a strong majority before going public. They point out, though, that not every school has gone this route.

Backlash

Columbia's organizers report no significant backlash thus far. Their administration is throwing money at them (e.g., small pay increases), but these changes were only granted when the union went public, in concert with a parents' group. Their administration clearly does not want them to unionize, and has hired a high-priced anti-union law firm to fight them, claiming that unionization would hurt "scholarly temperament" on campus. They also report that some students were concerned about who would see the cards from the support drive - this concern

was not about administrative retaliation against individuals, which is illegal in this context, but from faculty advisors.

Yale reports no significant backlash, but advises us to be wary of administrators' possible argument that we don't need a union because we already have student organizations. The organizer we spoke with said that the best inoculation they have found against retribution is department-level groups that can speak for individuals in a given program, and strong membership and consensus at a department level.

Legal assistance

Columbia's unionization effort is affiliated with the United Auto Workers, who also represent the union at NYU and many other academic workers. UAW has offered them help early on in their process and at the National Labor Relations Board, including paying for their lawyers and assigning full-time organizers to their campaign. The only thing they would have to pay is union dues, if the university is forced to recognize them.

Yale's effort is affiliated with other unions at Yale and with the hotel worker's union. The grad group is led by its own members, but counts on the support of local unions representing the dining hall and clerical workers. Union members do not pay dues - their local union partners are absorbing that cost.

Gauging and rallying support

The Yale organizer with whom we spoke recommended as much face-to-face interaction as possible, since emails and texts are easy to ignore. It is important, he said, to make sure friends talk to friends, colleagues to colleagues in every department. This is the best way to make a union happen and the best way to get rich data on the level of support at the university. He also recommended getting legal advice from unions we might affiliate with, finding out what potential members care about, and keeping strategically important information relatively anonymous.

Research and Discussions with Individuals at Syracuse University

Maria Carson conducted research about the risks of student unionization as well as isolated key worries in the student body about unionization.

In a survey across five different disciplines in eight different universities unionization and/or a drive for unionization did not negatively affect faculty-grad student relations. In some cases, it strengthened them. For more information see: Sean Rogers, Adrienne E. Eaton, and Paula Voos, "Effects on Unionization on Graduate Student Employees: Faculty-Student Relations, Academic Freedom, and Pay" in *Industrial & Labor Relations Review* April 2013, Vol. 66, Issue 2.

A similar conclusion was reached in "Graduate Student Unionization: Catalysts and Consequences", written by Daniel J. Julius and Patricia J. Gumpert and published in the *Review of Higher Education* (Winter 2003). Again, this survey concluded that unionization drives or successful unionization did not negatively affect student-mentor relationships, but in several cases strengthened them. In some cases, administrative staff also noted that the presence of the graduate student union or unionization drive helped them. Interestingly, this study also noted

that the more prestigious a university is the more common unionization drives are. This shatters preconceived notions that unionization drives would perhaps make involved students look “less professional” or “less serious” when unionization drives commonly happen at institutions such as Harvard, Yale, Columbia, etc.

Through discussions with various students, Maria noted several key worries about unionization: (1) administrative retaliation including fears of ineffective collective bargaining, (2) worries about reduction of pay for higher-paid grad student employees, and (3) worries about hindering the mentor-student relationship. Considering two surveys (separated in time by 10 years!) reached a similar conclusion about unionization not having a negative effect on faculty-grad student relations, Maria is slightly less worried about this. However, if unionization is going to go forward, it is clear that it must be one which attempts to **give every grad student a living wage (or a higher standard of living) but does not reduce anyone’s pay**. Otherwise, it is unlikely that the unionization drive will receive wide support. As for #3, this is a serious worry. Once a union is created a process of collective bargaining happens to create new contracts. Syracuse University has a larger and stronger legal force than an independent graduate student union could hope to have. Similarly, **apparently, Adjuncts United received a worse contract after collective bargaining than they had had before**. However, without collective bargaining it is definitely possible that their contract would have been worse anyway, as before the **University could change it year-by-year**.

How to Spend the Allocated \$5,000

So far this committee has not spent any of the \$5,000 allocated to us. We have reached out to lawyers and other legal professionals to see if they would talk to us or give us more advice, but we have not entered into a financial arrangement with any of them. Additionally, members of our committee have talked to the Labor Studies Working Group here at S.U. but have not given them any money.

We propose that the best and most effective way for this ad-hoc committee to spend the money is to:

1. Pay for students who have unionized, or tried to unionize, at other private schools to come and share their experiences (including positive or negative).

And

2. Hold “town-hall” type meetings wherein students can come and ask questions about potential unionization and learn about the processes of unionization in a non-threatening matter. We could offer food at these “town-hall” meetings in order to encourage students

to attend. Because GSO funds allocated to a GSO committee will be used for this event, the event will be as non-biased as possible.

Steps for the Future

We believe that the usefulness of this particular ad-hoc committee has come to a close. The GSO, as a large-scale organization who attempts to represent every grad student on campus, is not the best way to further the push towards unionization. Frankly, most members of the GSO are additionally already quite busy and do not have the time necessarily needed to really see if unionization is an option. We suggest that this ad-hoc committee be morphed into an **autonomous registered student organization**. This would allow the organization to continue to continue to work towards unionization support. Eventually, if unionization support becomes more wide-spread throughout the university, this organization would ask the GSO to vote on a resolution to support unionization.

Well, would this organization be biased/non-impartial? Well, kind of. The idea of the autonomous registered student organization would be to have a venue wherein a students could see if unionization is possible. In order to do that most effectively, we feel this organization ought to be composed of people who are at least interested in the possibility of unionization. It would be hard to see if we can get support from students if some of our members are consistently encouraging us to *not* get support from students or to “keep things the way they are.” We will add, that **students can rally around a cause and become a registered student organization on their own**, and if many grad students are vehemently anti-union, they could start an anti-union group registered with the GSO. Additionally, the beauty of having this group be separate from the GSO is that if a large contingent of GSO senators are against unionization, they can vote against resolutions this new group bring to the floor.

Isn't this the same as Grad Students United? Grad Students United is not a registered student organization, and this organization would want to be registered. (Grad Students United have been opposed to registering with the GSO in the past, and we believe they continue to be hesitant to work with the GSO.) This organization would want to be able to work through the channels of the GSO just like any other registered student organization. This organization would work with other organizations at Syracuse, including Grad Students United, Adjuncts United, and the Labor Studies Working Group.