

# Graduate Student Unionization at Peer US Universities

A report by the Princeton Graduate Student Government  
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## Introduction

On August 23, 2016, the National Labor Relations Board (NLRB) released [its decision](#) on [a case](#) involving graduate students at Columbia University who were attempting to unionize. In the ruling, the NLRB found that graduate students at private universities are in fact treated as employees for the purposes of collective bargaining.

After this decision was announced, unionization efforts began at a number of elite private universities, including Princeton. The only active effort at Princeton that the Graduate Student Government is aware of is Princeton Graduate Students United (PGSU), an unofficial student group. PGSU has affiliated with the American Federation of Teachers (AFT), a nationwide union that has graduate student chapters at several other public universities, and is affiliated with unionization efforts at several private universities.

In light of these developments, and to better inform Princeton graduate students about both the unionization process and negotiation outcomes from other graduate student unions, the Princeton GSG commissioned this report to detail three key areas:

1. Unionization efforts at peer private institutions;
2. Union contracts at comparable public and private institutions;

### 3. Comparisons between union influence on peer contracts and graduate student situations at Princeton.

Even before the NLRB decision was released, there were well-organized unionization efforts at peer private institutions, most notably Columbia, Cornell, Harvard, and Yale. These institutions had dramatically different experiences with unionization; so far Columbia and Harvard have had relatively smooth union authorization drives, while the opposite is true at Yale. As far as the GSG is aware, Cornell has not yet finished its union authorization drive, but it is a model for dialogue and cooperation with university administration. Reports on the experiences at these four institutions can hopefully guide the Princeton community's discussions on graduate student unionization (regardless of any action taken) to be less disruptive and more productive.

Currently only one peer private institution - New York University - has a graduate student union with an active contract. (Columbia has voted to authorize a union, but does not have a contract yet.) Hence in order to see what effect graduate student unions have had on the situations of graduate students, the best comparisons are unions at top public institutions. Public universities are governed by state labor laws, so some states with top public institutions (e.g., North Carolina, Texas, and Virginia) do not have graduate student unions. For this report, the GSG focused on NYU and five additional public institutions: the University of California system, University of Illinois at Urbana-Champaign, University of Michigan at Ann Arbor, University of Washington, and Rutgers University.

Reports on union histories and contracts at these schools can help to set expectations for what any Princeton union contract would look like, to help students better understand whether or not to support unionization. This is explored in more detail in the third section of this report.

## 1. Unionization Efforts at Peer Private Institutions

### New York University

New York University has been at the vanguard of private graduate student unionization since the late 1990s. In 1998, the Graduate Student Organizing Committee (GSOC) worked with United Auto Workers, a national union, to organize a UAW chapter at NYU. (Despite the name, UAW organizes graduate students at a number of universities across the nation.) At the time graduate students at private universities could not unionize, and so GSOC/UAW brought a case before the NLRB arguing that graduate students are in fact employees and could unionize. In 2000, [the board agreed](#), and certified GSOC/UAW as the union representing NYU graduate students.

Negotiations lasted until 2002, when NYU and GSOC/UAW signed a union contract through 2005. In 2004, though, a case involving Brown University graduate students came before the NLRB, which reversed precedent and found that graduate students [were not permitted to unionize](#). (See the appendices for a discussion of this reversal.) NYU allowed the contract to expire in 2005, despite a graduate student strike.

Despite the lack of collective bargaining rights, graduate students at NYU continued to organize. In 2012, the NLRB announced that the 2004 Brown University decision was under review, and in November 2013 the NYU administration decided to negotiate a contract with GSOC/UAW. (This development also ended a case that could have caused the NLRB to reconsider the 2004 ruling.) After a year and a half of tense negotiations, a [contract](#) was signed in April 2015 running through August 2020.

## Columbia University

Unionization efforts among graduate students at Columbia University began around January 2014, shortly after the NYU administration agreed to recognize the NYU graduate student union. Students were motivated by a number of concerns, including several cases of late payments, as well as serious changes to graduate student health plans.

At the time, the university did not have to recognize a graduate student union, and so a group Columbia graduate students (Graduate Workers at Columbia) backed by the United Auto Workers brought their case before the NLRB. The GWC/UAW case was successful, and Columbia has been finishing off an authorization drive since the decision.

Unionization efforts at Columbia were driven in part by two specific grievances: late payments and changes to student health insurance plans. A number of Columbia students have had issues with payments being up to several months late, which often occurred after changes in their employment status (e.g., teaching/research duties) just before the start of a semester. (Columbia generally guarantees funding for five years.) In addition, graduate students noted that enrolling spouses or dependents in university-provided health insurance can be expensive (\$3000/year for each spouse/child, up to two children).

In early December 2016, Columbia graduate students voted to unionize. (The margin was 1,602 to 623, though there are several hundred contested votes, and the university administration has challenged the conduct of the election.)

## Cornell University

One noteworthy feature of Cornell's unionization process was the [memorandum of understanding](#) (PDF) agreed to by union representatives, Cornell faculty, and the administration in May 2016. The memorandum permitted union representatives to enter public spaces on campus to discuss the issue with graduate students, but prohibited the union from filing a case with the NLRB to have graduate students be recognized as employees. Meanwhile, it prevents faculty from directly initiating conversations about unionization, or holding department meetings to discuss unionization.

As all this took place before the NLRB's decision, little anti-unionization behavior by the university was prohibited; hence the memorandum was a serious show of good faith by the university and faculty. Now that graduate students are treated as employees, it is unclear if the same restrictions still apply to union organizers.

## Harvard University

Graduate students at Harvard University were organizing with United Auto Workers to form Harvard Graduate Students United (HGSU/UAW) even before the NLRB decision.

Perhaps the most salient feature of Harvard's unionization process is the speed at which it has progressed. Due to significant pre-NLRB-decision organization, HGSU/UAW had obtained a sufficient number of authorization cards months before the NLRB decision. HGSU/UAW reached an agreement with the University to hold a union certification election on November 16-17, 2016. Preliminary reports from the election - there are a number of challenged ballots - indicate a slight majority against union authorization, but the tallying process may take weeks or months to resolve itself.

## Yale University

Even before the NLRB decision, graduate students at Yale had tried similar efforts to those at NYU to get the university to bargain with them. These efforts were led by the Graduate Employees and Students Organization (GESO), a pro-unionization group of graduate students founded around 1990. On March 9, 2016, graduate students at Yale organized the Local 33 chapter of national union UNITE HERE, the same union that represents Yale administrative, clerical, dining, and library workers. As this organization took place prior to the NLRB decision, the university was not compelled to bargain with Local 33, and chose not to bargain.

The unionization process at Yale has been fraught with controversy, however. In January, more than one hundred women, LGBTQ graduate students, and graduate students of color at Yale signed [an open letter](#) condemning some of GESO/Local 33's practices during the authorization drive as intrusive and manipulative. Other graduate students noted instances of GESO/Local 33 organizers contacting students in lab spaces or at their homes with no invitation.

After the NLRB decision in August, GESO/Local 33 filed separate petitions to the NLRB to hold department-by-department unionization elections among graduate students in comparative literature, East Asian languages and literatures, English, geology and geophysics, history, history of art, mathematics, physics, political science, and sociology.

This strategy has been opposed by members of the Yale graduate student community; in early October the Yale Graduate Student Assembly passed three resolutions: one opposing GESO/Local 33's "micro-unit" strategy, one opposing the overall unionization efforts of GESO/Local 33, and one taking no stance on graduate student unionization.

This approach is without precedent in the history of graduate student unions at public or private institutions. While some unions distinguish students by semester-by-semester status as teaching or research assistants, to our knowledge no individual department has been proposed as a bargaining unit at any other institution of higher education. The NLRB held

hearings for several weeks to determine the legal viability of this status; a ruling is forthcoming.

## Efforts at Princeton

To the GSG’s knowledge, the only unionization efforts on Princeton’s campus are being led by Princeton Graduate Students United (PGSU). PGSU was formed in early 2016 in response to the [University’s joint amicus brief](#) against graduate student unionization in the Columbia University NLRB case.

PGSU received affiliation proposals from two national unions: the American Federation of Teachers (AFT), and the Service Employees International Union (SEIU). AFT represents graduate students at a number of institutions across the nation, including Rutgers, Michigan, Temple, and Wisconsin, and is affiliated with unionization efforts at Cornell. SEIU is affiliated with unionization efforts at Duke and Saint Louis. On October 18, PGSU held a vote to determine which proposal to accept, where the AFT proposal was chosen by a large margin.

As far as the GSG is aware, PGSU/AFT has begun to collect authorization cards. Based on other institutions’ experiences, it may take more than six months to collect enough signatures to trigger an election.

## Summary of Peer Private Institution Efforts

No current unionization efforts known	Caltech, MIT, Penn, Stanford
Active unionization efforts; no union affiliation chosen	Brown, Northwestern
Authorization drive in progress	Chicago, Cornell, Duke, Princeton
Unclear and legally interesting status	Yale
Election held authorizing national union representation	Columbia, Harvard
Bargaining with university administration started	None known
Contract signed and in force	NYU

## 2. Unions and Union Contracts at Peer Institutions

### Summary of Contract Provisions

Institution	NYU	California	Michigan	Washington	Rutgers
Union	UAW	UAW	AFT	UAW	AFT/AAUP
<b>Union Membership</b>					
Masters students	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>1</sup>
External fellows	Yes <sup>2</sup>	No <sup>3</sup>	No <sup>3</sup>	Yes	No
University fellows	Yes <sup>2</sup>	No <sup>3</sup>	No <sup>3</sup>	Yes	No
Masters/Ph.D. researchers	Yes <sup>2</sup>	No <sup>3</sup>	No <sup>3</sup>	Yes	Yes
Masters/Ph.D. instructors	Yes <sup>2</sup>	Yes	Yes	Yes	Yes
Masters/Ph.D. teaching assistants	Yes <sup>2</sup>	Yes	Yes	Yes	Yes
Undergrad/masters/Ph.D. graders/tutors	No	Yes	Yes	Yes	Yes
<b>Contract Details</b>					
No strike/no lockout	Yes	Yes	Yes	Yes	No
Non-discrimination	Yes	Yes	Yes	Yes	Yes
Grievance/arbitrations	Yes	Yes	Yes	Yes	<a href="#">Yes</a>
Medical/family leave	Yes	Yes	Yes	Yes	Yes
Fee remissions	Yes	Yes	Yes	Yes	No
Retirement options <sup>4</sup>	No	Yes	Yes	No	No

#### Notes:

1. Paying master's students (e.g., M.B.A.s) are not included in any of these unions.
2. Excluding certain departments: medicine, biology, chemistry, neuroscience, physics, mathematics, computer science and psychology.
3. Graduate student researchers at UC schools and the University of Michigan are prohibited from being part of grad student unions by state laws.

4. Princeton has a retirement plan for university employees, but graduate students are not eligible.

## Summary of Financial Information

Wages were calculated by taking either

- the minimum per-month salary at the flagship campus and prorating to a 10-month pay period, regardless of whether or not this is an applicable pay term; or
- a standard academic-year teaching appointment.

All salaries are reported for standard appointments or 50% FTE (full time equivalent) work, i.e., 20 hours of work (unrelated to academic progress) per week for the given job. This is consistent with a full-time Assistant in Instruction position at Princeton.

Institution	NYU	California	Michigan	Washington	Rutgers	Princeton
Union	UAW	UAW	AFT	UAW	AFT/ AAUP	none
<b>Financial Details</b>						
AY 2013-14	-	23,221	23,248	-	-	-
AY 2014-15	25,623	24,382	23,713	21,310	25,969	-
AY 2015-16	26,264	25,358	24,187	23,780	25,969	29,350
AY 2016-17	26,855	26,372	24,671	25,720	25,969	30,200
AY 2017-18	27,526	27,163	-	-	25,969	-
Annual childcare benefit	Yes <sup>1</sup>	\$2,700	\$2,250 <sup>2</sup>	\$3,600	No <sup>4</sup>	\$5,000 <sup>3</sup>
Health-care contribution	Yes, 90%	Yes, 100%	Yes, ~95%	Yes, 100%	No <sup>4</sup>	Yes, 100%
Union membership	2.00%, \$537	1.44%, \$379	1.43%, \$352	1.44%, \$370	0.60%, \$155 <sup>5</sup>	N/A
Non-member fee	2.00%, \$537	1.07%, \$282	1.19%, \$293	1.19%, \$306	0.51%, \$132 <sup>5</sup>	N/A

### Notes:

1. NYU allocates a common childcare fund (currently \$60,000 for calendar year 2016) to the entire graduate population; it's unclear how many grad students use this fund.
2. Support increases to \$3850 for two children, and \$5076 for three or more.
3. Maximum available support increases to \$10,000 for two or more children.
4. The GSG found no mention of Rutgers graduate student health plans being paid for by tuition support, as is common among the other schools on this list.

5. Rutgers dues are comparatively cheaper primarily due to sharing a union with their faculty; this arrangement is relatively uncommon as far as the GSG is aware. Tenure-track faculty at private universities are not permitted to unionize, as per the 1980 Supreme Court case *NLRB v. Yeshiva University*.

### 3. Comparisons with Princeton

It's clear that unions at the selected public universities have made huge strides in the quality of graduate student life at those institutions. Nonetheless, it's also clear that Princeton - presumably aided in large part by a far rosier financial picture - currently provides a superior employment package to any public institution with a graduate student union.

In addition, some of the concerns that have motivated peer private institutions are not as applicable at Princeton. For example, the GSG is not aware of any issues with late pay among Princeton students - certainly not on a scale comparable with Columbia or Harvard. Health insurance for spouses/dependents is significantly cheaper than at Columbia, as well, coming in at approximately \$1900/year for spouse, \$950/year for up to three children at Princeton compared to ~\$3000/year for a spouse or child at Columbia.

One area in which graduate students at unionized institutions may be better supported is in grievance arbitration, especially academic grievances. The GSG hears a number of reports on these cases, and encourages graduate students to continue to inform us and to [talk to Graduate School staff](#).

The GSG doesn't anticipate the Graduate School allowing Princeton to become uncompetitive with our peer institutions. Nonetheless, it's worthwhile to monitor what the major bargaining issues are at union negotiations at peer private institutions.

### 4. The NLRB's Reversals on Graduate Student Unionization

National NLRB decisions are made by a five-person board, whose members are appointed by the President, subject to Senate approval. A history of the five-person boards, together with party affiliations, can be found [here](#). At the time of the October 31, 2000 decision in favor of NYU grad students, the board had 3 Democratic nominees and 1 Republican.

By the time the July 13, 2004 Brown University decision came before the board, however, all but one of the Democratic nominees had left the board, which now had three Republican nominees (made by President Bush). After 2008, President Obama nominated several new board members, although [a Supreme Court case](#) involving recess appointments complicated the proceedings. The 3-1 vote in the Columbia case fell exactly along party lines; indeed, part of the reason for the timing of the case was the pending retirement of one of the Democrat-appointed board members.



President Trump's victory in the 2016 election may well pose a threat to graduate student unionization. As president, he is able to make nominations to the NLRB, and the 2013 use of the so-called 'nuclear option' by Senate Democrats for executive-branch nominations other than Supreme Court justices means that a simple majority of senators - which the Republican Party currently has - are required to confirm NLRB appointees. Nonetheless, the presence of a Democratic NLRB general counsel in Richard Griffin could delay anti-graduate-student-unionization cases until late 2017 at the earliest.