

These FAQs were produced by the Brown Graduate Student Council Executive Board in January 2017.

They were not produced with input from Stand Up for Graduate Student Employees.

UNIONIZATION FAQS

GENERAL QUESTIONS

What is a union?

A labor union is the formal organization of workers into a “collective bargaining unit.” The union negotiates a contract with the employers to set certain working conditions, including wages, benefits, grievance procedures, workplace safety, or work assignments. The bargaining unit is composed of every employee who would fall under a negotiated contract, and every member of the bargaining unit may choose to be a member of the union or not. Only those who choose to join the union may vote on the contract, strikes, or other measures.

Why is this unionization movement happening now?

In August 2016, the National Labor Relations Board (NLRB) recognized graduate students as both students and employees, thus granting graduate students at private universities the right to unionize. While this is a decision that has been made and reversed several times over the years, many pro-union groups at private universities are beginning to organize, raising important discussions about the status of graduate studies.

What is the National Labor Relations Board?

The NLRB is an independent government agency with the responsibility to enforce United States labor laws. These include union rights, collective bargaining, and unfair labor practices. One of its responsibilities is to oversee elections for union representation. The NLRB would be involved in the oversight of any unionization vote that may occur at Brown.

Is this ruling permanent?

Not necessarily. The decision about whether graduate students at private universities can unionize has actually gone back and forth in the past. For example, graduate student unions had been recognized in 2000, until that NLRB decision was reversed in 2004. The 2016 decision again reversed the agency’s position to its present status. With a Republican president and vacancies on the NLRB to be filled, it is possible that the board might once again reverse its opinion if another case is brought forward. As it pertains to the current moment however, the NLRB decision remains the law of the land.

GRADUATE STUDENT UNIONS

What are some example of graduate student unions?

Many public universities already have graduate student unions. This is because public universities are subject to state regulations and not the federal NLRB regulations. This means that, as of the 2016 NLRB ruling, the most prominent examples of graduate student unions are in public universities, including the University of Massachusetts Amherst (Graduate Employee Organization-United Automobile Workers Local 2322) and the University of California schools (United Automobile Workers Local 2865, only teaching assistants).

The only private school that currently has an active graduate student union is New York University (Graduate Student Organizing Committee-United Automobile Workers Local 2110, only students who currently teach), after their administration agreed to recognize a union even before the 2016 NLRB decision. Since this ruling, other private schools have moved to unionize. For example, Harvard University (Harvard Graduate Student Union) held a vote in November 2016 with a slim anti-union preference, but faced many challenge votes, so hearings will be held in late January 2017 to decide how to proceed. Columbia University voted in December 2016 to form a union.



Why are existing graduate student unions tied to automobile worker or public school teacher unions?

While the [United Automobile Workers \(UAW\)](#) and the [American Federation of Teachers \(AFT\)](#) originated as unions for specific professions, both have expanded over the years to represent many other industries. Smaller unions, like student unions, typically choose to affiliate with larger, more powerful unions for access to resources and assistance in legal matters, such as negotiating contracts. Affiliation can also sometimes provide important compensation for the work of organizing and managing unionization efforts.

National union affiliates can also provide experts to analyze opportunities during the negotiation process, such as optimizing benefits in a contract. Affiliated student unions find this form of external expertise valuable in the negotiation of contracts (including health care plans and other benefits) as well as in the organization of a union drive, which requires significant additional work (including canvassing, outreach, publicity, and campaigning). If a union is voted into existence, members will split dues between the local university union and the national affiliate union.

Who is organizing the unionization movement at Brown?

Union organization at Brown is being undertaken by [Stand Up for Graduate Student Employees \(SUGSE\)](#), an anti-racist, feminist, labor organization whose mission is to advocate for grad worker rights and protections. For more information about their specific goals, plans, or national affiliate decisions, please visit their website linked at the end of this FAQ, where examples of pro-union groups at other universities are also listed.

Is there an anti-unionization movement or group here at Brown?

Although some students may be opposed to unionization, there is no such formally organized group at Brown. Examples of groups against unionization at other universities are listed at the end of this FAQ.

OBJECTIVES

What would a graduate student union do?

The primary function of a graduate student union is to negotiate a contract stipulating the working conditions of graduate students. The details of this contract cannot be known until a union forms and negotiations occur, but it is possible to consider what such a contract might include.

Additionally, the union would be responsible for filing grievances and representing students if the contract is in some way violated.

What could this contract entail?

While contract negotiations occur formally only after a union is voted into existence, all unions have to decide on certain priorities they will advocate for on behalf of their member units. Some of these goals might include wages, working hours, benefits, grievance processes, and so on. The contract, whatever it ultimately includes, would be legally binding for its duration, meaning that the administration, graduate students, and the union itself must follow all policies laid out in the contract or face legal challenge.

What might be some goals for negotiating the contract?

The goals of graduate student unions depend on the needs of the students at a given university. Some potential points of negotiation include: specific annual stipend increases, changes to health/dental/optical insurance coverage, changes to family benefits (including parental leave and child-care subsidies), changes to conference travel funding, standardizing an 8-hour workday, changes to grievance procedure, protections against discrimination, and teaching assignments.

Examples of contracts negotiated for other graduate student unions, as well as platforms for what a proposed union contract might include, can be found at the websites of the union organizing efforts or the recognized graduate student unions linked at the end of this FAQ.

How is Brown currently addressing issues related to graduate student concerns, including those that might be part of a potential union contact?

PhD Stipend: The current PhD stipend is \$24,870, a 3% increase from last year. This stipend is in addition to tuition remission of approximately \$50,000 per year. A 2-3% increase is expected this year, as well as a provisional increase to 12-month stipends of up to \$30,000, pending approval of the budget by the Corporation.

Insurance: PhD students receive subsidized health insurance and dental insurance, which other graduate students may opt into according to determined plans.

Parental Leave: Paid parental leave was recently extended to one semester or one summer, made gender neutral, and categorized as "parental relief".

Childcare: Up to \$4,000.00 per year in childcare subsidies is available to graduate students to cover dependents from 0-6 years of age.

Grievance Process: The current grievance process is outlined in the Faculty Governance Rules. Outside of program processes, graduate students may also consult with the Ombudsperson, B-GRIPS mentors, and the Deans of the Graduate School.

Teaching Assignments: Brown's model of individualized departmental governance means that each program determines its own policies on graduate student teaching assignments.

Working Limitations: The Graduate School stipulates that no graduate student spend more than 20 hours per week on TA or RA assignments, although hours are not typically officially logged.

Current Representation: Graduate students are represented on the Graduate Council (general policies), the University Resources Committee (budgeting and finance), and the Diversity and Inclusion Oversight Board (which oversees the Pathways to Diversity and Inclusion: An Action Plan). The Graduate Student Council comprises student representatives from all departments and programs. Finally, there are many active student groups across campus who, like the GSC, regularly raise concerns with the student community and administration.

In a negotiated union contract, would the same policies apply to everyone, across departments?

Everyone, regardless of department, would be bound under the same contract. However, a contract may be negotiated with specific policies for different departments, and union members may advocate for this approach to accommodate students from different divisions, departments, and programs. SUGSE may have more information about their specific plans for a contract.

Do I get a say in the contract?

Yes, if you are a member of the union. After a contract is negotiated, members of the union must vote to approve the contract. If the contract is approved by those voting, it will go into effect. If the contract is not approved by a majority of those voting, negotiations must continue until a new contract is agreed upon. If you are a member of the bargaining unit but choose not to join the union, you do not get a say in contract approval but will still fall under it.

Who would be in the bargaining unit and therefore under the contract?

The NLRB has authorized that any student who is paid by the university can be included in the bargaining unit. This includes both teaching assistants and research assistants, and may also include some undergraduates.

For example, Harvard's union vote had broad membership and included graduate teaching assistants, graduate research assistants, and undergraduate teaching assistants, but not undergraduate research assistants or first-year graduate students not yet assigned to a TA or RA position. The exact members of the bargaining unit are not yet known for Brown and will not be known until affiliation with a national union occurs, but it would likely include both teaching and research assistants at the graduate level.

Additionally, membership may change during one's graduate career, depending on categorization as a TA, RA, or Fellow, during different semesters.

I am an international student. Can I be a part of the union?

Yes. International student status has no impact on union membership, and union membership should not change visa status or cause any issues for international students.

I am a master's student. Can I be a part of the union?

In most cases, no. Master's students, as they are typically not paid by the University, are considered to be students and not employees, and therefore cannot be a member of the bargaining unit. However, if you are a master's student who is paid by the university, you may be eligible to be a member of the bargaining unit.

How long would the contract last?

This depends on what is negotiated, but a contract will typically last for 2-4 years.

What leverage does a union have for negotiations?

Ideally, negotiations are a process of fairly discussing what graduate students need and what the University can reasonably provide. It is, of course, possible that the two sides will not agree on one or both of these points. In extreme cases, a union might organize a strike, though deciding to strike still must be ratified by a certain percentage of the union members. Strikes are typically only utilized if there are significant problems in the negotiations.

How are union negotiations different from the relationship between the Graduate Student Council and administration?

The GSC works to improve the graduate student climate and address issues on campus. While the GSC has previously helped graduate students to advocate for benefits such as dental insurance and 6th-year doctoral funding, this remains an informal process of collaboration and discussion. In contrast, a union would undertake formal negotiations with the administration, creating a legally-binding contract stipulating various aspects of benefits and working conditions.

What if the union votes to go on strike, but I don't want to participate?

Students have a variety of reasons for not wanting to strike, including maintaining progress on their research, time-sensitive experiments, or not wanting to negatively impact their students. Stipulations on participation in strikes may therefore vary. While technically possible, it is unlikely that a graduate student union would penalize students for lack of participation in a strike.

I don't want a union. Would I be bound by the negotiated contract?

Yes. Every member of the bargaining unit is covered by whatever contract is eventually negotiated. Members of the union will have the opportunity to vote for or against the contract before it is put into effect. If the contract is approved, it applies to everyone in the bargaining unit, whether or not they voted for the union or the specific contract. If the contract is not approved, negotiations begin again. This makes it vital, no matter what your stance, to both vote in the decision to form or not form a union, and, if a union is formed, to vote during contract negotiations.

DUES

What are union dues?

Union dues fund the activities of both the local student union and the national union affiliate. They are typically either a percentage of the union member's salary or scaled with income levels. Dues begin after a contract is successfully negotiated and the contract goes into effect.

How much would dues cost?

The amount of the dues depends on the affiliated national union. For UAW affiliates, union dues are, on average, 1.44% of salary; this would be approximately \$350 annually based on the 2016 base stipend, or approximately \$425 annually if stipends are raised to 12-month levels. For AFT affiliates, dues to the national union are scaled with income, in addition to the portion of dues paid to the local union, which is voted on by the local union itself.

What are dues used for?

Dues are split between the local union and the national affiliate, with typically about half allocated to the local union and the remainder allocated to the national, although the exact percentages vary.

Dues are used for a range of union activities, including rent, staffing, equipment, strike funds, external experts, etc., as well as to pay the salaries of union representatives. Current member dues are also used to fund new organizing campaigns, such as at other universities. Typically some small percentage of dues goes to political action, including lobbying and policy advocacy.

If I don't join the union, would I have to pay dues?

Essentially, yes. Students who are members of the bargaining unit but did not join the union do not pay "dues," but pay an approximately equivalent "agency" or "fair share" fee. This reflects the fact that even though students may not be active union members, they are still under the contract negotiated by the union and will be represented if that contract is violated. Therefore, it would be mandated for students to pay union dues to ensure these protections.

A case against this practice, albeit in public unions, came before the Supreme Court earlier this year; the Court deadlocked, allowing the 9th Circuit decision allowing agency fees to stand.

Typically, however, one is able to file a petition to not pay the small percentage of dues that goes to political action, such as pursuing political agendas, as this would otherwise violate free speech.

Do I get any say in how much the dues are?

Yes and no. A certain amount or percentage must be paid to the national affiliate, which is typically not negotiable by the local union. However, the amount of dues paid to the local union, and therefore the total amount of dues paid, is subject to approval by the union members.

VOTING

How is a union created?

There are two steps. First, a union organizing group must collect cards supporting a union from a minimum of 30% of the proposed bargaining unit. This involves direct campaigns, where students can fill out and sign cards to signify their support for a union drive. Thus, some organizing campaigns, such as those at Cornell, might choose to wait until they have a greater percentage of support pledged before pushing for a vote. In either case, once this bar is met, the unionizing group and its national affiliate may file a petition with the NLRB to officially form a union, and a vote will be held sometime after this point. The vote will be open to all members of the proposed bargaining unit, and the outcome will be decided by a simple majority of those who show up to vote. The right for everyone to vote freely if or when an election is held is therefore an important responsibility, as the outcome of the vote is binding.

Who gets to vote?

This depends on the proposed bargaining unit. Essentially, everyone covered by the bargaining unit should be able to vote, but there are some considerations about current working status that may need to be taken into account. For example, research assistants in the sciences are often employed year-round, while teaching assistants may only be in the bargaining unit while they are teaching. Additionally, it is possible that only students who are covered by the bargaining unit at the time will get to vote, meaning that some students who will become a part of the bargaining unit in the near future (i.e.- first-years) may not be a part of the vote.

It is important that a clear process is articulated in advance. For example, at Harvard, a significant number of students (primarily first and second year graduate students) who were not eligible to vote cast "challenged ballots" that complicated the process, delaying an official outcome.

How many people need to vote?

As in any election, the outcome depends on a simple majority of those who cast their votes. Thus, the unionization vote, if or when held, should be taken seriously and freely, so that all graduate students' voices are heard as this important decision is made.

When will a vote take place?

This depends on several steps that have yet to take place publicly. First, for example, SUGSE at Brown must choose a national affiliate and collect cards from 30% of union-eligible graduate students. After this, the group can petition the NLRB and organize an official vote for all graduate students at Brown.

The GSC encourages the graduate student community to remain updated on the progress of this process and will work to help make the community aware of any actions well in advance, so as to help ensure a smooth, fair, and open process.

If we vote for a union and decide we don't like it, can we vote to remove it?

Yes. The process for removing a union is very similar to the one for instituting it, although it is typically more difficult without the organizational support of a national affiliate group. A union cannot be removed until the expiration of a contract or until a contract has been in place for three years.

If we vote against a union, would we be able to vote again in the future?

Yes. If a unionization vote fails, a new campaign and vote can be held one year after a failed vote.

RESOURCES

University FAQs:

[Brown University](#)
[University of Chicago](#)
[Harvard University](#)
[Cornell University](#)
[Columbia University](#)
[Princeton University](#)

Pro-unionization Groups:

[Brown \(SUGSE\)](#)
[Harvard \(HGSU/UAW\)](#)
[Yale \(GESO/Local 33\)](#)
[Columbia \(GWC/UAW\)](#)
[University of Chicago \(GSU\)](#)

Anti-unionization Groups:

[Cornell \(At What Cost?\)](#)
[Harvard \(Against UAW-HGSU\)](#)
[Yale \(GASO\)](#)

CONTACT

This Unionization FAQ worksheet was created by members of the 2016-2017 Graduate Student Council Executive Board.

The Graduate Student Council is a neutral body, representing the entire spectrum of graduate students, including both doctoral and master's students. We do not endorse either a pro- or anti-unionization stance, and our goal is to ensure our constituents are informed about this important issue.

If you have **questions** about the information included, as well as **comments**, **concerns**, or **corrections**, please contact us at gsc_president@brown.edu, or visit our website at students.brown.edu/GSC.



SUMMARY

Overall, what are the arguments in favor of a union?

The major argument in favor of union formation is to create accountability between the administration and the graduate student population. While Brown's administration has been attentive to the needs of graduate students and amenable to the institution of benefits in the past, union supporters are concerned that the administration is not bound to maintain these benefits or to annually increase stipends. Administrations, like leadership in many professional institutions, changes frequently, and therefore policies could be revoked at any time. This creates a power imbalance, in which student workers are dependent upon the goodwill of the administration.

Additionally, union proponents maintain that graduate students perform a great deal of labor necessary to the university, in the form of teaching, research, and mentoring, and that they should be recognized as employees as well as students. As such, union proponents believe that the university should negotiate a contract that will legally bind them to provide certain benefits to graduate students for the duration of that contract. They also argue that a contract will provide greater transparency about the workings of the university and give graduate students a concrete set of expectations and workplace policies.

Additionally, union proponents argue that a contract can be as detailed as necessary and must be voted on before it comes into effect, giving union members control over the eventual agreement, and therefore that no graduate student would vote for a contract that would decrease their benefits.

Overall, union proponents argue that a unified representative system would grant long-term stability and benefits to sustain fair and livable graduate student working conditions, which they feel are currently lacking.

Overall, what are the arguments against union?

One argument against a union regards dues. Union opponents argue that it will be difficult to negotiate any stipend increases that will both maintain the current projected increases (3% last year) while accounting for the percentage that will be taken out for union dues (1.44% on average for UAW affiliates, for example). Additionally, up to half of the money paid in dues may go to the national affiliate, which opponents argue is a disproportionate loss.

Secondly, opponents also argue that it is impossible for a union to adequately represent the diversity of graduate student experiences and needs, and that a contract binding everyone will necessarily favor some students over others. Union opponents express concern that students with differing situations may be overruled in an approval vote; additionally, even students opposed to a union are bound under the union-negotiated contract.

A third major argument is that a union might have a hostile and antagonistic effect on future relationships with university offices. Given that university administrations are already motivated to increase stipends and benefits in order to compete with peer institutions, opponents argue that a union may perpetuate an "us-versus-them" mentality with short- and long-term consequences for campus climate.

Finally, opponents argue that a union does not have any real leverage than is already available to vocal student pressures, and that the last-resort option of a worker's strike, which some students may be opposed to doing, would be difficult to implement. Overall, union opponents argue that a union comes with tactical and pragmatic issues that bring their own problems without any clear resolutions or definite benefits.