

Student Questions on Unionization

Questions about Unionization?

Since the AFT/AAUP filed a petition on May 8 with the National Labor Relations Board to unionize some of UChicago's graduate students, many students across campus are asking questions as they consider whether they want to be represented by a labor union. In response, the Provost's Office is starting a new "Union Questions" resource to answer student questions specifically related to the technical aspects of the NLRB process and how union representation elections work in a public forum. Please send any questions you have to unionquestions@uchicago.edu. The Provost's Office will be working with Jake Rubinstein, the University's executive director of employee and labor relations, to publish relevant questions and answers that students ask.

The NLRB ruled this August that graduate students are workers and have the right to unionize. It seems like the university's strategy to block the students' efforts to unionize is primarily to argue that they (I) don't do work, in contradiction to the ruling. If the University of Chicago, a nonprofit institution founded with a primary mission of fostering graduate research and teaching, does not value the research and teaching done within its walls, then what are we even doing here? I had hoped that the University would provide contentful [sic] arguments about why a union would impede their mission, not semantic arguments that devalue both the student workers and the institution itself. I'm writing to ask whether the university thinks that the semantic distinction it is attempting to draw between the "work" and "learning" done by graduate student workers is a meaningful one. If we categorize my labor as "a learning experience" or "professional development," does that mean I don't deserve the right to provide input that would improve the quality of teaching and research and the experience of students at this university? If my labor is "work" then can I not learn from it? Do students not need the same medical care as workers? Do student parents not need protection, and are they not the ones best able to articulate their needs? This is all very frustrating and lawyerly and dumb.

The University of Chicago admits into its graduate programs the best students from around the world. The diverse perspectives and intellectual drive that graduate students bring to bear on key research questions—their own and those of their faculty and student peers—are crucial to the success of graduate education and are valued tremendously. Graduate education is a collaborative undertaking, and the relationship between students and the faculty is at the core of the endeavor, the ultimate goal of which is to bring about each student's transition from student to scholar. That transition is inherently an educational process, and its facilitation is the responsibility of the University. The University thus provides opportunities for students to acquire teaching and research skills under the guidance of the faculty. The many hours students spend preparing lesson plans, writing and grading exams, holding office hours, doing lab experiments, and mentoring undergrads are part of their development as graduate students. And this is why the teaching and research requirements that lie at the heart of graduate education at UChicago are academic requirements, not job duties flowing from an employment relationship.

Students already provide direct input that has helped produce many positive changes in recent years—including increased stipends under the Graduate Aid Initiative and increased remuneration for teaching, expansion of health insurance coverage, child care grants, and a significant expansion of career development programs through UChicagoGRAD. It is important to consider these gains, which have occurred without collective bargaining, in evaluating claims that a union would be preferable to direct student involvement.

Is the university willing to disclose the amount of money that it has spent and is projecting to spend retaining counsel from Proskauer-Rose to try to block graduate students efforts to unionize? This

information would help me to understand what the university perceives as its stake in unionization, which is important in order to judge the neutrality of the information disseminated by it. I know that any information disseminated by GSU is pro-union, and I assess it in that light; this information would help me to "apply critical thinking" to the university's position on this as well. Most parties in NLRB cases, employers and unions alike, retain law firms to represent them. In this case, the University is represented by Proskauer and the union (American Federation of Teachers, Illinois Federation of Teachers and American Association of University Professors) is represented by Dowd Bloch & Bennett. Both parties in this litigation have chosen talented, experienced attorneys to represent them and neither the University nor the union is obligated to disclose attorney fees.

The second part of your question has to do with neutrality. It is a myth that employers are required or expected to remain neutral in a union organizing campaign. In fact, federal labor law guarantees free speech rights to employers, employees, supervisors and managers – the right to speak out for or against unionization. You should consider judging University statements based on their accuracy and persuasiveness - not their neutrality. The same standards should apply to statements made by the American Federation of Teachers and their supporters.

Are there any rules about how long the union can continue to try and unionize?

The union can continue to seek support and try to persuade potential voters to vote "yes" for the American federation of Teachers/American Association of University Professors right up until the election, if there is one. We don't yet know if or when the election will take place.

Are there any rules on whether the university can speak out when the union makes false accusations?

The best way to rebut false accusations is for students themselves to speak out and correct misrepresentations. Students can do so using social media, and there is even a student-run website called Stop and Think UC: <https://stopandthinkuc.com/>. The University also has a website designed to inform potential voters and other members of the University community about the union's effort to represent graduate students: <https://provost.uchicago.edu/initiatives/information-proposal-graduate-student-unionization>.

Are there rules that prohibit them from coming into our lab space and harassing us?

No one should harass you on campus. Visitors to labs, including union organizers, have to follow your lab's rules. If someone has entered a lab space in violation of the lab's rules, you should report that the way you would report any unauthorized visitor. Union organizers have a right to try to persuade you to see things their way, but they don't have a right to engage in harassment or break lab rules.

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