

Harvard: We Expect Better

Harvard's administration has responded to the ongoing unionization of its graduate workers by sending emails to faculty, filing an amicus brief with the NLRB that opposed grad workers' right to unionize, making statements in the press in an attempt to interfere with discussions about our union, and, most recently, writing an anti-union FAQ.

In an effort to clarify some of the misleading statements and misinformation in the administration's FAQ, Harvard grads, together with grad workers at other universities that already have unions, have annotated the administration's FAQ. A large majority of Harvard's graduate employees have signed cards in support of our union, and yet the administration insists on interfering by trying to inject their "uncertainty" into our choice. Can you spot all their attempts? (Hint: They're **highlighted in gold**.)

Being part of a union gives graduate workers a voice on a national scale. For instance, we have a national voice advocating for increasing STEM funding, overtime protections, the right to organize, and other important workers' rights.



Christine Mitchell
Social and Behavioral Sciences

Well over a majority of graduate student employees have signed union cards with the UAW. We all chose the UAW because we wanted to join with over 35,000 graduate workers in this union across the country.



Ella Antell
History

Our majority is from all departments across all campuses and we are joining together to have a voice in our working conditions. We have spent two semesters talking to each other about the benefits of a union, and look forward to bargaining with Harvard after our election.

Kate Franz
Virology



Felix Owusu
Public Policy

We are thrilled about this historic ruling -- now we can petition for an election, win certification, and bargain for a union contract.

FAQs About Graduate Student Unionization

Q: *What is a union?*

A union is an organized association of workers representing and **advocating** for employees on matters of hours, benefits, and working conditions. Unions also represent their members when disputes arise over contracts governing their work. Often, **larger unions also use their resources to participate at the state and federal level in lobbying to influence legislation and in political activity to influence elections**. Harvard has built strong relationships with unions representing non-academic workers across the University in a variety of fields, including food services, police, clerical and technical, custodial, and skilled trades.

Q: *Who decides which union will represent them?*

The people who want a union to represent them typically affiliate with an established union and move to organize a new chapter of that union. At Harvard, **a group of graduate students** chose to affiliate with the International Union, United Automobile, Aerospace, and Agricultural Implement Workers of America, known as the United Auto Workers, to create the Harvard Graduate Student Union-UAW (HGSU-UAW). The UAW represents more than 400,000 workers, of which **about 25,000** are in higher education.

Q: *How does a union gain recognition to represent a certain group of workers?*

As a typical first step, union supporters will ask others in their workplace to sign authorization cards, which serve as a written **declaration of support for that particular union to serve as their exclusive representative** in negotiating terms and conditions of employment. This is generally done to demonstrate that a sufficient level of interest in unionization exists and that there is support for a specific union as the exclusive bargaining agent.

If union organizers can collect enough cards to constitute a valid "showing of interest" (generally support from 30% or more of the employees the union seeks to represent), the union can file a "representation petition" with the National Labor Relations Board (NLRB). The NLRB will review that petition and, if the NLRB determines that the authorization cards demonstrate at least 30% support among all the employees in the proposed bargaining unit, it will process the petition. It will also determine if the proposed unit of employees is an appropriate one under law. Often this is by agreement of the parties, but if the union and the employer cannot agree on the scope of the unit, or the inclusions or exclusions from the proposed unit, then the Board will resolve such matters in a hearing (either before or after an election). The next step in the process is a secret ballot election in which all those in the proposed bargaining unit—not just those who signed authorization cards—can vote on whether or not they wish to be exclusively represented by the petitioning union.

In August 2016, the National Labor Relations Board **reversed prior rulings** and ruled that students who serve in teaching and research capacities at private universities **now have the right to unionize**.

Unions bargain rather than 'advocate'. We have 'advocated' to Harvard through many agencies, including our GSC, with minimal success. I am choosing a union because Harvard's administration is legally obligated to sit across the table with us as equals to bargain over our working conditions.

Jack Nicoludis
Chemistry and Chemical Biology



The UAW represents more than 50,000 academic workers, including grads, adjunct faculty, clerical staff, and more.

Sarah Schlotter
Applied Physics



Leigh Senderowicz
Global Health and Population



Don't let this mislead you: it's legal for *all* employees in the United States to unionize and to act collectively to better their working conditions. The National Labor Relations Act just determines which employers are *obligated* to bargain with their employees' unions.

Anyone who is eligible to vote can vote yes or no. The administration only wrote this paragraph this way to get us to second guess our decision to support the union. This line is used in anti-union campaigns across the country to try to dissuade workers from unionizing.



Andrew Donnelly
English

Q: If an election takes place at Harvard to determine whether the HGSU-UAW will represent graduate students, can I vote in that election?

Members of the proposed bargaining unit would be eligible to vote. How the bargaining unit is defined will determine whether you are eligible to vote.

Q: If I signed an authorization card, does that mean I have to vote in favor of the union during a secret ballot election?

Those who signed authorization cards are not obligated to vote in support of the union during a secret ballot election.

Q: I'm an international student. Can I vote in an election or be included in the union?

Yes. Your status as an **international student** does not affect your eligibility to vote or be in the union.

Q: If an election happens, when and how would I vote?

NLRB elections are either onsite or by mail, depending on the type of bargaining unit involved. The regional director of the NLRB makes this decision. If the election is onsite, the union and the University would work with the NLRB to choose the date, time, and location of the election, usually within three weeks of determining that the proposed bargaining unit is appropriate and has the support of at least 30% of the potential membership. NLRB representatives would supervise the election, on a specific day, within specific times, at a campus location easily accessible to voters.

If the election is conducted by mail, a calendar will be determined under which ballots would be sent to employees' homes with a sufficient period of time for the ballots to be returned to the NLRB and then counted. The Board still assures confidentiality in the voting.

Q: How would I cast my ballot?

The election would be by secret ballot. You would cast a "yes" or "no" vote on whether you want union representation.

Q: How would the outcome of the election be determined?

The election is **decided by a majority of those who vote**, not by a majority of those eligible to vote. If a majority of those voting support union representation, all eligible voters—including those who did not vote and those who voted against—would be represented exclusively by the union on matters concerning pay, benefits, and other "terms and conditions of employment."

Q: Will I be eligible to vote in an election?

You will be eligible to vote if the NLRB determines you are part of the bargaining unit that the union seeks to represent. **It is unclear now which graduate students** would be considered part of that bargaining unit.

Q: Who should vote?

If an election is ever held, everyone who is eligible to vote should vote, because the election will be decided only by those who cast ballots, **just like any political election**. That means that union representation for people who don't vote will be determined by those who do vote.

Q: If I don't vote or vote no, am I bound by the results of an election?

Yes. **Everyone determined to be in the bargaining unit will be bound by the results of the election**. For example, if the election outcome supports unionization, everyone in the bargaining unit would be bound by that result, including those who do not vote, those who voted against unionization, and incoming students who won't have the opportunity to vote at all.

Q: Will I have to pay dues, even if I don't want to join the union?

Federal labor law allows unions to propose in collective bargaining that members of the bargaining unit either become dues-paying union members or pay the union a similar fee, referred to as an agency or representation fee. Depending on the contract in force, failure to pay dues could result in dismissal from a teaching or research appointment. As noted, this is a negotiable item but most unions insist on such a clause in the collective bargaining agreement in order to ensure a steady flow of **dues money to finance their operations**.

International students have made significant gains from forming unions, including job security protections, protections from discrimination, and improvements to compensation, since we cannot get outside employment.



Niharika Singh
Public Policy

All democratic decisions are done this way, including our political elections. This is just another attempt by the administration to create doubt when there is none.



Elizabeth Spink
Public Policy

Avery Davis

Biological and
Biomedical Sciences



Just like in politics, the union is required to represent every worker, not just their supporters. So even if you did not vote for Elizabeth Warren, you can go to her office to demand for change.

This is true of any democratic election. All workers, regardless of membership in the union, will gain the benefits of the union contract, and will be protected by the union should the administration violate it.



Zachary Nowak
American Studies

Kat Varnett

Virology



A union contract will protect all Harvard's grad workers, which is why non-members pay an agency fee. The "operations" to which the administration alludes make sure all of us enjoy the benefits we'll fight for in our first contract. Dues are only paid after we have negotiated and voted to approve our first contract, which means we only start paying dues if the contract is good enough.

It's actually easy to predict! The UAW constitution establishes a base dues rate of 1.44% of the pay union members earn working in positions covered in the union. Some locals, like NYU grads' Local 2110, voluntarily raise their dues rates when they feel the local needs the extra resources; a vote of the membership is required to do this.



Phillip Marotta
Social Policy
Columbia University

If the standard rate is 1.44%, why is the administration citing NYU's 2%? Why didn't the administration include the fact that we would vote to decide to pay a higher dues rate, rather than claiming it's 'difficult to predict'? This is irresponsible for a reputable research institution.



Abigail Weil
Slavic Languages &
Literatures

Another effort by the administration to imply uncertainty on a decision when there is none. We have been talking about a union for more than a year. We expect better from our administration. They should cease their manipulative anti-union efforts and let us decide for ourselves.



Axel Takacs
Religion

Q: If graduate students vote to unionize, how much will I pay in union dues?

It is difficult to predict what the dues would be for a Harvard graduate student union. However, the experience at NYU, which is the only private university with a graduate student union, might be instructive. At NYU, graduate students who are UAW members pay 2% of total compensation during a semester that they are employed in a union position. **Dues are automatically deducted from paychecks.**

At Harvard, teaching fellows and research assistants receive at minimum \$21,200 per year, with most receiving well above this. Applying the 2% dues rate from NYU, union dues could equal at least \$424 per student annually. If you estimate 2,800 students in the bargaining unit, then the annual union dues paid to the UAW by Harvard graduate students would equal nearly \$1.2 million. **The HGSU-UAW says that UAW dues currently average 1.44%**, which according to the above calculations would translate to \$305 per student per year. However, no guarantees about dues and other fees can be made until the collective bargaining process is complete.

Q: If graduate students vote against unionization, can there be another election in the future?

Yes. There is a one-year waiting period after an election until another election can be held. The same union or a different union could seek an election one year later.

Q: If graduate students vote for unionization, is there a process to remove the union?

Once an election determines that a union will be the exclusive representative of those in the bargaining unit, that union normally remains in place indefinitely to represent all future students. However, there is a decertification process to remove an incumbent union. It is the reverse of the certification process and requires employees to solicit sufficient signatures to file a decertification petition with the NLRB and seek an election to vote the union out. Such a petition cannot be filed within the first year of a union's certification, and if there is a collective bargaining agreement in effect it can ONLY be filed between the 60th and 90th day prior to the contract's expiration. Decertification movements cannot be sponsored, supported, or otherwise assisted by management.

Q: How will a union impact my life as a graduate student?

It is difficult to predict at this stage. Under the NLRA, employers and unions bargain collectively with respect to "wages, hours, and other terms and conditions of employment." The NLRB and the federal courts have broadly interpreted these concepts in the past, but not for graduate students at private universities, so **it is difficult to predict the outcome** of any negotiation. It is important to understand that the law does not specify that any particular clause, provision, or benefit must be included in a union contract. That is left to the parties to negotiate at the table. The law only requires good faith negotiations.

What is certain is that these graduate students who belong to the bargaining unit would be exclusively represented by the union on any matter that involves wages, hours, benefits, or other terms and conditions of employment.

Q: Graduate students in different departments have very different experiences and needs. Could exceptions be added to the negotiated contract that would recognize and accommodate the individual needs of graduate students?

That is hard to predict as well. As a collective bargaining unit, graduate students are considered as a group, not as individuals. Exceptions, if any, would need to be provided for in the labor contract or agreed to by the union.

Q: If I object to a provision in the contract that is negotiated, do I have to abide by that provision?

Yes. Collective bargaining is just that, collective. The union would represent all graduate students determined to be in the bargaining unit and the provisions in whatever contract they negotiate will apply to all. **Any exceptions would need to be explicitly stated in the contract.** Any collective bargaining agreement must be ratified by a majority of the members but once it goes into effect, an individual student cannot fail to abide by a provision in the agreement or seek separate arrangements.

This is not true. Dues are not taken from our paycheck without our written permission. After a contract has been democratically approved, we can choose to have dues deducted, which will be done in writing. Our dues will provide us with critical resources to leverage our collective power, ensure workplace protections, and fight for our interests locally and nationally.



Hugo Vega-Ramirez
Neuroscience

Not true. We can look at other groups that have organized. At UConn we formed our union because we knew the UAW has a history of organizing graduate workers across the country, and have seen what happens when graduate workers have a voice in the workplace. Another study at [Cornell](#) shows that graduate workers with unions are more satisfied with their relationship with their advisor. At Harvard, I know you all will see the same types of improvements.



Steven Manicasteri
Political Science
University of Connecticut

Ellora Derenoncourt
Economics



A contract sets minimum standards for graduate employees. There are no examples of a contract that has had a negative impact on graduate workers, which is why the administration continues to use this vague, misleading language.

Harvard currently doesn't want to bargain over anything, which is why they are running an anti-union campaign. There is an existing legal process for determining what is bargainable and what is not.



Scott Collier
Physics

Graduate workers at UMass have had the right to organize for more than two decades. The work performed as graduate workers at both public and private universities is the same. I was a graduate worker at UMass and am now president of our local. I know the work we all do is equally important and deserves protections.



Jocelyn Silverlight
President UAW Local 2322
UMass Amherst

I don't understand why they continue to say this. While I am working as an RA at UConn, I am able to do any number of hours in the lab. What the union contract does do is protect me from abuse. It's completely reasonable for you to fight for the same protections at Harvard.



Cera Fisher
Ecology and
Evolutionary Biology
University of Connecticut

Q: Can the union bargain for everything and anything, including areas that fall outside my duties as a teaching fellow or research assistant?

Under the NLRA, employers and unions are required to bargain collectively on "wages, hours, and other terms and conditions of employment." While the NLRB and the courts have interpreted these concepts in other employment sectors, **no precedent exists for determining these "terms and conditions of employment"** for graduate students at private universities, whose teaching and research are part of their academic training. Some items are clearly not "bargainable," such as student degree requirements, but **many others might be questionable.** That means it is possible that disagreements over what is "bargainable" in the context of higher education could result in unfair labor practice charges that would have to be resolved by the NLRB.

Q: If graduate students vote to unionize, will the union increase stipends and/or improve my benefits?

There are no guarantees. Stipends and benefits, for example, might become the subject of collective bargaining and negotiation, to the extent that they are part of employment terms and conditions (as opposed to academic matters), but there is no way of knowing now whether or how current stipends and benefits might change.

NYU provides the only example of what happened to pay rates for unionized graduate students at a private university. There, the graduate student union (the United Auto Workers) negotiated annual pay raises (before dues are deducted) for research assistants of **2.25%–2.5%, and teaching assistants' pay is contractually guaranteed to be "no less than" pay for adjunct faculty. Union members at NYU pay union dues of 2% of total compensation** during a semester that they are employed in a union position.

At Harvard, GSAS student teaching fellows receive a proportion of what a full-time junior or senior lecturer receives, generally two-fifths of that amount for teaching two sections. Students in the humanities and social sciences who take their guaranteed teaching (usually in the G3 and G4 years) also receive an additional stipend, known as the top up; graduate student stipends, including the top up, have increased by more than 3% a year for the past 6 years.

Q: Will the union dictate the number of hours I can work as a graduate research assistant in the sciences, if I am considered part of the bargaining unit?

It is impossible to predict the outcome of a collective bargaining process. Since graduate research assistants in the sciences have not been included in the bargaining unit at a private university, there isn't a precedent for how issues of work hours could be handled. Even if a precedent existed, the law does not require particular provisions to be included in a union contract.

Q: Will the amount and allocation of student fees be subject to negotiation?

Because these fees are charged to all students—undergraduates and graduate students, whether or not they are research assistants or teaching fellows—the fees might not be considered to be part of the "terms and conditions of employment" and therefore might not be part of the bargaining process.

Q: Will a union contract affect the research activities I engage in outside of Harvard, which are an important part of my academic program? For example, if I attend conferences or workshops, or conduct field work or research at other universities?

We can't predict how these matters would be handled in collective bargaining, or what the outcome would be. However, if these activities are considered part of the working conditions of a research assistant or teaching fellow, they could be subject to negotiation.

Another false uncertainty. Once negotiations are complete, we will all get to vote on the tentative agreement to ensure we are happy with the resulting contract. If the tentative agreement isn't good enough, we can vote it down, and our bargaining committee will negotiate for further improvements.

James Mitchell
Physics



More than 90% of voters were in favor of the contract, because they won many significant gains which the administration has chosen to leave out of this answer. For instance, for the first time they have fully covered dental insurance as well as thousands of dollars in childcare subsidies.

Abraham Waldman
Chemistry and
Chemical Biology



Another example of the administration claiming uncertainty. At other universities, unions have bargained for provisions that require travel for research to be covered or reimbursed.

Aaron Bekemeyer
History



This is just proof that private universities are collaborating to stop a national movement of graduate workers building power. The reality is that they do not want to share power with us and would rather do whatever they want, whenever they want.



Byron Davies
Philosophy

I was a member of the union at University of Michigan, and I can say definitively that my role is no different here than it was there. I would like to see some proof from the administration that supports this statement.



Matt Santana
Music

Q: Why did Harvard join other private universities in filing an amicus brief with the NLRB to argue against changing existing rules so graduate students would have the right to organize?

The NLRB requested comment from interested parties regarding their review of two cases that could reverse current rulings. **Harvard joined** Brown University, Cornell University, Dartmouth College, Massachusetts Institute of Technology, University of Pennsylvania, Princeton University, Stanford University, and Yale University in filing this brief. In August 2016, the NLRB reversed earlier decisions and ruled that students who serve in teaching and research capacities at private universities now have the right to unionize. However, the University continues to believe that the relationship between students and the University is **primarily about education**, and that **unionization will disrupt academic programs and freedoms, mentoring, and research at Harvard.**

Some of this content was **adapted from the University of Chicago's** website.

This just goes to show these are all cookie-cutter answers from expensive anti-union law firms hired by the universities to stop our organizing. Check out the nearly identical language in FAQs written by the administrations of Columbia, Yale, and Princeton Universities, in addition to UChicago.



Jonathon Booth
*JD/PhD
History*

Kate Hartmann
Religion



During NLRB hearings, an expert called by the Columbia administration admitted that there was no empirical evidence for unions harming student-advisor relationships or academic freedom. This has been confirmed by multiple recent studies.

This is a disappointing statement. Academic workers have unions with the UAW at more than 60 universities across the country. Unions have helped protect the academic freedom of researchers, students, and faculty at each of these institutions without hindering the universities' ability to achieve their academic missions.

Abhinav Reddy
Biostatistics

