AAUP Committee on Graduate and Professional Students Condemns Private Universities’ Attempts to Undermine Graduate Workers’ Rights

Over the past nine months, graduate employees at private universities have faced vicious campaigns and legal challenges from university administrations as they have attempted to exercise their freedom to join together in a union to negotiate collectively for better working conditions.

The American Association of University Professor’s Committee on Graduate and Professional Students condemns the concerted campaign by private universities across the United States to obstruct the democratic rights and freedoms of their graduate employees.

The formal rights of graduate employees at private universities to collectively form a union were restored by the National Labor Relations Board (NLRB) on August 23, 2016. The board reasoned that “there is no compelling reason—in theory or in practice—to conclude that collective bargaining by student assistants cannot be viable or that it would seriously interfere with higher education.” It ruled that “student assistants who have a common-law employment relationship with their university are statutory employees entitled to the protections of the [National Labor Relations] Act.”

Despite the NLRB’s recognition and defense of collective bargaining rights for graduate employees, administrators at private universities have attempted to suppress these rights by obstructing free and fair elections, as well as by delaying negotiation by asserting spurious legal claims. The strategy of elite private universities is clear—obstruct and delay until a Trump-appointed labor board corroborates their capricious legal claims.

- At Harvard University, the NLRB ruled that the university did not comply with voter list requirements and mandated that a new election be held.
- At Columbia University, after graduate employees voted overwhelmingly in favor of joining together in union, the administration challenged the election. The regional board determined that the university’s challenges were unfounded. Columbia nevertheless appealed the decision.
- At Yale University, graduate employees in eight departments petitioned the National Labor Relations Board for a union election, and an election was ordered soon after.
After graduate employees voted to join together in union, however, Yale appealed to the National Labor Relations Board.

- At the New School, graduate employees participated in a union election in May 2017. However, the administration questioned the eligibility of the participants and challenged the ballots.
- At the University of Chicago, the administration continues to obstruct the conduct of a vote despite a majority of graduate employees across several divisions filing a petition to hold a union election.

The undemocratic behavior at some of our most esteemed institutions of higher learning in the United States is untenable. They have spent millions of dollars in attorney fees fighting a legal battle that is not only unjust, but unreasonable. The freedom to join a union and to negotiate collectively with one’s colleagues for better working conditions and fair compensation is a cornerstone of U.S. labor relations, as outlined in the AAUP’s *Statement on Collective Bargaining*. Denying the contribution and labor of graduate employees not only demeans the institutions they serve, but undermines the basic values to which these universities are committed.

When graduate employees stand up for their rights to dignity, a voice, and collective action, our universities become more egalitarian, just, and productive centers for higher learning and achievement. It is imperative that universities respect these rights, in the interest of the common good.