



the union news



the newsletter of Graduate Student Employees United and Local 2110

National Labor Relations Board Issues Complaint Against Columbia

On September 17, the NLRB issued a complaint against the Columbia administration for "interfering with, restraining and coercing employees in the exercise of their rights." This complaint was issued after Local 2110, the union representing support staff at Columbia, filed investigating charges concerning the university's reaction to the one-day strike last spring. The complaint effectively puts the university on notice for its unlawful behavior.

Last April, GSEU members voted to approve a one-day strike to protest Columbia's appeal of the teaching and research assistants' union election in March. In a gesture of solidarity, Columbia's support staff voted to join GSEU members on the picket line.



2110 members walked off the job last April 29 in support of teaching and research assistants' right to organize

The Columbia administration asserted that a sympathy strike would be a violation of the support staff contract, and that any staff member who participated would be subject to discipline up to and including termination. The university also filed charges against the union at the NLRB regarding the strike. These charges were dismissed by the Labor Board.

While hundreds of support staff defied the university's allegations and joined the graduate assistants on the picket line on April 29, many were intimidated by the university's threats and did not participate as a result.

The NLRB's issuance of a complaint on this matter and dismissal of the university's charges vindicates the union's position that a sympathy strike is legal under the union contract. The next step is for the NLRB to conduct a formal hearing on the matter in which Columbia is charged with unfair labor practices.

BOLLINGER TO GSEU: "I DON'T HAVE ANY INTENTION OF DROPPING THE APPEAL"

It's official: Columbia will continue to fight GSEU. On September 12, at a meeting of the alumni of the Graduate School of Arts and Sciences, Columbia's new president, Lee Bollinger, confirmed what many have long suspected: that when it comes to labor relations, the new administration will be little different from the old. Asked point-blank if he supported Columbia's current appeal asking the National Labor Relations Board to throw out last spring's union election, President Bollinger replied, "At the moment I don't have any intention of dropping the appeal. I'm with the university on this."

This stance should come as no surprise to those who received his letter last spring instructing teaching and research assistants "to vote not to unionize." But it stands in sharp contrast to his reputation, born at the University of Michigan, as an administrator devoted to expanding rather than restricting students' democratic rights. (See "Presidential Politics," inside.)



President Lee C. Bollinger, thinking about dropping the appeal.

Cornell: 1, Columbia: 0

This summer, the Cornell administration signed an agreement with the UAW, wherein the University agreed to schedule a union election, to respect the results of that election, and to bargain in good faith with CASE/UAW (Cornell Association of Student Employees/UAW) if the union wins the election. The graduate employees at Cornell filed for their union election last spring. This agreement allows the election to go forward this semester without the legal delays we at Columbia are so familiar with.

"Today's agreement avoids a long and expensive series of administrative hearings to determine the scope of the proposed bargaining unit," said Cornell Vice President for Human Resources Mark G. Opperman, announcing the agreement in July. "It sets forth an orderly procedure for the conduct of an open representation election." The election at Cornell, in which more than 2000 teaching and research assistants will vote whether or not to unionize with the UAW, is scheduled for late October.

The agreement between Cornell and CASE marks an historic moment: the first time that a private university in the U.S. has agreed to a union election for teaching and research assistants. At New York University, where graduate employees successfully formed the only TA/RA union at a private university, the administration fought the union for several years through a series of appeals.

Since then, other universities, including Tufts, Brown, and Columbia, have followed NYU's path. The National Labor Relations Board supervised union elections at Brown in December, 2001, at Columbia in March, 2002, and at Tufts in April, 2002. Due to appeals from all three universities,

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UNION BUSTING: COLUMBIA'S CORE CURRICULUM

In a letter to students last spring, Columbia President Lee Bollinger lamented the “lack of fit between what a union is and does and the character of an educational community we should aspire to achieve.” His explanation for this statement was that a university is a special kind of employer, distinct from “the traditional world of business and industry.”

But by the measure of a 2000 Human Rights Watch report, Columbia’s anti-union campaign has been no different from what you’d see in businesses and industries across the U.S.

The report, “Unfair Advantage: Workers’ Freedom of Association in the United States under International Human Rights Standards” (available online at www.hrw.org/reports/2000/uslabor), outlines strategies used by U.S. employers to prevent union organizing. While Columbia hasn’t gone as far as some employers, its campaign in many respects has been a textbook example of good old American union-busting:

- According to Human Rights Watch, “long delays in the U.S. labor law system” are among the most popular employer strategies. The report cites two common practices: 1) “the election can be held up for months by employer-initiated disputes over which workers should be eligible to vote in the election as part of the ‘appropriate bargaining unit’”; 2) “an employer can also file objections to an election after it takes place.”
Columbia, with the help of law firm Proskauer Rose, has used both. The university managed to delay our election for *a full year* through “appropriate bargaining unit” hearings between March 2001 and March 2002. And it has now been six months since our election and we’re still waiting for a ballot count.
- Also widespread is the hiring of a “consultant to develop an intensive campaign against forming and joining a union.” Columbia’s law firm, Proskauer Rose, advertised on its Web site that the firm “counsel(s) clients how to avoid and, where appropriate, resist union organization of employees. Columbia won’t tell us how much it’s spending on legal advice, but the standard rate for partners in a firm of Proskauer’s size is \$300.00/hour.
- Another perennial favorite is the use of “carefully scripted declarations to dissuade them from choosing union representation and collective bargaining.” Last spring, Columbia administrators sent no less than six letters to eligible voters urging us, in then-President George Rupp’s words, to “vote against creating a union”.
- Finally, there’s the strategy of “legally ‘predicting’—as distinct from unlawfully threatening—workplace closures, firings, wage and benefit cuts, and other dire consequences if workers form and join a trade union.” (U.S. labor law forbids employers from direct threats in advance of an election to ensure that employees make a free choice based on facts rather than fear and intimidation.)
Many student employees encountered this approach during meetings with department chairs (held at the administration’s request) in the weeks before the election. This was in keeping with Columbia’s legal advice to faculty (available on-line (www.columbia.edu/cu/gsas/gsu/faculty.html), that instructs: “stating that certain negative consequences ‘will’ result from unionization should be avoided. Instead, it should be said that selection of a union ‘could’ or ‘might’ have such an effect.” The site also provides a handy list of anti-union remarks that can be made without, technically, breaking the law.

Union members work
together...



Student employees and 2110 support staff held a one-day walkout on April 29 to protest the University’s appeal of our union election.



Trick Question of the Month

Q. What percentage of the teaching in the anthropology, astronomy, biological sciences, chemistry, earth and environmental sciences, economics, African-American studies, philosophy, physics, political science, psychology, Slavic languages, Spanish and Portuguese, and writing departments is performed by graduate students?

A. 0 percent!

Source: Columbia University's study of "Course Coverage," submitted as evidence to the National Labor Relations Board. Columbia calculated the number of "unique courses" taught in each department, and concluded that graduate students (who teach courses and sections, run labs, grade, and tutor in those departments) did no teaching work at all!

PRESIDENTIAL POLITICS

On October 3, in celebration of Lee Bollinger's inauguration as the University's 19th president, Columbia will cancel classes to engage in a full day of festivities. Among other events, there will be a 5K "fun run," a mini-film festival, and a symposium on "Ethics and Democracy."

Unfortunately, Bollinger's term as president will not apparently include the actual practice of democracy. As he announced during a meeting of GSAS alumni on September 12, Bollinger intends to follow through with an NLRB appeal seeking to have the ballots from last spring's union election tossed out.

In areas such as democracy and free speech, many Columbians expected more from Bollinger, a renowned defender of the First Amendment and a champion of campus diversity. At the University of Michigan, he spearheaded the effort to defend the university from a lawsuit seeking to dismantle its affirmative action program. As a legal scholar, he specializes in "free speech," and will teach a course on the subject in Columbia's political science department this fall.

In addition, he hails from a university where graduate instructors have been unionized for more than 25 years. During his time as president, the Michigan administration signed several contracts with the Graduate Employees Organization

(GEO), and in 1999 Bollinger himself acknowledged that his relationship with GEO had been a positive one.

This past March, Michigan recognized graduate employees' work by signing a contract with GEO that extends until 2005. The new contract includes a commitment of \$450,000 in childcare funds, wage increases of more than 8.5% over the next three years, additional instructional training, a contractual definition of sexual harassment, and stronger affirmative action policies. At Michigan, as at Columbia, the contract issues were simple: wage rates proportionate to the local cost of housing, childcare, health and dental insurance, better working conditions, and a vote in crucial workplace decisions.

During his time at Michigan, President Bollinger witnessed a university administration working amicably with a graduate union. He understood that graduate employees deserve a say in the decisions that affect their lives, and that choosing or rejecting union representation is nothing less than the exercise of free speech.

Columbia chose Lee Bollinger for president because of his accomplishments at Michigan. Let's hope he brings these lessons about "ethics and democracy" with him as well.

...and play together.



GSEUers and 2110 members from the Columbia support staff mingle at the 2110 Labor Day Picnic on September 5

none of the ballots have yet been counted.

At Columbia, the University's appeal is only the latest in a long series of legal delays. Graduate employees began organizing in the Fall 2000 semester and filed for an election in March, 2001. Hearings before the regional NLRB delayed the election until March, 2002.

Then, a few weeks before the election, the University filed another appeal with the National Labor Relations Board in Washington, DC, requesting that the election be thrown out. In the appeal, Columbia argues that teaching and research assistants at private universities are students who should not have the right to form unions.

Already, that appeal has delayed a ballot count for six months. The National Labor Relations Board has not indicated when it will issue a decision.

By contrast, teaching and research assistants at Cornell, who filed for an election this past May, could well be in contract talks by the end of this semester.

"It is absurd that we've had to wait this long for union representation," says Erik Goldner, a graduate student in the history department. "I started working with GSEU as a third-year student. I'm now in my fifth year, and I'd really like to sign that contract before I graduate."

In an effort to urge the University to drop its appeal and to respect the result of last spring's election, GSEU members, along with the Columbia clerical staff, engaged in a one-day strike last April. In addition, supporters have maintained a strong presence on campus, confronting administrators and handing out flyers at events like graduation, reunions weekend, and September 12th's Alumni event. Members of GSEU's volunteer organizing committee are continuing to organize on campus this semester.

"The Cornell agreement shows how ridiculous it is to spend millions of dollars fighting graduate student unionization. This money could easily be spent on better stipends and benefits for graduate students," says Maurice Leutenegger, a research assistant in the physics department. "Columbia may think that it can win with delaying tactics, but GSEU is an integral part of this university now. We're not going anywhere, and we're going to insist that Columbia recognizes our rights."

contributors: Beverly Gage, Eduardo Canedo, Kim Phillips-Fein

NEWS FROM BEYOND COLUMBIA


■ On September 25, union members and supporters at Yale objected to the university's contract stonewalling by blocking traffic on one of New Haven's downtown streets. The peaceful demonstration, coordinated in advance with the New Haven police, resulted in more than 700 arrests. In addition to those arrested, thousands of "witnesses" looked on and cheered, with signs advertising their willingness to "Stand Up for Change at Yale." Locals 34 and 35 of the Hotel and Restaurant Employees Union (HERE), which represents clerical and maintenance employees at Yale, are currently in contract negotiations with the university. Graduate teaching and research assistants (organizing with HERE's Graduate Employees and Students Organization) and employees of Yale-New Haven Hospital (organizing with 1199 of the Healthcare Workers Union) are seeking union recognition.

■ In early July, adjunct faculty at New York University (NYU), one of the nation's largest private universities, voted to join Adjuncts Come Together-UAW (ACT-UAW). ACT-UAW is now the largest adjunct-only union in the country, with more than 3,000 members. The union began contract negotiations earlier this month.

Adjuncts at NYU often teach heavier course loads than full professors and do not receive basic benefits such as health insurance and pensions. Their average pay ranges from \$2000 to \$3000 per 15-week course. Union members estimate that graduate students and adjuncts teach about 70 percent of the class hours at NYU.

"This day is long overdue," said Martha Bordman, an adjunct professor at NYU's American Language Institute, "I have been an adjunct for 18 years and I want to be treated with respect by having the same kind of benefits that other professionals have."

■ Around town this summer: In July, the clerical staff of the Bank of India became the newest members of Local 2110, voting unanimously to join the union; last fall, the staff of the New Press, achieved voluntary recognition to join Local 2110; the staff at the Village Voice, UAW members for more than 20 years, approved a new contract, staving off proposed health benefit reductions and winning new raises.



If you would like to find out more about Graduate Student Employees United (GSEU/UAW), or to get involved, please call our office at (212) 749-6703, or email us at TOP2110@2110uaw.org. You can also visit our website at www.2110uaw.org/gseu.

