

# Graduate Students Unite?

BY JOHN GEHMAN

*Yale University*

**L**AST OCTOBER, THE NATIONAL LABOR RELATIONS BOARD (NLRB) rekindled the controversy over graduate student labor unions. An NLRB panel decided that “ample evidence exists to find that graduate students plainly and literally fall within the meaning of ‘employee’” as used in the 1935 National Labor Relations Act (NLRA). This decision opens the way for graduate student organizations to form federally recognized labor unions and engage in union activities including striking and collective bargaining.

The October decision overturned several NLRB rulings from the 1970s that “the mutual interests of the services being rendered [by graduate students] are predominantly academic rather than economic in nature [and therefore] are completely foreign to the normal employment relationship and ... not readily adaptable to the collective bargaining process.” Those rulings, unlike the recent one, showed an understanding of America’s system of higher education — a system that does not easily adhere to the labor-management model. But, absent legal challenges, the new decision ends the long and vehement debate over the nature of graduate students’ “employment.” It also opens the way for considerable difficulties for the academy and society.

## UNIONIZING AT YALE

SOME OF THESE DIFFICULTIES CAN BE SEEN AT YALE University where the Graduate Employees and Students Organization (GESO) — a federation of union activists — has tried since 1991 to attain union status. GESO claims that grad students are victims of a “casualization of intellectual labor” as American universities increasingly heap the burden of teaching and research on inexpensive, non-tenure track personnel (particularly graduate students) in the course of corporate-style “downsizing.” This trend will worsen, group leaders say, as universities increase undergraduate enrollments in an effort to boost tuition revenues. The organization argues that this practice will have a number of negative effects on graduate students, including creating a glut of doctorate-holders who have diminishing hope of attaining increasingly scarce tenured faculty positions.

GESO believes that if graduate student organizations

**John Gehman** is a doctoral candidate in Molecular Biophysics & Biochemistry at Yale University. He can be reached by E-mail at [john.gehman@yale.edu](mailto:john.gehman@yale.edu).

were to gain the status of labor unions, they could successfully demand higher graduate assistant “wages.” That, in turn, would make graduate students/teachers so expensive that universities would opt to hire tenure-track professors instead, creating job openings for Ph.D.s. An unstated secondary outcome is that universities would subsequently accept fewer graduate students, reducing the number of future Ph.D.s. Thus, GESO leaders believe, a graduate student union would result in better paid, albeit fewer, graduate students and more career opportunities in the professoriate.

## ENTER THE LABOR UNIONS

NATIONAL LABOR UNIONS, MOST NOTABLY THE HOTEL Employees and Restaurant Employees (HERE) and the United Auto Workers (UAW), are helping disgruntled graduate students with their cause. At Yale, HERE gave \$310,000 in grants between 1997 and 1999 to GESO to promote its activities. When this amount is contrasted with the \$22,662 in student contributions made over the same time period, it becomes difficult to argue that the unionization movement really revolves around an independent graduate student agenda.

What return is organized labor expecting from its investment? Union membership rates have steadily declined since labor’s heyday in the mid-twentieth century to the current level of 14 percent of the national work force. To compensate for this decline, AFL-CIO president John Sweeny recently stated that unions must adapt by including a broader membership. There are not many individual shops to which a union can introduce itself to gain 2,000 or more members at once. Bringing America’s graduate students into the labor ranks would provide national unions with new members and income from a sector that does not face competition from abroad or downsizing from technology.

## THE UNIONS AND ACADEMIA

BUT CAN LABOR UNIONS BE GOOD STEWARDS OF HIGHER education? Contemporary public discourse is replete with opposition to “corporatization” of American universities, and this concern certainly warrants attention and discussion. But are labor unions a sensible way to resist this corporatization?

Conventional union laborers are union members for the duration of their working lives. The union, by negotiating

labor-management contracts that run for several years, provides the security and safety that workers may not otherwise have in their jobs. Graduate students, in contrast, are generally in and out of the university in five or six years. They attend graduate school not for an immediate livelihood, but for an education. Given these differences, there would be a number of difficulties in applying the labor-management model to the academy:

**Negotiating contracts** If a graduate student union existed, graduate students would typically be subject to contract terms negotiated by students who graduated ahead of them. The current students would have no recourse to change the terms until it is their turn to renegotiate. But, since the new contract would likely be in effect for years after the graduate students/negotiators graduate, the contract would likely have little meaning to the negotiators' own graduate careers.

**Job descriptions** In the normal labor-management scenario, employees do their jobs according to specific job descriptions. Agreements specifically designate the workday hours and the work season. However, as only a fraction of a graduate student's total time is spent in "service" to the university, it would be difficult to formulate such specific descriptions. Would graduate students be members of the union only during the semesters in which they are teaching or otherwise performing services for the university? If they may be union members without teaching, on what basis are they employees under the NLRA? In some cases, a graduate student's teaching requirement is disconnected entirely from the source of his stipend; should his teaching assignment be subject to union-negotiated terms?

**Relations with the professoriate** The prospect of a graduate labor union raises difficult questions about student-faculty relationships. How does a dissertation adviser simultaneously serve as adviser and supervisor? Where is the line drawn between interactions that must have a union representative present and those in which an adviser and student

may be free to discuss matters as colleagues? Moreover, how many typical union members, after a few years of negotiated interactions with their employers and supervisors, become the employers and supervisors?

Aside from these problems, evidence suggests that college students and society as a whole stand to realize little

benefit from graduate labor unions. Graduate assistants at the University of Massachusetts at Amherst (where state law permits graduate student unions at public universities) suffered through two years of no stipend increases before their most recent contract was settled. At the University of California, Berkeley, students waited for five years. Meanwhile, when graduate school administrations operate in the free market, improvements happen naturally. Stipends in the sciences at Yale, for example, rose 13.5 percent over the last four years while the northeast Consumer Price Index increased by only 5.5 percent.

Instead of improving their economic condition, unionized graduate students could see their expenses rise. If graduate students are officially considered employees, they will likely lose the tax-free status on their tuition waivers.

This would mean the students will pay much higher income taxes. If universities attempt to offset this by boosting stipends, the schools would have to pass that cost on to tuition-paying undergrads or — in the case of public universities — to taxpayers.

I would argue that the goals of labor unions do not coincide with the priorities of higher education. Ultimately, a graduate student labor union is not about unsafe working conditions, child labor, 14-hour work days, or anything else that the authors of the NLRA were addressing. For unionist graduate students, it is the means by which they can create the jobs they feel that they deserve. By sanctioning graduate student labor unions, the NLRB is now aiding and abetting this thinly veiled attempt to manipulate America's system of higher education for the sake of one generation of graduate students. **R**



VOICING THEIR DEMANDS: Yale graduate students rally for unionization.