

decision you're going to have to make about what you think is best for you. I would say in conclusion you know we recognize you are all very smart people or you wouldn't be here if you weren't you're going to go out and figure this out for yourselves, whatever you decide,

>> Part of the NLRB decision.

>> Oh, part of the NLRB decision. So no the NLRB decision gives you the right to unionize, the right to unionize allows you if you successfully form a union to negotiate for some of the conditions of your employment. And those are the things we change but it depends on whether people want to authorize and election, you know whose part of that bargaining unit, how the vote goes and then the contract negotiations that proceed from that.

>> I'm sorry I guess the question was is there anything more broadly than [inaudible] other than just specifically the right to have [inaudible]. Is there anything other about the definition that changes [inaudible]?

>> No, nothing, nothing, yeah, no this is the National Labor Relations Board basically changing your status but everything else around it is not changed.

>> So we can't get employee benefits like [inaudible] and our current insurance will stay [inaudible].

>> Your current insurance, yeah as far as I know right now would stay student insurance, although I will tell you that you know the student insurance plan, because you are a younger population, a healthier population is you know generally cheaper for you than the employee plan if you were to look comparatively. There may be some you know, things on the edges that are better in one or the other but it's you know generally speaking. One of the reasons we made a move for postdoc health insurance which were previously kind of split between the student and the employee plan was that by creating a postdoc pool, health plan pool, you know one group for them. It actually gave them relatively similar coverage to the employees at much less cost. And so there are some benefits in other words at the end, you know in a younger population of people for health insurance purposes, yes.

>> So some of us are supported by [inaudible] so how [inaudible].

>> No, that would not be effected, I think, it's not clear to me and this is something I think would have to be clarified, those that are on fellowships and training grants, you know similarly funded. Whether they would be considered employees because under the rules of

>> So the question is whether benefits can be included in bargaining if a union was voted in. So yes, I mean some of the conditions of your employment could be considered -- there would be a set of conditions of your employment that would be included within bargaining and benefits could be part of that, typically it is. I think that's really something that would come out, it's really kind of a question for the union in a way too, I mean what would they bring up as issues. Because if it were to get to the collective bargaining stage, the union would put forth a proposal, you know, the university would react to it. And if it included benefit related things then you know those would have to be negotiated out. So I mean in theory yes it could be included in practice, it depends really on the composition of the group and what people want.

>> How are the collective bargaining unit boundaries created and defined?

>> Okay so how are the collective bargaining unit boundaries created and defined? So that's where the comment about don't click on buttons and sign, you know how that you know, union authorization process go forward is really important. So what the union will do is it will petition the National Labor Relations Board around a certain bargaining unit. That bargaining unit will be determined by whether it thinks it has 30% of that groups, union authorization cards form 30% of the people that it defines in that group. And so when you sign a union authorization card you're basically expressing interest to the union and the union will take that interest and try to define a group that it thinks that it can petition the National Labor Relations Board to accept for a vote. So what it means is that you know to kind of step back from that is that it's not the case, and it's not the case in practice anywhere that all graduate students at an institution will be considered part of the same collective bargaining unit or one large collective bargaining unit. If you look at and I think we have these posted or will have these posted if you look at I think it's NYU's contract or you look at what's happened at Yale recently, certain departments have been selected as part of the proposed bargaining unit. So maybe ten departments you know it may be all humanities or it may be a wide range of groups, wherever the union and the National Labor Relations Board has allowed the union flexibility in crafting these groups. So wherever the union feels like it can have, you know it has support it can create a bargaining unit around that group. And the reason it knows it has support is through those union authorization cards. So it's a little bit of a roundabout answer for you but it's really not -- it's the union that decides what I wants to propose and I just kind of told you how it determines what it wants to propose.

>> What other information do you give them when you fill out that card other than your [inaudible].

>> Yeah, it's just your name and your contact information and then I think the ones I've seen have little -- the electronic ones at least have a little bar on the side and maybe in orange or somethin angettlemay be allhainsays42 Tm 191.3n940162.32 Tm 191.3n940162.32 'su be c a 1

>> So you'll give a bit more information, I mean you give your personal information, I think you give your department and so on and so that's why. Or they will reach out and contact you later and find out what department you're in, I mean this is a strategic decision for them so they have ways of finding those kind of things out. I mean, I'm not saying it's nefarious, I mean they probably will just ask you right, you know. They'll write you and say you know what department are you in, you know as simple as that, you know. All right, yes.

>> You were talking about the bargaining unit, can you define more what [inaudible] bargaining unit, is it at the university?

>> Right.

>> Are they people [inaudible].

>> So yeah, what defines the bargaining unit, so this is graduate students at the University of Rochester, so it's not other schools, it's only graduate students at this point. The National Labor Relations Board ruling was a bit broad and included undergraduates, a mention of undergraduates and so far. I don't think that there's any nationally sort of any movement that undergraduates would be involved in this. But so it's primarily going to be graduate students at the University of Rochester have the possibility within that the union will create what it thinks is a proposed bargaining unit should it want to move forward.

>> So just to follow up with that question [inaudible] so currently all graduate students but if segments of the graduate student body wanted to do different things you said the union could then make these smaller segments [inaudible] somehow by participation [inaudible].

>> Right, right so is it the union that creates smaller segments for those who didn't hear. Yes, it's the union that will initially petition the National Labor Relations Board, the university may or may not know what the proposal is before it goes to the National Labor Relations Board so it really is the union's decision and they will base it on where they think they have interest. It's, you know a good question for them how they gauge that, clearly if you sign the card, that's one obvious expression of interest and they have other ways of gauging interest as well but yeah.

>> So again probably not along the same line, so different departments give different benefits [inaudible] for their students. So if for example, all graduate students in the entire university of Rochester are under one union, but let's say if humanities or [inaudible] departments [inaudible] that particular group wants something changed about what they get, then the entire union of all the graduate students changes all the policies for the university regardless of what other students want, can the union dictate who they want to represent [inaudible]?

>> Okay, so there's a lot there [inaudible] so it's really about the question of how are the interests of graduate students in different units represented in a collective bargaining situation, how does a union represent them. That's a very good question, that's a good union question and I guess that's really their challenge, right. I mean if it was all graduate students across the university then it is quite a diverse group of people with different career trajectories, different options after graduation, different stipend amounts, other

sorts of requirements to the degree and so on. And so I mean the union will have to figure out how to be representative across that group. And I mean I don't know that -- I can't give an answer about how they go about doing that, in fact what I can see from other you know, contracts is that, you know that they signed or how they approach the NLRB, that actually might want smaller, more coherent groups because that might make it easier for them. But you know that's a strategic decision for them, the question for you is that yes, I mean if the entire graduate population or some subsection or whatever type of subsection of it were to unionize, the question for you is what do you think your interest would be accurately represented within that group and how that would work, you know. And that really is something that I encourage you to speak to your union representative about.

>> I did want to just comment on the idea that there's differences across students. I don't know if Edith or Sharon wanted to speak to that. As far as I know with the medical I think should be pretty much the same standardized across programs. I'm not as knowledgeable about River campus so Allen may -- but at least on the medical center that's quite right [inaudible] it is the same.

>> [Inaudible] that's pretty much true, I'm not sure there may be other you know programs [inaudible].

>> The Dean of the school of nursing is in the back, Kathy.

>> There are some slight differences [inaudible] I'm not sure what the differences are [inaudible] and I think there's probably more similarity than differences.

>> Yeah, I just [inaudible] I just want to make one more comment on that so the union is unlikely to come in and start gathering up departments with departments that do not want to be a part of that union. So they're not going to bundle together people who are not interested. If a department or a group of departments had expressed interest and had reached out to the union, which is important to know the unions are not really on campus looking for people right now. You would have to go to them to be part of this. Then they would start deciding the bargaining unit that would likely be made up of the people who are interested in the union.

>> So currently we receive a stipend regardless of the decision to unionize, do we now receive a salary instead of a stipend and how does that change our tax status?

>> So the question was currently we receive a stipend, will that change into a salary? How does that effect tax status? So that I don't think has any -- well, there are some changes I think that we're going to make to graduate student payments that are going to predate all of this that may have some implications on how we think about stipends and salaries. But I don't know that anything specific to the unionization issue is going to have any direct effect on that. As a practical matter whether we call them stipends or salaries right now, there's still tax withholdings on it and you still get a W-2 every year. So the implications of unionization won't affect that right now, so. Yes, in the back.

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wanted to know, maybe this is [inaudible] emails just to reiterate what the options are for students currently, if they have issues [inaudible]. So we can compare, what are our options to negotiate with the union, what are our options [inaudible].

>> So what I would do I think in that instance is I would ask -- the question was can we provide information to clarify for students what the university would offer in terms of negotiation for individual students and discussion of issues. And I think the way that could be handled and should be handled is probably for me this office for the School of Medicine and Dentistry from Kathy's group and then also from the River campus and put something together for you that would summarize the way that that would be approached and at least give you a clearer delineation of the way that would work. So we will huddle about that after the meeting and figure out how best to do that.

>> But maybe I could just add [inaudible] School of Medicine is you know I'm happy to talk to anyone at any time about these issues. And if two or three or twenty of you want to get together and talk to me as a group, then obviously it's a stronger voice and I would welcome that at any time. So you know if you have an issue, don't hesitate to talk about it, right, whatever it is, maybe we can again negotiate right and I personally would rather negotiate directly than indirectly because I think that's in people's best interest. And it's always easier to have a two-way conversation than a [inaudible] conversation is my experience, so just to put that out there.

>> And my second question was related to international students that are here on visas [inaudible] [laughter].

>> Right, so for international students that are here as students and permits illegal to work how does one be considered an employee. That's a good one, that's a federal government question, you know I think again I mean the ruling or the different government agencies think about who's an employee, who's an employee in very different ways. You know the funding agencies think about it different than the Department of Labor, Health and Human Services thinks about it a little differently, now the National Labor Relations Board thinks about it a little differently. My understanding from our lawyers here is that international students are considered employees for the purpose of union organization, you may not be in other capacities. But that's part of you're the murky status [inaudible].

those particular issues that are included as part of that negotiation. There may be issues outside of it in which case then there would still be flexibility, so it's really a question of what gets included and doesn't get included. As far as you know again the specifics of you guy's interactions, I don't know if anybody else wants to say anything about it or --

>> I don't know that I can comment very knowledgably on that to say what would change. I would think most things with your individual advisor probably wouldn't change, I'd be rather surprised if it did. I think it's the higher order of things that Allen was alluding to, those might change because they would be -- they'd be negotiated with a group and so that becomes a little bit different than an individual conversation. But as far as you and your advisor, I would be surprised if it would really make much difference.

>> Yeah there's a single study that's been done on this from 2013 whose authors I don't recall but if you search the Wikipedia page for grad student unions you will find it as one of the references but it was quoted at the Monday night town hall so academic freedom it didn't seem that they found was any different, I didn't read it though so I can't comment on specifics but I read the abstract.

>> That's why I changed my wording, yes, I was going to say it could go either way but I think that's true, once the union is in place it -- that decision is a little bit harder to reverse I believe.

>> Yeah, I think there are certain rules around it and I think it's that you can't -- there's a process called decertification of a union and you can't do it for one year after the union is formed and I think you can't do it until the last year or two of an existing contract. So in other words there's certain rules around when the process can start and then the process itself is essentially kind of the reverse of -- it's not the reverse it's the same as you just -- it's the same as an up and down vote as to whether or not you want to continue or not. But there are certain rules around it to protect those who are unionized.

>> Again some unions have specific requirements for dissolution and the SEIU I think, I read their constitution twice and I'm not positive that I'm still reading correctly but they said if there is at least seven members that don't want to dissolve then it can't be dissolved. I think maybe then they would go to an up and down vote. But it's difficult from the federal sense and it's difficult in the [inaudible], yes.

>> Is there a resource out there maybe someone could comment on it, of the main differences between the School of Medicine now employees versus the humanities or River campus. In terms of the financial benefit that we get, the stipend, the tuition that's waived, the health care, all of it, is there a resource out there that we can compare and contrast.

>> Right so the question was, is there a resource out there to compare benefits, salary other sorts of things across schools. There is not, should there be, well that's a good question. I mean you know that's something we can consider, I think in the past what's happened, you know there are HR rules around you know talking about people's specific salaries both in terms of talking about ranges and so on is something that would have to be you know discussed by people well beyond me. But you know I mean it's something that I can take to them as coming out of this conversation. One of the reasons I think we don't have it now is because this is a decentralized university like many research universities, the schools manage those issues themselves. And so and they do that in accordance with the needs, you know educational research and so on of their population. And so there is variation there because you know the schools have different missions and so on and there's a lot of that flexibility here, yes.

>> So what's the time frame for like starting a union, like bargaining a new contract, like how long would that take?

>> So what's a time frame for the process, so you know in terms of the initiation of the process, you know signing -- or the union going to the NLRB with their petition, that's just open ended. I mean whenever they feel like they have the support then they'll go. My understanding is once they petition the union has a week to respond particularly around the excuse me, the proposed bargaining unit. At that point the NLRB will make a ruling about what the bargaining unit is and if the election should go forward or not, what I've heard is that union elections these days are taking about two to

mean there were students who came, there's certainly students who are thinking about it, what specifically they think about it that's not something I can answer [inaudible] well there you go.

>> Some graduate students in the humanities department [inaudible] and the SEIU demonstrating [inaudible].

>> I didn't know that, so there you go, I mean so there does seem to be some things but I don't know of anything more than that. In the back there, yes.

>> So my question, I don't know any union that doesn't pay attention to the number of hours worked by the people in the union and I mean it kind of relates to the recent ruling postdocs that if you made under \$40,000 they should get overtime. Do you see any -- because maybe that changes that rule too, I don't know? I know graduate students were included in that but do you see maybe are we going to have to log our hours? I mean because I mean [inaudible].

>> Wait so [inaudible].

>> If we have 20 hours of overtime a week, I mean our [inaudible] is limited and so now it's going to take us now eight years to graduate.

>> Right so given the number of hours that you work will a union contract effect that number of hours and what impact will it have on your length of time to graduate and so on, is that accurate? Yeah, that's a good question, I mean it's really going to come out of negotiation, you know I think it's -- you know I can't say exactly how if all this were to go through and they be negotiation where the you know -- what limitations will be put on, what the union would insist on, what the university would agree on. But it likely would be a point of discussion, you know but I can't -- that's something to be determined, right?

>> So there is some precedents in graduate student unions at public universities for a while they have had the right to unionize. The University of Wisconsin, Madison I think is the most notable example of that so you could look to see what the outcomes were although often in those cases the hours worked that I've found were in regards to teaching assistants. I didn't find anything about student research assistants. But it's possible that there was one and I didn't see it but I recon I'm looking at unions that are already currently in existence, I think Buffalo may have one as well [inaudible].

>> I guess I'm a little bit confused on how if it -- this voting things is because in one of the emails I was given the impression it was just going to be us reading it. But the SIE union whatever they're called people were like handing out cards trying to recruit people and sent out emails, that was the impression that I got. And so now it's sort of sounding like they're just kind of like -- they're a little entity and they hang out by themselves and if we contact them that's showing interest and so invisible really like eminent, like is this something that --

>> Okay, yeah so is about eminent and exactly what's [inaudible]. So you know one thing to say is there won't be a vote until there's a bargaining unit authorized by the National Labor Relations Board and that will go through the union authorization cards and so on. So one

thing to say is there won't be a vote until there's a bargaining unit authorized by the National Labor Relations Board and that will go through the union authorization cards and so on. So the vote is a second step, the first step is just getting the proposed unit. So you'll know about that and if you're in it or not well before there's a vote. In terms of the union's activity, you know I think the university, one of the things we wanted to make clear right away was that you know if you're going onto the website and putting in your personal information and clicking that button then you know what it is. I mean you certainly can submit a union authorization card if you want, you know but just kind of know what you're doing. You know this was kind of the point of that message. Now the union did have a press conference a couple days after the NLRB ruling saying that they were going to start a campaign here, that's all I know. I mean you know there's something in the D & C about it and so on in which you can read. You know but it's -- you know so they were on campus for that you know since then, you know, you know you hear the current state of what they are talking about. I mean so you know, they maybe you know -- again I'm not in a position to know exactly what they're thinking but you know I do know they were around you know not last week, it was the week before but you know they were on campus recently. Now have they been since maybe --

>> Yeah, the vote is probably not eminent, especially not the actual election to vote a union, there has to be 30% of voting unit interested in a union, it has to be then submitted to the union and then to the NLRB before it comes back to us for an election. So it's not something that's going to happen tomorrow or even this year potentially.

>> So are there any cases [inaudible] where the union's decision obligates me to not come to work [inaudible]?

>> Okay, so are there any situations which unionization or having a union on campus obligate you not to come to work? Are you talking about striking or are [inaudible]? Well, so -- okay so on the strike issue just to start with that, there are union contracts for graduate students that have no strike clauses in it that are written into the agree aus1ETBT1 t Tm 0 Tc[0 T

hours than to have to log hours and it creates a relationship where sort of if you want to work more it bumps against this sort of cost issue and what have you. Whereas if you raised everybody above, FSA is funny too because there are certain exemptions in it, so some medical trainings are exempt from FSA some strange reason postdocs were not exempted even though in many respects they're kind of analogous positions that people somewhere between training and employee status, not unlike the units. So anyway so FSA is a funny ruling I would say and I don't really think it's clear what the future exempts to FSA are going to be.

>> [Inaudible] pretty naive [inaudible] situation that happened describing where [inaudible] of the student wanted to have the vote for whether or not there's going to be a union and then there was a vote [inaudible] would that effect all of the grad students [inaudible] or would that only effect [inaudible]?

>> Sure, sure so if the union was voted in would that effect all students on River campus and Medical campus or what -- so that gets back to the issue of a proposed bargaining unit and so the union will go to the NLRB. And they will propose a group that they say supports unionization who want to have a vote and that group could be the entire, all the campuses, it could be River campus, could just be Medical campus, it could be departments within it. The National Labor Relations Board has given; you know there's a lot of flexibility in terms of how they construct that unit. And if you look at some of the existing contracts you'll see, it's actually on the second page usually there's a front page and then there's a second page that talks about who's sort of eligible to -- or who's covered under the contract. You'll see that some list of a variety of departments is being covered, some you know list, all graduates except for you know and then they list out a bunch of departments that are excluded and so on. And that's a reflection of how the union has decided to construct that bargaining unit, which departments are included, which departments are not. And then the way that they determine that you know is based upon what they perceive as their level of support in various parts of the university. And one of the ways to show that support is through union authorization cards but there might be other ways as well. Does that answer your question; you're looking confused?

>> [Inaudible] that information be [inaudible].

>> Well, so that's really up to the unions, so the union will go to the NLRB with a proposal and so -- and the university may only find out about the proposal when the NLRB receives it, so really that's a question for union reps, you know how do they see the process of defining the bargaining unit. Because it's really in their hands, the university has no role in that at all. We can react to it but we don't help [inaudible].

>> Can students who are potentially opposed to the bargaining unit that the union decides from whatever [inaudible] is the a recourse for splitting up [inaudible] after they decide [inaudible].

>> So can the bargaining unit be split up or can people opt out if they find themselves in the bargaining unit. My understanding is no that's not really possible once the bargaining uni] TJ 324.8 TQB13

then really those people within the unit have a right to vote. If you're not supportive of the union you vote no, if you're supportive you vote yes. Depending on the outcome then you know and if it is a yes vote then those people within the unit will be subject to the arrangements that are negotiated after that time.

>> Right, your recourse is the election.

>> Yeah.

>> The bargaining unit -- and just to reiterate unions it's not in their best interest to start including departments that haven't demonstrated interest in the union. So they won't take like IMV which is the biggest department and say well we know we can beat TBS because there's only 16 or so students in there, so we'll just include them in the bargaining unit and we'll win the election and get them too. They are only going to include departments that have demonstrated interests in the union forming. So you won't find yourself as part of a bargaining unit unless students in your department were interested.

>> I have a question so 30% of all graduate students [inaudible].

>> Of the bargaining unit as is defined, so the bargaining unit could be two departments, it could be all departments, so the bargaining unit is when you start submitting union cards they will find the 30% that they want, it could be from three departments, it could be from only one department that just had 30% the students already signed and then the election will be held.

>> [Inaudible] I mean [inaudible] what if I feel like my department is being misrepresented like for some reason they got a union rep or [inaudible] got the idea that my department wanted one thing but [inaudible].

>> Yeah, when it comes to the election so I guess they wouldn't get the idea that your department wasn't interested if there was an interest, so you and a large group of students in your department very might not be interested. But if there is a small minority that's significant enough they can include that would be considered interest and so the election is your only then recourse. There may be a petition process against the NLRB but I'm not familiar with that and I think it would probably be illegally [inaudible].

>> I mean most important thing is to talk to your colleagues in your department to make sure that you're accurately represented, you know in terms of the general position.

>> If we don't sign the interest card but your department it is part of the collective bargaining unit, are you still [inaudible] yes or no?

>> Yes, if you don't sign a union authorization card and which your group, your department is considered part of that and yes, you will be part of the election.

>> So [inaudible] you work in a department that isn't part of the [inaudible].

>> So yeah what do you do in a situation where your PI is in a department that is part of the bargaining unit but you yourself are not. Well, I mean you're not tied to -- it's you not your PI that's going to determine you know if you're in the bargaining unit or not.

>> What could I use [inaudible] rules into the lab, the lab now a union lab [inaudible].

>> No, no I think they'll be certain -- they'll be a lot of stuff that we consider academic and outside of union negotiations, so yeah, there are no union labs [inaudible].

>> I might be [inaudible] there's a very real possibility that if these union people don't get authorization cards from certain departments the departments will never have to vote at any point and if a union comes it will not apply to that particular department, right?

>> Correct, yeah so I mean if it's not -- if your department is not included in the bargaining unit then you were outside of the process, yeah.

>> So let's say hypothetically union is voted in in some departments but not others and then maybe a year or a few years down the line other departments want to get in on the union, do they form their own separate union or would they join, would they have the opportunity to form a separate union?

>> I mean that's a good question, can the union expand and include new departments over time. I think there's probably processes for that, we've never gotten to that point so I don't know exactly what that process would look like. Yeah, I don't know it may be that those new departments need to go through the processes, some ongoing now and then once they if they did vote in a union and the local would unify them or something, I don't know. But yes, I think it's certainly possible that additional groups could be added, I just don't know the mechanics of how that would work, yeah.

>> Based on precedents of other unions at other schools are you aware of any dues, union dues or levels of costs [inaudible] that could come [inaudible].

>> Yeah, so the question is about union dues, so and do they exist and what and you know so on. Most yeah I mean there will be union dues, I think we can probably get some information up on the website about what the amount is for other schools that have unions. I can say that typically what has happened in other contracts is that there's a requirement written into the contract that the university collects dues for the union, I mean that just makes it easier for the union to receive them. And that there's some sort of payroll deduction often times that's put in as kind of a clause within the contract. I don't know the specifics on how much it would be, I know in other companies it's kind of a sliding scale or you know there may be a minimum amount and so on and all that would be negotiated. But I'll try to get some stuff up on the website that shows you kind of what it looks like school by school.

>> The SEIU's minimum according to their contract is \$384 a year.

>> That's the minimum?

>> That's the minimum, yes. I think it comes to \$32 a month, whatever that number is divided by 12.

>> Okay.

>> But as to what other graduate students are paying in other places I don't know.

>> Yeah, in other places, yeah.

>> The last time [inaudible] you don't actually have to -- so the SEIU is not the only union option and nor does it have to be a union that you will think of as associating with graduate students. At Columbia they're being represented the United Power Workers Association. Any union can be representative of graduate students and graduate students can reach out to any union.

>> The union's authorization for a bargaining unit [inaudible].

>> [Inaudible] so can the union be restricted to only negotiating certain issues, I think that's true. I mean I can get -- I was thinking about this in relations to the previous

meetings and within your department you are completely welcome to organize departments together. But yeah, I don't think that GSS will probably be involved in that, again I am the transient president so it's possible that my successor will think differently about that. But at the moment I don't think GSS will be doing that, however if you are interested I would recommend that you, as an individual or within your department start to organize a group and then maybe reach out to other departments. Contact information for students is of course available to students so I think it would have to come from students and not from a university affiliated organization.

>> Okay, thank you very much [cross-talk]

[Applause]

>> We'll get stuff up on the Probst web page if you guys want to look at it.