

## Resolutions: 2010

### **RESOLVED: That COCAL joins C/CGEU in endorsing and encouraging active member support of the Teaching and Research Assistants Collective Bargaining Rights Act.**

Resolution Proposal from the Canadian and U.S. Coalition for Graduate Employee Unions (C/CGEU)

Background: last weekend, C/CGEU met in Stonybrook, NY to assess the current state of graduate employee organizing in the U.S. and Canada. At the conference, we passed a resolution vowing to support the Teaching and Research Assistants Collective Bargaining Rights Act (TRACBRA). TRACBRA is federal legislation that would amend the National Labor Relations Act (NLRA) to guarantee the right to form unions for teaching and research assistants at private universities and colleges -- rights their public university colleagues have enjoyed for decades. It has been introduced in both the U.S. Senate and the House. C/CGEU presents this resolution to COCAL in the spirit of continental solidarity

Currently, private universities and colleges in the U.S. have no obligation to recognize the collective bargaining rights of their graduate employees. The past decade has been marked by partisan flip-flops in legal interpretations that alternately extend and retract protections with devastating results. In a 2000 case involving the rights of NYU graduate employees to organize, the National Labor Relations Board -- the federal agency charged with administering the NLRA -- recognized graduate employees as protected by the NLRA. This NLRB ruling in effect guaranteed graduate employees the right to collective bargaining. In July 2004, however, a newly constituted NLRB with a majority of Bush Administration appointees reversed the NYU decision, claiming that graduate employees were not guaranteed collective bargaining rights due to their status as "students." The decision, unlike the earlier unanimous bipartisan NYU decision, was split with the Republican majority voting to reverse and the Democratic appointees strongly dissenting. As a result of this regressive decision, union election ballots at four private universities, held unopened by the NLRB for over three years, were discarded without ever being counted.

Now, with a new Obama-appointed NLRB, GSOC/UAW (the union for graduate employees at NYU), has filed a petition for recognition and set out to change the NLRB's approach to private sector graduate employee organizing. Even if we are successful, the ambiguity that allowed for the NLRB's earlier retraction of private sector graduate employees' collective bargaining rights remains within the NLRA.

C/CGEU believes that we need to amend the NLRA to ensure that full collective bargaining rights for private sector graduate employees are secured in perpetuity. When any among us are denied full expression of our labor rights, then everyone's rights are weakened. With this understanding, we have asked all locals participating in C/CGEU to contact their congressional representatives and ask them to co-sponsor TRACBRA and we are providing them with guidelines on how to do so.

C/CGEU hopes that COCAL will join this effort to support the collective bargaining rights of graduate employees and also endorse and actively support TRACBRA.