



OFFICIAL MEMORANDUM
Voted & Approved by the General Council: 10/28/2019

To: The Homewood Graduate Students
From: The GRO General Council (GC)

Dear all,

We are writing to bring to your attention an advocacy issue which affects graduate students at Hopkins. Recently, the National Labor Relations Board (NLRB) has proposed a rule change for their agency such that: “students who perform any services for compensation, including, but not limited to, teaching or research, at a private college or university in connection with their studies are not ‘employees’ within the meaning of Section 2(3) of the National Labor Relations Act.” This rule change reverses a previous 2016 ruling. The NLRB is accepting comments on this proposed rule change through November 22, and all comments will be read and considered prior to a final decision.

More details regarding the history of this rule change can be found here:

<https://www.nlr.gov/sites/default/files/attachments/basic-page/node-7740/student-assistants-fact-sheet.pdf>

By being considered as employees under the National Labor Relations Act (NLRA), graduate students are given certain protections from the U.S. federal government. Protections include making it illegal for the employer to retaliate against an employee for exercising rights including (from the NLRB website:

<https://www.nlr.gov/rights-we-protect/rights/employee-rights>):

- Rights related to unions, such as:
 - Forming, or attempting to form a union in your workplace; Joining a union whether the union is recognized by your employer or not; Assisting a union in organizing your fellow employees; or Refusing to do any or all of these things.
- And rights not related to unions, such as:
 - Two or more employees addressing their employer about improving their pay; Two or more employees discussing work-related issues beyond pay, such as safety concerns, with each other; An employee speaking to an employer on behalf of one or more co-workers about improving workplace conditions.
- Other examples can be found here:
<https://www.nlr.gov/rights-we-protect/enforcement-activity/protected-concerted-activity>

We are circulating and signing on to the following petition [<https://forms.gle/qrfmV7YLuBe4WaQt7>] written by Teachers and Researchers United (TRU) because the GRO GC believes it is important for graduate students to be able to *at least* discuss and request changes to their working conditions including, but not limited to, better pay, lab safety, or deciding whether or not to join a union.

Signatures on this petition will be accepted through November 20 and individual comments can also be made directly to the government’s comment portal. Whether or not you support unionization, it is important to make your voice heard regarding graduate student “employee” status. Individual comments can be submitted at:

<https://www.federalregister.gov/documents/2019/09/23/2019-20510/jurisdiction-nonemployee-status-of-university-and-college-students-working-in-connection-with-their>.

We understand that there may be some graduate students in positions that will be strongly impacted by the change in the NLRB ruling and others who may not be impacted at all. Advocating on behalf of the minority is a critical duty of the GRO and we continue to extend our support to all students.

Sincerely,

The GRO