



SENATE FINANCE COMMITTEE
Senate Bill 118
State Personnel - Collective Bargaining
January 27, 2022

Unfavorable

Chair Kelley, Vice Chair Feldman and committee members, thank you for the opportunity to share our thoughts on Senate Bill 118. The bill authorizes graduate assistants at the University System of Maryland (USM) to collectively bargain.

The USM has worked over the last decade to improve the status of the USM's approximately 6,000 graduate assistants (based on a recent survey of all institutions), including the establishment of a "Meet and Confer" process that gives these students (and adjunct faculty) the opportunity to engage a labor representative to represent them in discussions with campus administrators. Focused on the fact that these individuals are first and foremost students earning advanced degrees, the USM has a Policy on Graduate Assistantships, which addressed the following issues:

- Due process protection and grievance rights;
- Participation in the shared governance process;
- Stipends comparable to those at peer institutions; and
- Clarification of the university's expectations regarding duties and time commitments; for example, a full-time assistantship requires the student to work an average of 20 hours per week.

Maryland collective bargaining law includes USM employees generally. The statute expressly excludes from collective bargaining "a student employee, including a teaching assistant or a comparable position, fellow, or post-doctoral intern." The University System of Maryland remains in accord with the existing law because:

- Currently, in addition to a monetary stipend for their half-time work, most USM graduate assistants receive a tuition-free education worth an average of \$22,000 annually, fully subsidized state health care, stipend increases in each year of a contract, and exemption from paying FICA taxes, which means their paychecks are 7.65% higher than those of faculty or staff earning comparable wages.
- The "Meet and Confer" process provides graduate assistants with many of the perceived benefits that collective bargaining offers, including the right to engage a labor organization to assist them in this process. To date, no group of graduate

assistants has taken advantage of the opportunity to use a labor organization during the “meet and confer” process.

- Repealing the law would create a confusing maze of litigation and legal expense over which “groups” or “classes” of graduate students may be allowed to organize.
- The cost of negotiation, and potential for productivity slowdowns for students, outweighs any perceived benefit.
- Unionization fails to account for the different requirements of graduate assistants in different academic disciplines.
- USM graduate assistants enjoy rights concerning workload, grievance procedure, parental and personal leave, professional evaluation, and discipline.

The concept and ongoing process within the USM known as “shared governance” is a very important process that has served the USM higher education community well for many years. USM employs a Council of University System Students, a Council of University System Faculty, and a Council of University System Staff and even a Council of University System Presidents.

Each council is empowered to continually raise issues of concern to the Chancellor and the USM Board of Regents. At the institutional level, the shared governance bodies raise issues and have discussions with the administrators who have direct management of the day-to-day operations of the campus. Shared governance is a collaborative working relationship which provides the necessary follow through to address issues and concerns. USM is a diverse system with 12 degree-granting institutions and 3 Regional Higher Education Centers located throughout the State of Maryland. Issues ranging from salaries, stipends, housing, cost of living, and recruiting competition vary in a system this large. We believe that, given this diversity and the specified opportunities for the graduate students to work with their administrations under the “meet and confer” process, the specific challenges that students are facing at a given institution should be handled at the institutional level. Since the meet and confer process allows for a group, such as graduate assistants, to include a representative (such as a union representative) in those discussions, the process should be used to its fullest to address remaining issues.

Thank you for allowing the USM to share these concerns regarding Senate Bill 118.



About the University System of Maryland

The University System of Maryland (USM)—one system made up of 12 institutions, three regional centers, and a central office—awards 8 out of every 10 bachelor's degrees in the State of Maryland. The USM is governed by a Board of Regents, comprised of 21 members from diverse professional and personal backgrounds. The chancellor, Dr. Jay Perman, oversees and manages the operations of USM. However, each constituent institution is run by its own president who has authority over that university. Each of USM's 12 institutions has a distinct and unique approach to the mission of educating students and promoting the economic, intellectual, and cultural growth of its surrounding community. These institutions are located throughout the state, from western Maryland to the Eastern Shore, with the flagship campus in the Washington suburbs. The USM includes Historically Black Colleges and Universities, comprehensive institutions, research universities, and the country's largest public online institution.

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