



Testimony - SB 166, State Personnel - Collective Bargaining -
Graduate Assistants and Postdoctoral Associates
Favorable

Senate Finance Committee

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Honorable Chairwoman Beidle and Members of the Senate Finance Committee:

As a union of over 23,000 workers that represent faculty and staff at various universities and colleges throughout the DMV, we have seen first hand how collective bargaining rights change a workforce for the better. Over the past several years new bargaining units have developed at some of our most prestigious institutions of higher learning in the region. Many times the grievances around working conditions, internal processes, and shared governance are echoed from school to school. The issues we see in academic workforces are systemic in this nation. Too often, the idea of running colleges and universities like a business has resulted in attempting to squeeze faculty & staff for maximum efforts with minimal compensation. Dissent and dissatisfaction are met with hostility and hesitancy rather than self-reflection. Shared governance is decied as a sham process to rubber stamp unilateral decisions by administrations.

And, yet, once workers have unionized and negotiated contracts, morale improves. Co-governance of the institution is realized in a meaningful way that respects the value of every worker. Collective bargaining rights, union jobs with living wages, and making Maryland one of the best places to work in this nation has long been a priority of many of you for years. However, year after year, public sector workers in this state have had to come before this body piecemeal to be granted the right to collectively bargain. And, once again the graduate assistants and postdoctoral associates come before the Maryland General Assembly seeking to be treated as any other employee of our institutions of higher learning.

In August of last year, the National Labor Relations Board (NLRB) reaffirmed that graduate students are statutory employees under the National Labor Relations Act (NLRA) in *RAND v. PRGS ORGANIZES-UAW*.

Key Takeaways from this case include:

- Receiving academic credit for work performed does not preclude a finding that students are employees under the NLRA.
- Conducting research for pedagogical purposes does not preclude a finding that students are employees under the NLRA.
- Failure to advance a key business operation does not preclude a finding that students are employees.
- A common-law employment relationship merely requires compensation in exchange for services, not compensation for “valuable” or “important” services.

These developments in labor relations all point to something Maryland has been missing, graduate students and postdoctoral students are public employees who deserve the same rights as other public employees, chief of those being collective bargaining rights.

Our governor Wes Moore has often spoken that no Marylander should be left behind. Let this be the year the members of this committee and the general assembly make that a reality for graduate and postdoctoral workers in the University System of Maryland. I ask you to be bold, to move democracy forward. I ask you to support SB 166 and grant collective bargaining rights to grad students at our state universities.

Thank you,

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