

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 020831)

RESOLUTION

Calling on the University of Pennsylvania to drop its appeal of the National Labor Relations Board's decision regarding Graduate Employees Together - University of Pennsylvania, which declared that graduate students who perform teaching and research work for the University are employees, and have the right to vote in a union election to be supervised by the NLRB early in 2003.

WHEREAS, Over two years ago graduate employees at the University of Pennsylvania began organizing themselves to form a union which would provide them with a greater voice in their workplace; and

WHEREAS, The National Labor Relations Board has ruled five times that graduate students at private universities who provide service as teaching and research assistants are employees with the right to organize unions and to bargain collectively; and

WHEREAS, A majority of the graduate employees at the University of Pennsylvania have signed authorization cards indicating their desire to be represented by Graduate Employees Together – University of Pennsylvania; and

WHEREAS, The University administration has consistently challenged these employees' right to unionize, and has instead chosen to spend hundreds of thousands of dollars of university funds fighting against this right in hearings; and

WHEREAS, An appeal would cost additional hundreds of thousands of dollars, take numerous months, and do little to build a better working relationship between the University and its graduate employees; and

WHEREAS, Within the last thirty years, the number of recognized graduate employee unions nationwide has grown to 23 with 15 other ongoing campaigns due to universities' common practice of exploiting their graduate employees who provide important teaching and research services for compensation and benefits at levels far below those of full time professors; and

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WHEREAS, The University of Pennsylvania's graduate employees provide thousands of hours of labor in the form of teaching, research, staffing of labs and offices, grading, and meeting with students. Moreover, Penn graduate employees are the sole teachers for many undergraduate classes and teach the bulk of the contact hours for the core undergraduate curriculum. Furthermore, Penn graduate employees do most of the actual research for numerous research projects at the university; and

WHEREAS, The University of Pennsylvania has recognized and respected the right of other groups of its employees to form unions; and

WHEREAS, The right of employees to collective bargaining is enumerated in the laws of our Commonwealth of Pennsylvania, the federal laws of the United States of America, and in the United Nations Universal Declaration of Human Rights. Moreover, our federal law encourages collective bargaining as a means to preserve industrial peace and a democratic society and this has been upheld as a "fundamental right" by the Supreme Court of the United States in the case of *NLRB v. Jones & Laughlin Steel Corporation* (1937); and

WHEREAS, Numerous civic, religious, academic, labor, and political groups and actors have publicly called upon the University to recognize the collective bargaining rights of its graduate employees; and

WHEREAS, The University receives tens of millions of dollars in tax abatements from the City of Philadelphia due to its non-profit status, and receives additional hundreds of millions of dollars of public funding from both state and federal sources; now therefore

RESOLVED, That the City Council of Philadelphia hereby calls on the administration of the University of Pennsylvania to drop their appeal of the National Labor Relations Board's decision regarding Graduate Employees Together - University of Pennsylvania, which declared that graduate students who perform teaching and research work for the University are employees, and have the right to vote in the union election to be supervised by the NLRB early in 2003; and

RESOLVED FURTHER, The University of Pennsylvania should support the principle that all workers, including the graduate employees at the University of Pennsylvania, are entitled to freedom of association at work, and that they should be able to form a union and bargain collectively in an environment free of interference, intimidation, coercion, harassment, reprisals, or delay; and

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RESOLVED FURTHER, The University administration should remain neutral during the union organizing campaign, recognize the union when a majority of the employees choose to form one, and bargain in good faith and reach an agreement in a timely manner if a union is chosen; and

FURTHER RESOLVED, That a true and correct copy of this resolution be sent to University of Pennsylvania President Dr. Judith Rodin and all members of the University of Pennsylvania Board of Trustees as evidence of the grave concern of this legislative body.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the nineteenth of December, 2002.

Anna C. Verna
PRESIDENT OF THE COUNCIL

Marie B. Hauser
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmembers Cohen, Mariano and Reynolds Brown

Sponsored by: Councilmembers Cohen, Mariano, Reynolds Brown, Rizzo, DiCicco, Goode, Miller, Kenney, Council President Verna, Krajewski, Nutter, Tasco, Longstreth, Clarke and O'Neill