

# GRADUATE STUDENT UNIONIZATION: CONDUCT GUIDELINES (AUGUST 2018)

As graduate students at Brown consider whether or not unionization is in their best interest, it is important to note that the National Labor Relations Board (NLRB) has strict guidelines for university and labor union officials that must be adhered to during organizing campaigns and elections. In particular, individuals considered supervisors are required to follow these guidelines. These include members of the faculty, deans, department chairs and directors of centers, institutes and schools.

What follows is guidance for University faculty, deans and other academic leaders to ensure we both comply with the law and promote a climate that upholds our principles of academic freedom and freedom of expression.

## GUIDANCE

### *Permitted Activities*

**Maintain Academic Relationship:** Faculty should continue to maintain their scholarly relationships with students, engaging in teaching, research and advising, as well as monitoring and promoting academic progress.

**Personal Opinions:** Faculty are free to have and express their personal opinions about unionization. However, it must be made clear that these opinions and points of view are personal, and not necessarily shared on behalf of a department, center, school, institute or the University.

**Share the Facts:** Students may request information as they consider their positions on unionization, such as information about stipends, benefits and policies. If you know the information requested, please share it. If you do not, direct the student to resources ([brown.edu/academics/gradschool/about](http://brown.edu/academics/gradschool/about)) or to individuals who can provide the information, including to the Graduate School at [graduate\\_school@brown.edu](mailto:graduate_school@brown.edu). (If students ask for speculation about potential details of a collective bargaining agreement, please note that that specifics would emerge through negotiations, which would occur after a representation election takes place and the union has won.)

**Promote Participation:** It is acceptable to encourage students to learn about the issues and to vote should an election be held. The decision of whether a union will represent the petitioned-for students will be decided by the majority of those voting, so it is important for all eligible voters to exercise their right to vote. At some other universities, small election turnout has resulted in a small percentage of students making the unionization decision for all students, a decision that may stand into the future and is not easily reversed.

### *Prohibited Activities*

**Coercion:** While faculty are free to have personal opinions and positions, these should not be executed in a coercive manner.

**Interrogation:** Do not ask students their position on unionization, if they have signed an authorization card to support the union,

if they know of others who have a particular stance or for the names of individuals associated with the union/union leadership. Do not ask for information about the organizational structure of a union or what transpired at union meetings. It is acceptable to listen if a student volunteers this information, without probing for additional details.

**Threats and Intimidation:** Threats and intimidation have no place at Brown and are strictly prohibited in all contexts, including unionization. Threats to a student's status or conditions as a means to influence a student's position, opinion or actions related to unionization (or any other issue) are not permitted. Implied threats are also prohibited, such as speculating on the outcome or implications of collective bargaining.

**Punishment and Rewards:** Do not threaten adverse consequences based on the outcome of an election or a student's individual position or opinion. Likewise, do not reward or promise benefits to students based on the outcome of an election or an individual student's position.

**Surveillance:** Students must be free to meet, organize and discuss issues related to unionization with the expectation of privacy. It is not permissible to eavesdrop or conduct any type of surveillance.

**Deterring Organizing Activities:** During their free time, students are free to engage in non-disruptive organizing activities, such as soliciting other students to support or oppose a union. Organizers who are not students are permitted the same access to University premises as other guests and visitors. Organizers may not interfere with or disrupt University business.

*Please visit the following NLRB websites for additional guidance for employers:*

- **Employer/Union Rights and Obligations**  
[nrlb.gov/rights-we-protect/employerunion-rights-and-obligations](http://nrlb.gov/rights-we-protect/employerunion-rights-and-obligations)
- **Election-related Content**  
[nrlb.gov/rights-we-protect/whats-law/employers/election-related-content](http://nrlb.gov/rights-we-protect/whats-law/employers/election-related-content)



For additional information on graduate student unionization at Brown, please visit the "Be Informed" website at [brown.edu/go/be-informed](http://brown.edu/go/be-informed)