

B.R.2019.05

CALL FOR SUPPORT OF UNIVERSITY LABOR AND ITS RIGHTS TO ORGANIZE WITHOUT UNLAWFUL INTRUSION

STUDENT GOVERNMENT BOARD

UNIVERSITY OF PITTSBURGH

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CO-SPONSORED BY: SGB Board Member Scott Glaser

- WHEREAS,** The working conditions of University of Pittsburgh graduate student employees are the learning conditions of University of Pittsburgh undergraduate students;
- WHEREAS,** Article XII Section 1201 (a) (1) of the Public Employee Relations Act (PERA) prohibits public employers, their agents, or representatives from “Interfering, restraining or coercing employees in the exercise of the rights guaranteed in Article IV of this Act [PERA]”;
- WHEREAS,** Article IV of PERA affords employees the right “to organize, form, join or assist in employee organizations or to engage in lawful concerted activities for the purpose of collective bargaining or other mutual aid and protection or to bargain collectively through representatives of their own free choice...”;
- WHEREAS,** Stephen Helmerich, a hearing examiner for the Pennsylvania Labor Relations Board, upheld an appeal by the United Steelworkers on unfair labor practices by the University of Pittsburgh, in violation of Article XII Section 1201 (a) (1) of (PERA) in multiple instances;
- WHEREAS,** One instance of a coercive statement deemed to be an unfair practice included an email from the Department Chair of Chemical Engineering, Steven Little, to graduate students in his department which created an impression of close monitoring, or “had the effect of expressing to the eligible voters in the Chemical Engineering Department that their votes were under close scrutiny and observation by the management of the University...”²;

¹ PERA: <https://bit.ly/2qDTfX8>

² PLRB Ruling: <https://bit.ly/30XZpT6>

³ University Times Article: <https://www.utimes.pitt.edu/news/grad-student-union-effort>

WHEREAS, Another such instance of a coercive statement deemed to be an unfair practice included a statement on a university website regarding academic appointments which was deemed to be “a substantial departure from the truth, not carefully drawn, and not based on objective fact”², which was maintained on the website for an extended period of time;

WHEREAS, A final instance of coercive statements deemed to be unfair practices included an email sent by Vice Provost for Graduate Studies and Strategic Initiatives, Nathan Urban, to all eligible voters and a chart on the university website that was deemed to be “a substantial departure from the truth, not carefully drawn, and not based on objective fact”² that “would grossly impact and coerce potential voters about the potential impact of unionization of graduate students at the University”².

WHEREAS, Due to these unlawful and unfair labor practices, the University has been ordered to “cease and desist from interfering, restraining or coercing employees in the exercise of the rights guaranteed in Article IV of [PERA]” ;

WHEREAS, The outcome of the election and the conclusions determined by the proposed decision “potentially affected a large enough pool of eligible voters for the effect on the election to be manifest due to the extreme narrowness of the result.”

WHEREAS, Case no. PERA-C-19-95-W deemed that the University of Pittsburgh must post a copy of the PLRB’s decision and order in a place that is conspicuous and readily accessible to the bargaining unit employees;

WHEREAS, Based on the proposed ruling by the PLRB hearing examiner, it has been ordered that a new election to be held in Case no. PERA-R-17-355-W

WHEREAS, The University spent \$239,061 in fees on “union avoidance” through legal firms, namely Ballard Spahr, and otherwise union avoidance or union interference activities³;

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WHEREAS, The University of Pittsburgh responded to the proposed ruling by denying any inappropriate actions during the election process, and have filed a challenge to the ruling, *now, therefore, be it;*

RESOLVED, The Student Government Board supports the conclusions, orders, and directs of the proposed Pennsylvania Labor Relations Board ruling, *and be it further,*

RESOLVED, That the University of Pittsburgh Student Government Board calls upon the University to retract their exception to the recent PLRB proposed ruling, *and be it further,*

RESOLVED, That the University of Pittsburgh Student Government Board stands in support of fair election processes for student employees at the University of Pittsburgh, free from actions from any party that may interfere with such to occur, *and be it further,*

RESOLVED, That the University of Pittsburgh Student Government Board pledges to advocate and protect the rights and well-being of University students and laborers in accordance to its purpose and the law, *and be it further,*

RESOLVED, Pursuant to a final decision made by the full Pennsylvania Labor Relations Board, the Student Government Board calls upon the University to not engage in any further dissemination or communication of misleading information regarding the nature of bargaining and unions.

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