

## Can Student Workers Organize a Global Corporate University? A Conversation with the UAW's Maida Rosenstein

by Paul Ryan and Gregory DeFreitas

Do graduate research and teaching assistants at large private universities have the right to choose union representation and bargain over pay and benefits with administrators? For over a decade now, that has been the central issue in contention between New York University and hundreds of its graduate employees. In 2000, the Graduate Student Organizing Committee (GSOC) succeeded in winning the backing of a majority of the University's hundreds of GRAs and TAs for representation by UAW Local 2110. NYU's administration, claiming they were not employees, just students, fought to block unionization. But after the National Labor Relations Board (NLRB) ruled in the students' favor and rejected NYU appeals, the UAW won the first such contract at a private university in January 2002. However, after the George W. Bush administration appointed a Republican majority to the NLRB, it reversed the 2000 decision and ruled that private universities did not have to negotiate with such student employees. When the GSOC contract expired in August 2005, NYU took advantage of this ruling and refused to negotiate any more contracts. In November, GSOC began a strike that would last through the end of the school year the following May. President John Sexton retaliated with punitive firings of dozens of striking student employees, and igniting student, faculty and community protests.<sup>1</sup> Since 2009, after the Obama administration appointed a more union-friendly majority, the NLRB has taken another look at the issue, raising the possibility that the students' union rights might again be restored in coming months.

NYU has been the focus of renewed political, legal and media attention over the past year with its controversial 2031 Plan – aimed at adding six million square feet of new campus space in the city by its bicentennial year, 2031. Two million square feet of this will be in prime Greenwich Village space in two superblocks just south of Washington Square Park – where about two-fifths of NYU faculty now live. Although the New York City Council approved the plan in July 2012, community, student, and faculty opposition has only increased since then. On the eve of a faculty vote of no-confidence in NYU President John Sexton's leadership this March, the New York Times wrote:

*"Embarking on an ambitious expansion at home, constructing a network of new campuses around the globe, wooing intellectual superstars and raising vast amounts of money, John Sexton of New York University is the very model of a*

*modern university president – the leader of a large corporation, pushing for growth on every front. To some within NYU, Dr. Sexton is a hero who has transformed the university. The trustees have thanked him by elevating his salary to nearly \$1.5 million from \$773,000 and guaranteeing him retirement benefits of \$800,000 a year. But to others, he is an autocrat who treats all but a few anointed professors as hired help, ignoring their concerns, informing them of policies after the fact, and otherwise running roughshod over American academic tradition, in which faculty members are partners in charting a university's course."*<sup>2</sup>

One of the long-time leaders of the NYU graduate student union campaign is Maida Rosenstein, now president of UAW Local 2110, the Technical, Office and Professional (TOP) Union. The local now represents over 3,000 clerical, administrative, educational, graphic arts and related professionals in the Northeast, at workplaces ranging from Columbia University to Harper Collins Publishers to the Museum of Modern Art. Born and raised in New York City, she worked as a clerical employee at both NYU and Columbia after graduating from college in the late 1970s. By the early 1980s, she joined a campus organizing drive by local union District 65 that was mobilizing Columbia's clerical workers. In 1985, they won recognition for 1,100 clerical and administrative support staff at Columbia and – after a six-day strike in October – signed a first contract with the University. By 1991, District 65 had merged with the United Auto Workers and Rosenstein became a full-time staff member. Within a few years, graduate student organizing at NYU became the focus of a great deal of her local's efforts, leading to the ultimately successful UAW election win in 2000 and passage of the hard-fought first contract in January 2002.

In early May, Paul Ryan and Greg DeFreitas talked with her at Local 2110 headquarters in Manhattan's Garment District.

**GD:** Your union has drawn an unusual amount of attention over the years for your success in organizing employees at New York City's two giant private universities: Columbia and NYU. You now represent clerical workers at Columbia and in 2000 your local won national headlines when the NLRB ruled in the UAW's favor that NYU graduate research and teaching assistants had employee rights to vote for a union and

bargain for the first student-employee labor contract at a private-sector university. And you signed that first successful contract there in early 2002.

Ten years ago, *Regional Labor Review* interviewed you about all this.<sup>3</sup> Today things seem very different. Could you bring us up to date on the major developments since then affecting NYU and the other institutions you've organized?

**MR:** We had a huge setback to graduate employee organizing under the Bush NLRB. The NYU campaign had stirred organizing at a number of campuses, including at Columbia, Brown, and Penn. It looked like thousands and thousands of grad employees were going to get organized, potentially leading to organizing in other sectors of the university. For example, at UC the postdocs have subsequently organized.

And so I think it was clear that the right recognized that this was going to be very dangerous, and universities really teamed up and strategized together. When Bush was elected, they filed appeals on all of these elections, and they managed to reverse the law. That resulted in two things immediately for Local 2110. One is that we had organized the grad employee teaching and research assistants at Columbia, in a unit that included science research assistants (which NYU didn't).

We had an election there which we thought we won. The ballots were impounded, and then ultimately because of the Bush-Gore decision, the ballots were thrown out, without ever being counted. The same thing happened at Penn to the AFT, at Brown to the UAW group there, at Tufts, which was a local UAW campaign. And so that sort ground things to a halt.

And then it was compounded, because in 2005, we had a contract that we had gotten at NYU that was actually really an excellent first contract. It was heralded as really being good for graduate students. The faculty liked it, a lot of departments liked it, because it really raised the stipends and improved the conditions. And so there was a lot of grassroots support for the contract, not just from the members.

And then in 2005, when the contract expired, the university withdrew recognition, and we had a huge battle and a strike over that.

**GD:** This came up recently in national news when President Obama nominated Jack Lew as the new Secretary of the Treasury. Back in 2005, Lew was Chief Operating Officer at NYU. Media reports say that he wrote the memo that summer saying, "We've decided that we're not going to honor this contract anymore."

**MR:** He probably did. I don't actually remember.

**GD:** And my understanding was that the first contract boosted the average grad student employee's pay by 40%. So, the union won very dramatic improvements in pay and full health benefits.

**MR:** Yeah, and in fact, that was the biggest pushback that the university got when they withdrew recognition. There were a lot of faculty that were very upset, and the university had to sort of try to buy everybody off by announcing that they were committing themselves to not lowering any salaries, and in fact they were committing themselves to increasing the salaries every year for three years. And they also created this fake company union. It didn't last too long. They were saying, "The grad students will still have the ability to have input and a fake governance structure."

**PR:** A "house of delegates?"

**MR:** That's right. And that didn't last too long. I don't even know if that's in place anymore. Nobody ever talks about it.

**PR:** I hear that's been canceled, because it's been captured by the union.

**MR:** Right, they kind of took it over. And all that would definitely affect graduate employee organizing. Things have been very difficult for everybody now in the local. I mean, we thought we would get a respite when Obama was elected, but that has not been the case – whether because of the economy or because of the inroads into destruction of collective bargaining in so many areas and the loss of union membership. That has really empowered employers. So it's a very difficult situation for bargaining. You know, daily collective bargaining is like a war out there.

You know, I don't have any contracts that come up where the employer is not demanding concessions. That is what we are fighting off. And, I mean, often completely unnecessary concessions. For example, we just settled a contract with Columbia a year ago for the office workers. We've been organized there for 26 years now, and you would think at this point we would have a relationship that was established so that was we wouldn't be fighting over the basics. But in fact that's not the case. It was a real war.

**PR:** What kind of issues?

**MR:** Health benefit cuts. That's in every bargaining. But in this case, they want to do such stupid things. They want to cut the tuition deduction down

**GD:** And for a lot of the clerical workers who work there, the main motivation is not the pay, that's for sure, it's getting tuition assistance. So how, with a massive endowment and low-paid workers, do they come to the bargaining table and say, "We need you to make concessions?"

**MR:** I think that they are doing what NYU is doing. Columbia University has this huge plan to expand uptown over the next 20 years. They're trying to buy up all the land between the campus



border at 120th Street and the medical school campus on 168th Street. They've raised \$5 billion, but that's not going to be enough. They're going to need billions more to be able to buy this land and develop it. So that's what they are interested in. And they don't want to spend any money on campus.

NYU is doing the same thing. You might have heard that they have this "2031 Plan" in which they want to buy up more of lower Manhattan, and probably parts of Brooklyn, too. It's going to be very expensive, and they're basically going to mortgage the entire university to the plan. I mean, NYU is not quite as well off as Columbia. They have an endowment of \$2 billion, and Columbia's is \$8 billion. But even a richer university like Harvard has been criticized for the same thing, when (then-President) Larry Summers was spending a huge amount of money buying parcels of land in Cambridge.

**PR:** They make the argument in bargaining that "We need to reduce benefits to clerical workers because we're under pressure to finance all this?"

**MR:** No, they don't say that at all.

**PR:** Do they claim hardships?

**MR:** Yeah. It's tough. I don't think people believe it on the ground. People are also seeing where they're putting all of their resources. Columbia is particularly offensive because the whole area that they want to buy is in Harlem, West Harlem. They have claimed that it's a "blighted community," and they're going to help it. In the meantime, they're blighting the community by buying up big chunks of land as they become available, and leaving them undeveloped for years. I've never seen it as bad. I mean, we've always had a rambunctious relationship with Columbia. We've had strikes there. The labor relations there are worse than they were ten years ago. They're more like it was when we first organized, the level of hostility towards the unions, you know? But this group is really oblivious to workers. They're oblivious to everything except what they're doing.

**GD:** And now NYU is fashioning itself as a global university, isn't it, opening a full campus in Abu Dhabi?

**MR:** Yeah. It looks like they might have gotten in trouble with that, given the recent no-confidence vote against Sexton by the Arts and Science Faculty. Supposedly other schools at NYU are also going to be holding no-confidence votes soon. Even though the reasons for the no-confidence vote are not necessarily directly because of the university anti-labor stand, there are clear connections

**GD:** Sexton's massive pay package got into the New York Times, and people are raising questions about that at a time when tuition is through the roof and he is claiming the need to slash graduate employees' health benefits. I understand that over 1,000 students signed a petition on that. Could you talk a bit about what happened there?

**MR:** Well, first of all, there's very limited benefits to begin with, because while grad employees have coverage for their own health benefits, they don't have any family coverage without paying astronomical sums. And actually, the only reason that they have any health coverage at all was because of that first contract, where we addressed that because they started from a position where they had nothing. But they still don't have any family coverage and many would have to spend almost all their stipend to cover it.

Now the university wants to switch to self-insurance on the health coverage, which they already have in place for all the other employees. Columbia has that, too. It means that they basically put aside money to pay the cost directly, and they hire a provider to administer it. But instead of buying premiums from a health insurance company, they just pay the cost of the benefits. And if you have enough lives covered, they can save money doing that rather than paying an insurance company. The problem is there's even less regulation of those kinds of plans than there are of others. And apparently, until recently, student health insurance could not be done that way. And it could end up driving up costs for the grad employees. But the worst is that they don't cover the families. It's like a message: You're a baby, and you're in permanent infancy. It's not a real job.

**PR:** So although the university stopped recognizing the union in 2005, they did not cut health benefits at that stage?

**MR:** They've whittled away. With the first contract, we got coverage for individuals. We didn't get coverage for the families. But that was the first contract, and we had nothing before that. So if we had collective bargaining for the last ten years there's no doubt that we would be in a better position than people are now.

**PR:** So in that sense the university managed to save money.

**MR:** Definitely. Although they didn't cut back drastically, they whittled away at the health benefits. You know, you increase copays, you increase cost of prescriptions, all of that stuff is a money-saver for the University.

**PR:** So does that provide a good organizing tool?

**MR:** Well, I think it does seem to be, yes. We've been able to get people signing the petition, and also a bunch of grad students who would not have been involved otherwise, I think they're stepping up around this campaign. And I think it really centers it as a collective bargaining issue, too. Health care is so primary to a collective bargaining agreement. In my experience, workers will fight over health care in a way that they might not fight over wages.

**GD:** Why do you think that is?

**MR:** Well I think because there is a sense that these benefits are essential, and they draw the line. Obviously, the de-unionization is eroding people's confidence that they are entitled to benefits. I think this is what's happened.

**GD:** Have you seen any impact of the new law allowing young people up to age 26 to stay on their parents' insurance? Has that weakened at all, do you think, the graduate student employees' resolve on health benefits?

**MR:** I think that makes them more confident that they're entitled to benefits.

**PR:** I was very struck with the introduction by NYU of these MacCracken Fellowships. They're going to give all the graduate students an aid package for the first five years. So they don't have to teach in those five years. If they choose to, then the University will treat them as adjuncts. And there is already an adjunct contract with the UAW. So NYU can claim that the grad students have already got a union and are not being exploited.

**MR:** Exactly. But all they've done is throw some money at people to buy them off. They're saying, "We'll pay you an extra 4,000 bucks for your classes and treat your teaching as if it's extra non-required adjunct teaching, and everything else as a package that we give you because you are a student, and this is part of a scholarship." You know, in essence they've basically thrown \$4,000 extra at people.

**PR:** Do you think they would have done that without GSOC/UAW in the offing?

**MR:** Oh, absolutely not. I think they're just spending the money because it's part of their campaign. I mean, everything that they've done, all the restructuring, is, I think, in response to the unionization. And I think that's what happens at Columbia, too, very broadly. Obviously, these union drives were in response to something.

At NYU in particular, in the '90s, stipends were much lower, particularly when you consider that it's New York City, and it's very expensive to live, and there's no housing. It was an incredible struggle. People had to teach a lot and they had a very poor package. Frankly when we were first organizing, it was like a no-brainer to people to sign up for the union. It was like, "Union? Sure."

So the university responded even then by restructuring the work and it suited them in a lot of ways, like giving people funding the first five years. But what happens to people in their sixth, seventh and eighth years is really bad, because people lose everything at that point, and you're really far along. So it's like: "Finish up!

You're screwed if you didn't get any outside money. You have to adjunct." So they are also pushing people out the door much faster. It does have an impact on what people are willing to do with graduate students, because would you go and travel someplace and do very intensive research when you're only going to be funded for five years? If you didn't get any outside funding, probably not.

**PR:** Does the administration have a leg to stand on in the sense that they say, "We're not against collective bargaining. There's an adjunct union so you can put the TAs in that"? Does that complicate your task even more?

**MR:** Definitely, it was like really, really complicated. To get people to even understand what was going on was very difficult. But the reality is, even if we had agreed to that and said, "Okay, we'll do that," the number of people who would actually have been able to be

covered by the adjunct contract would have been, I don't know, 300 or 400. The numbers would have gone down dramatically, and you would have left out all of the science, research assistants. And those people would have gone in and out of their unions without ever making a real impact on it. You know, you'd be teaching one year and qualify to be part of the adjunct union, and the next year you're going to be out, and you might not ever be qualified to be back in.

With a graduate employee unit, you can set up a structure that actually accounts for that. When we had our union recognition, people in their off years, when they weren't teaching, were still considered union members and were invited to participate and be involved, like being stewards, and they did. So we responded to the structure of the work. If people who were in the adjunct group, it

would be much, much harder to do that, because the structure is different.

The adjunct group needs its own structure because we have members in that local that are teaching all over the place – you know what the deal is with adjuncts. The local has contracts with NYU and with the New School, and they have members who are teaching in both, and are covered by both contracts. They call themselves ACT, Adjuncts Coming Together. It's Local 7902 of the UAW. And they've organized as a result of the grad employees organizing. You know, they were definitely spurred to organize because of grad employees. You know, the grad employees organizing has spurred a tremendous amount of organizing among other groups of people.

**PR:** Any others come to mind?



Maida Rosenstein



**MR:** Well, the postdocs, for example, in California, and now at the University of Washington.

**PR:** And the NYU faculty, are they unionized?

**MR:** There's an AAUP chapter of interested faculty that has no recognition. Andrew Ross is the chair of that.

**PR:** Could you say a little bit more just in terms of the relationship between GSOC, the adjunct union, and other pro-union faculty. Are they by and large fairly supportive of the GSOC?

**MR:** I don't know what the situation is now. When GSOC organized, there was a very, very active faculty for a group, and I think they too were inspired by the grad organizing. The same things that were spurring grad organizing were spurring them. So they formed this group called Faculty Democracy that was very active, and it was large numbers. Compared to Columbia, you had a hundred people who were very, very interested. I think the faculty has responded, and when they saw the university's anti-union campaigns, their legal shenanigans around GSOC, I think it really turned a lot of people off. And it gave them the continuity to the issues that the grad employees were dealing with and the working conditions the faculty were dealing with. So, there is a history of a lot of faculty support.

During the strike that fractured, and it's not surprising. The strike was very controversial. It's hard to stick with a striker. The university was extremely hard on the strike. They actually penalized some people from working, et cetera. They threatened international students. So it was not surprising that there were some faculty concerns.

**PR:** Did they go after some of the strikers they knew about?

**MR:** A couple of strikers who were in the writing program were cut.

**PR:** Did they get taken back, or were they fired for doing it?

**MR:** They got taken back eventually. And we raised a lot of money to help them.

**PR:** It's impressive that UAW has shown so much commitment to this cause, because it's presumably been expensive and protracted and difficult to win.

**MR:** Definitely. But this is the best about the UAW. They do that at UC Berkeley, also, they've stuck with it for 12 years. You know, we have this campaign now to organize transnationals in the South, and I have no doubt but that we're going to be there for the long haul.

**PR:** This would be, say, German factories coming in?

**MR:** Well, Volkswagen is one of them, but there's also Nissan and Toyota. All these transnational auto companies that are unionized everywhere else, when they come to the right-to-work South and open up factories there to ensure that they won't be unionized.

**PR:** Well, one would expect UAW to respond to that. But it's far less expected that UAW is involved in teaching assistants, such a different group, presumably with a lot of turnover and maybe attitudes different from industrial trade union attitudes.

**MR:** Yeah. It's interesting. I think the biggest connection is that organizing at universities, and especially industrial approach to it is not that different. There was a history of organizing in higher ed in the UAW. Again, it may have just come about that way. But the UAW has a willingness to organize all kinds of workers, and there were already contracts in higher ed, mostly at colleges and universities in Michigan, and then the District 65, our predecessor, started the organizing at Berkeley.

**PR:** Yeah, so it goes back a long time.

**MR:** It does. And I think just that taking on a university is not that different than taking on a large corporation, you know? So I think we're very suited to it, and the UAW has a history of fighting really hard and staying with it. A lot of the other unions didn't want to take on this initial fight, which would involve changing the role of organizers. When the NYU group first started looking around, they talked to other unions, and UAW was the most willing to do it.

**GD:** Has that changed at all over the recent years? Have you run into competition with other unions in terms of organizing NYU or other campuses?

**MR:** Well, once we organized at NYU, when we got a contract, then other unions got interested. The AFT had organized grad employees in public universities in Michigan and Wisconsin. They organized at Penn. When the NYU adjuncts start organizing, they intervened, and they tried to mount a competitive campaign before the election in July 2002.

**GD:** Well, I guess that's not surprising me, but the number I've heard is NYU relies on adjuncts and other non-tenure-track faculty, something on the order of 70%.

**MR:** Yes, some schools are almost all adjuncts. It's a huge number. They're at the cutting edge of the corporate university.

**GD:** Having lived in that area around NYU for a long time, I know that the community has had a lot of objections to NYU's expansion. Has that helped make allies for you?

**MR:** Definitely. A lot of people are very angry about the 2031 Plan, including the faculty, at NYU. There have been faculty very opposed to the expansion because they will suffer economically. They're putting through all kinds of belt-tightening for that. And then some of them are affected directly because they're planning to pull down some of the university housing that faculty live in. There's been a lot of opposition, and they have been doing work with other Greenwich Village community groups similar to that. And we have been participating in all that.

The thing that happened at Columbia is that it really rolled over on the community very successfully, and it's really disgusting because at Columbia it's worse because it's Harlem, you know? It's not Greenwich Village. And the faculty up there are unaffected by the expansion in the same way, and so there has been much less opposition on campus to it than at NYU. It's all been much more under the radar screen, but it's shameful, I think.

**GD:** Didn't some businesses up there fight it, disputing the use of eminent domain?

**MR:** Some small businesses and community groups. These communities are traditionally very weak, because they're not allied to anything. They're using their people power only, and the elected officials were not great on this thing.

**GD:** How have elected officials and other unions really been in terms of GSOC's efforts at NYU? Has the Central Labor Council been generally helpful?

**MR:** Yes. CLC has been really good, as have some elected officials

**GD:** Has the UAW come out yet in terms of the mayoral race?

**MR:** We haven't made an endorsement yet.

**PR:** Were you yourself actively involved during the 2005-6 strike?

**MR:** Yes. It was definitely a big event.

**PR:** How did you see it playing out? Did you think you could win it

**MR:** We did, and we thought we had to do it, also. We had to take a position on this, and could not allow them to withdraw union recognition without a fight. We knew that it would be long and very hard. I feel relieved that, had we not gone on strike and had that fight, that we wouldn't have a campaign today. Because it laid the groundwork – we dug in and said: "We're here for the duration. You know, we're not going away."

**PR:** And were you surprised by the hardball that the university played? Because they did some pretty tough things to the strikers.

**MR:** Well, I can't say we anticipated everything perfectly, but we knew that they would be difficult. I think we were hoping that we would be able to respond more to the public pressure than they did. I think that even before that, we thought, "Well, we have a contract there. We have a relationship. Do they really want to take on this fight?" I mean, it's hard to read. I think when we originally organized and when we settled the contract, Sexton was not in place yet. It was an outgoing president. That president left, and then Sexton said right from the beginning, "Well, if I had been there, I would not have agreed to recognition." So he took a very hard line.

**PR:** One of the issues that came up in California was the relationship between UAW and its full-time organizers and the local activists, who were more in favor of social education than bread and butter issues. And they were keen on running things themselves

**MR:** I think they do come up sometimes. The way you're framing it – there probably would be disagreement about how to frame what the dispute really is about. For example, in California there was obviously a contentious election among four of the local officers in which there was a difference of opinion about the right direction. I have friends on both sides.

**PR:** How do you see it?

**MR:** Well, I don't know. I mean, I think first of all graduate employee groups, I think, are bound to be more contentious because of the high turnover, so that it constantly requires a new leadership to come up, and they're not going to have the past experience to draw upon that easily. It's just a new cast of characters all the time. So I think that's going to, by its nature, mean that there's always more turmoil about things. And people don't know each other, so it's hard for trust to evolve.

In California there was also a huge amount of pressure from the employer because of all the cuts in the state. So there was bound to be a great deal of concern about, "Well, how are we going to respond to them? What's the right strategy?" et cetera. And none of it is a very easy path, so people tend to also get into blaming each other.

And I think at NYU, people had to contend for ten years with attempting to keep organizing campaigns on, and what's the right strategy, and what's the right way to do this, and how are we going to involve people? And sometimes people get into the circular firing squad thing.

And I think there's a lot of great things about grad employee units, too. Because first of all you have people who wouldn't normally get into the labor movement at all, who might never be able to be part of a union, who don't enter the labor movement as "I got hired on staff to go organizing workers," but are actually building their own union. It's a lively group.

And by the way, I think it's not to be underestimated, the intensity of graduate employees actually having to interact with people from other departments. As an academic I'm sure you know how insular a department. So it's actually pretty intense when people are interacting with each other.

I remember at Columbia, when we were organizing the science Ras, it was really a challenge, because people are working in labs for 12, 14 hours a day and rarely come out of it. "What? Leave our experiments? We can't do that." There were a whole set of different issues that people were concerned about. The organizers that we had from history and the humanities loved to go up to the labs to organize the RAs because they were so revitalized by that, by

talking to workers who were in such a different department. It adds to the liveliness of things.

**PR: Historically at least among apprentice movements in England, there were strong influences from left-wing groups like the Trotskyites, Communists. Have external parties come into it much in graduate student unionization here?**

**MR:** I don't know. I think there's not any firm parties in the U.S. that really are dominant that way. Sometimes there will be people who have a political agenda. And I think there's no question that more politically aware grad students are often the ones who initiate and get involved in the organizing, and see it as an avenue for their politics.

But there are a lot of people who have a particular set of politics who don't get involved in grad organizing, either. Like they're not interested in it because it's not the appropriate vehicle. But the left political movements in the U.S. are so weak anyway that there's nothing like a dominant party.

**GD: You've got more experience at student employee organizing now than many people. Knowing it or not, you're grooming a new generation of union activists and leaders. So what kinds of things would you say, thinking back on your own experience, that might be helpful going forward, as far as lessons learned and the like, in terms of strategies that seem to work better when you're dealing with a high turnover, educated, contentious group like the graduate students, trying to keep them mobilized and organize new ones? Can you point to a few things that you would encourage your successors to try to keep in mind?**

**MR:** I don't know that I could particular speak about the grad employees, although I did okay with grad employees. Personally, I've always been very centered on the collective bargaining itself, on the basics: organizing, negotiating contracts, handling grievances representation. For representing workers, I think that it's extremely important to connect to people through those needs of collective bargaining and to approach politics,-the idea of a movement, the idea of justice through that vehicle of collective bargaining.I think every time you have a grievance, it's an opportunity to try to push the envelope with people. The same in negotiations.

So, I think that's very important. It's one of the reasons why I like the UAW, because I think the UAW is centered around collective bargaining, how to respond to employer power. And I don't see all the unions doing that, you know? Now a lot of people are talking about throwing collective bargaining out the window and using some other means. And I'm just not there yet.

**PR: Even some union leaders?**

**MR:** Some theorists in academic labor are talking about that. Like, "Let's look at Domestic Workers United." or other formations, and

try to collective bargain. But I don't agree with that. Even those formations are anchored through collective bargaining. So I think it's important not to give up on that. I try to structure the work through collective bargaining to do organizing. Our staff is organized through their collective bargaining responsibilities. And I think that also anchors workers to the union.

**GD: So even after GSOC's setbacks with the NLRB, you still would feel that that's the way to go, including with the organizing? I mean, through NLRB's elections process?**

**MR:** Not necessarily. When I say I think it should be anchored to the collective bargaining, it doesn't necessarily mean that you have to go through the NLRB, although I would not give up on the NLRB. Not because I think the law is in any great shape. It's not. But I feel we have to keep using the NLRB combined with action to try to push the envelope. You know, we filed with NYU. People knew that there were going to be huge delays. They knew what had happened with the NLRB. And we continued to organize at the same time. We had a strike where they took away our NLRB rights, and it was very difficult to have a strike. Really, we couldn't get them to recognize us without the NLRB. So I feel like that puts pressure on two ways. At some point maybe there will be a breakthrough and we can do it without them. If we had the power to do it without the NLRB, then we would have the power to change the labor law. It's the same fight, I think.

**PR: Has the position at NYU gotten weaker, given how the university's been throwing money at grad students. Or has it been harder? Do you think you're going to win this eventually?**

**MR:** I think we're in a good place right now. Obviously it's been incredibly hard to keep up this fight over this long period of time. But I think after the strike was probably a low point where there wasn't a lot of staffing, there wasn't really any clear direction of how we were going to go. We were trying to keep going. And I think we're in a pretty good place now. The NLRB decision that came out at the regional level two years ago was validated. Now we're waiting on the national board.

**GD: Are you worried, given the recent ruling by a judge challenging Obama's appointments to the board?**

**MR:** I think it's so outrageous, and it has implications for so many other appointments. It's unfathomable to me what we're dealing with. It's like one thing after another. It's outrageous.

**PR: It's hard to see it being resolved in the near future, the NYU relationship.**

**MR:** Well, I don't know. I mean, it could happen very quickly so we have to assume that. I think that we should be organized for potential elections the next academic year. It's certainly not happening this spring.

**PR: Can I ask you about one detail on the 2005 events? The university said that the UAW had filed too many grievances and it infringed on academic freedom. What was the impasse?**

**MR:** It was no more than that they got on their high horse. Basically what happened was we had an agreement in which they agreed that if you worked, the teaching assistants would, under the contract, get certain benefits and get paid a certain amount. And what NYU immediately did after that is they took positions and reclassified them and said they were no longer teaching assistants. They made up new names for them.

The union also included some other graduate employee positions besides teaching assistants, called graduate assistants. They were often people who did program or administrative work in the department. It was more typical, I think, in the School of Ed and the School of the Arts. One that stuck out was an Office of Equal Opportunity, in which they had these program assistants who did programs with undergraduates. They were doing events and all kinds of things. So they reclassified these positions, gave them a different title and said they were not in the bargaining unit. And then they cut their salaries and they paid them an hourly rate and no benefits.

So we filed a grievance, like you would if you picked any union contract. We said this was a subterfuge. And they were tough cases to win, I have to say, because the University had the right to decide who was appointed as a teaching assistant, and they got on their high horse on it. If you were talking with another employer, they would have said, "It's our management right to classify positions the way we want to." And that's how another employer would have bargained it. But NYU argued: "It's our academic right, and it interferes not with our management right, but with academic freedom." So they painted it in very confusing terms purposefully.

And it was so false. So we protested over the fact that they basically were cutting people's wages and benefits by classifying them as out of the union. But the nature of the grievance procedure is that the university or the employer takes an action, and the union files a protest in the form of a grievance, and until that grievance is adjudicated and you have an arbitrated decision, the employer gets its way, that it can't change without an arbitrated decision. So we couldn't "interfere." The only thing we could do was register our protest through the grievance procedures.

**PR: Was the contract just for teaching assistants, or were they including all graduate assistants?**

**MR:** It included graduate assistants who were doing some of this administrative work. And it included some research assistants in the social sciences. It actually included research assistants on external grants, which was, obviously, all science RAs. They were just changing the title and saying they're a different classification. And "This is our right to reclassify, and you can't be included unless we appoint you as a teaching assistant." In the meantime, the person would be doing identical work.

One of these cases involved somebody who was teaching a section of a course. It might have been a political science course. I don't even remember. But he wasn't from the political science department. He was from a different department. So he was teaching one of the sections, and they said, "Well, we didn't appoint him as a teaching assistant, so he'll be paid as an adjunct."

So of course, it was a grad student who would have been eligible, but they said, "Because we didn't give him an academic appointment – this is an academic appointment, and therefore he can't be included, and he can't get the stipend or the benefits or any of that."

**PR: So it sounds like it was a lot of bad faith and continuing bargaining under the contract.**

**MR:** Yes, it was. There was a lot of opposition to unionization, and it continued. I'm sure they were kind of worried about the grievances, but I have to say, they used those grievances as a pretext for saying, "We'll remove recognition," and they went out to the community. The fact is, when the adjuncts organized, they had more than ten arbitrations with the university in a very short period over very similar issues, where the university simply refused to adhere to the contract. And the union won arbitration after arbitration. The University was obviously very oppositional about the whole thing, but they didn't withdraw recognition until the end of the contract because they couldn't. So there was a second contract, and they're dealing with it.

**PR: Isn't another part of the official response to unionization that it disrupts the mentor relationship between the professor and the graduate students?**

**MR:** Right, in the first round of organizing, that was a big issue, the mentoring relationship, and it was certainly the big issue in the Columbia organizing campaign, where they made a very big deal out of it. And I think faculty were understandably really nervous, because they thought, "Oh, do I now have to become a supervisor and adhere to certain rules?"

But at NYU there were so many faculty that were for the unionization, we just really tried to keep it centered on the work and proper compensation for the work, being able to bargain over that. So that I think that it didn't prove to be any problem. None of the grievances that we ever had with the university ever had anything to do with faculty supervisors. I mean, I'm sure there was grumbling about people w don't get along, or are unhappy about something. But I don't remember any grievances that were directed at faculty supervisors.

**PR: You could imagine it coming quite easily in the sciences, say, where research assistants are forced to do very long hours.**

**MR:** I could see that. At Columbia, obviously, we were organizing the RAs, so it came up. But it came up more where we had RAs motivated to join the union because they had a faculty P.I. [principal investigator, on a research project] they thought was unfair.



**PR:** You never got to the contract to see what grievances would have to be filed with that?

**MR:** Yeah. And at NYU Poly Tech in Brooklyn, where we were organizing RAs, that had definitely come up, where people have been motivated because they have a PI that they think is very unfair.

**PR:** How is that going in Brooklyn?

**MR:** Well, it's really been kind of what happens at NYU proper. I think it's gone fine, but the issues are going to get fought out at NYU. And the NLRB is clearly going to wait, they're not going to issue the NYU Poly decision. They'll issue the GSOC decision first.

It's a very different group, because first of all, NYU Poly Tech is like the poor sister of NYU. Their conditions are much worse. It's more like NYU was when GSOC organized the first time around – it's a nightmare. People get paid very little. There are bad safety conditions in the labs and long hours. No one can say this is a privileged existence. Probably 70% of the student body are international students, many from South Asia and East Asia.

**GD:** Does that make it tougher for you, because they fear visa ramifications if they back the union?

**MR:** That's a mixed bag. Against GSOC on the first campaign, the anti-union campaign, NYU made a huge deal out of the visa issue. The way they framed it was that the UAW would be anti-immigrant. We had a policy in which, as a union, we were opposed to guest visas because they're exploitative. They tried to make a lot of hay out of that. So they framed it as the union being pro-American, like we didn't like immigrants and international students. Although they used that whole thing to threaten international students, people felt very threatened by the University. But that's how they framed it, during the strike and even when we first organized at NYU. And I think we got a little smarter about that. We realized from the very beginning we have to have an international student committee or perspective out there as part of the campaign. We had to go about it in a more structured way. So, for example, at Poly we have to have Chinese speaker organizers, because you couldn't organize otherwise.

**PR:** Do you find yourself having to defend the importance of the academic organizing to Detroit?

**MR:** Not in Detroit, not under our current president. He's very committed to higher education organizing. He's very smart, and he gets it. So I don't think that's an issue. Sometimes I've found that I have to explain the importance of graduate employee organizing to others in the labor movement who tend to overlook graduate employees and see them not as workers.

**GD:** Within your UAW Region 9A, is NYU your major focus? What else do they do

**MR:** We're actually mostly white collar workers, technical, office and professional workers, and so this is a huge part of our region. Not only is there the organizing campaign at NYU, but one of the other locals is University of Massachusetts, so that's grad employees. They've organized postdocs there also. And of course we'd be an adjunct local. So higher ed is huge within our region.

**PR:** Are there any other growth areas in terms of industries or occupations that could match adjuncts and Tas?

**MR:** Well, I have to say, yes, gaming is very big, Casinos. This region organized the first Indian casino, at Foxwoods in Connecticut. There have been some other casinos that have been organized by UAW in Michigan. But this was a first under tribal law. We organized the dealers. They're actually negotiating their second contract now. I think there will be multiple locals involved.

But the UAW actually set up an industry category for gaming. And there's an industry category of higher ed. They organized two or three places in Atlantic City. I think there are some others in the Midwest. I just went to a training at the Organizing Institute that the AFL/CIO runs, and there were a bunch of TWU people there who are just organizing dealers in Vegas.

**GD:** What about health care? You're in eds, so what about meds?

**MR:** They haven't targeted that as a big area. UAW has organized some insurance companies, like the Michigan Blues and they have Delta Dental at least in Michigan. And they have a couple of hospitals.

**PR:** Does that mean you were down in Washington Square during the strike?

**MR:** I was there. Yes, on the picket line. When we had the MOMA strike, I went to the picket line every morning myself, because I felt like I had to. I thought people had to see the union there, like on a daily basis ...

**GD:** What about coalition building? Does the UAW work with immigrant advocacy groups, with workers' centers?

**MR:** Well, we have supported workers' centers like Domestic Workers United. We don't have a workers' center ourselves. It's not like we're funding a workers' center. We don't have the same relationship to our industry here that require that. Whether we'll get there at some point I don't know. I can envision something like that for organizing adjunct faculty. But we do work in coalition with them, and support coalitions with other political groups. Like at NYU, there's a letter that we've asked community organizations to sign onto to work with us. We've been very active in that coalition around the 2031 Plan. We have a political action council that the locals are a part of which we fund. We're very seriously involved out there. And we're very involved in Jobs With Justice and with Citizen Action, which is a very labor-friendly community organization. We work very intensively with them.

And we were very involved with Occupy Wall Street as a union. First we supported it officially, but we were very involved on the ground the whole way. We spent a lot of time there. We went to the demonstrations. We had a lot of members who were involved. I was very disappointed the way it imploded here in New York. I was

really hopeful that more would come out of it.

**GD:** Wasn't it really attacked, too? Didn't the mayor really go after it?

**MR:** Yeah, they did, when they lost the place [Zuccotti Park]. But the UAW was involved around the country. I was out in Detroit for a meeting, and we were involved in a big march there. And Occupy out in Detroit was very different than it was in New York. You know, with the longstanding community activists, the black churches that were involved. The foreclosure issues were very prominent because in Detroit there has already been a lot of community activism around those kinds of issues.

**GD:** Any last thoughts on all this?

**MR:** Just that I still believe that organizing is the best way of fighting for justice, and also it is the best entry point into really making significant political change. So I think we need more people organizing and coming into unions. I end up being involved in a lot of local electoral politics as part of my union role. We interview candidates who are running for City Council, and I see so many younger people who want to obviously do something and feel very motivated to get involved in active change, and they're not going to the unions. They're instead running for City Council or going into politics. And we need to find a way of attracting those people. So I think that's one great thing about grad organizing: that it's a real link to the organizing, bringing in younger people to the union. Not that it's the only way.

**PR:** You don't actually have to go out organize yourself person to person, but you have staff to do that? Or are you actually out there, showing up at the workplace and talking to people?

**MR:** I do, I get involved in organizing myself. We don't have a huge staff in Local 2110, so, yes, I work on organizing.

**PR:** Is it something you enjoy?

**MR:** I do. I really like that. I think it's very empowering to actually talk to workers and to try to see if you can move them, and they move you too.

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**NOTES:**

- <sup>1</sup> See The University Against Itself: *The NYU Strike and the Future of the Academic Workplace*, ed. By Krause, Monika, et al (Philadelphia: Temple U. Press, 2008).
- <sup>2</sup> “NYU’s Global Leader is Tested by Faculty At Home,” by Ariel Kaminer, *NY Times* (3/9/2013). By late May, votes of no-confidence had been passed by faculty majorities in four of NYU’s main schools (Arts & Sciences, Gallatin School of Individualized Study, Steinhardt School of Education and Tisch School of the Arts).
- <sup>3</sup> “Nontraditional Organizing of University and Museum Employees: A Conversation with Maida Rosenstein of the UAW,” by Geraldine Casey, *Regional Labor Review* (Fall 2003).