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Scott, Nadler and 67 Members of Congress Applaud NLRB's *Columbia University* Decision

Members urge private college and university administrators to ensure a climate that enables free and fair elections

WASHINGTON – Following a recent [National Labor Relations Board \(NLRB\) decision, regarding Columbia University](#), which restored the right of research assistants (RAs) and teaching assistants (TAs) to form unions and collectively bargain, 69 members of Congress, led by Representatives Bobby Scott (VA-03) and Jerrold Nadler (NY-10), issued a statement urging private universities and colleges to ensure that TAs and RAs can fully and freely exercise these statutory rights, without interference, delay, or coercion. The Columbia University decision found that TAs and RAs are both students and employees providing essential services under the direction of the University, who receive compensation for the performance of their work. Thus, they are also statutory “employees” entitled to the protection of the National Labor Relations Act (NLRA).

Full text of the statement below:

“As Members of the U. S. House of Representatives, we recognize the invaluable role our colleges and universities play in strengthening the economy and our democracy. Our public and private universities are economic engines, serving as large employers, and their research arms often bring millions of dollars of investment while spurring innovations and breakthroughs. Universities are also designed to be democratic institutions where academic freedom, freedom of speech, and freedom of association thrive.

“We applaud the recent decision by the National Labor Relations Board in [Columbia University](#) because:

- This decision restores legal protection to the rights of teaching assistants and research assistants (TAs and RAs) at private universities to freely associate and bargain collectively through representatives of their own choosing.

- While they are students, both TAs and RAs are also employees providing essential services under the direction of the University, and they receive compensation for the performance of their work. Thus, they are also statutory “employees” entitled to the protection of the National Labor Relations Act (NLRA).
- The Board explicitly stated that RAs have the right to bargain collectively when the University exerts the requisite control over RAs’ work and they are paid for their research activity, without regard to the funding source.

“Year after year, outstanding scholars from world-renowned colleges and universities go on to become the next generation of leaders, entrepreneurs, scientists, inventors, creators, academics, and more. The robust debate and intellectual freedom that are the hallmarks of our academic institutions have led to the scientific and technological advancements that help keep our nation great.

“Collective bargaining between university administrators and the representatives chosen by TAs and RAs will provide an orderly process by which these employees can seek to improve their wages, hours, and working conditions. This will allow both parties to resolve employment disputes in a manner that is consistent with the traditions of academic freedom and the highest-quality teaching, learning, and research.

“The NLRA guarantees the right of employees to organize and bargain collectively with their employers. To ensure the full and free exercise of these statutory rights, we urge administrators at our nation’s private universities to commit to the following:

- Refrain from taking any actions for the purpose of delaying the TAs’ and RAs’ right to choose a collective bargaining representative, and
- Ensure a free and fair election on unionization by creating a climate free from coercion and intimidation.

“We urge both university administrators and the representatives of TAs/RAs to commence good-faith negotiations for a contract immediately upon a majority vote in favor of union representation.

“Sincerely,

ROBERT C. "BOBBY" SCOTT
 Ranking Member
 Committee on Education and the Workforce

JERROLD NADLER
 Ranking Member
 Subcommittee on Courts, Intellectual Property,
 and the Internet

NITA M. LOWEY
 Member of Congress

BRIAN HIGGINS
 Member of Congress

PAUL TONKO

GRACE MENG

Member of Congress

SEAN PATRICK MALONEY
Member of Congress

NYDIA M. VELÁZQUEZ
Member of Congress

JOSÉ E. SERRANO
Member of Congress

JOSEPH CROWLEY
Member of Congress

HAKEEM S. JEFFRIES
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CHARLES B. RANGEL
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WILLIAM R. KEATING
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JAMES P. MCGOVERN
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GENE GREEN
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BONNIE WATSON COLEMAN
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MARCY KAPTUR
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Member of Congress

SUZANNE BONAMICI
Member of Congress

DONALD S. BEYER, JR.
Member of Congress"

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