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Ruling allows ESF research union

NLRB equates student research assistants with research support specialists.

March 17, 2004

By **Nancy Buczek**
Staff writer

A National Labor Relations Board decision that approved the creation of a collective bargaining unit at the State University College of Environmental Science and Forestry could set a precedent for future labor decisions, a union official said.

"This little case in forestry is going to make a huge difference in the overall question that the national NLRB, the full NLRB, will look at," said Kathleen Sims, executive vice president for Communication Workers of America's education division. "We very quietly think we've done something interesting here."

Students at SUNY ESF who serve as research project assistants perform duties similar to those of people employed as research support specialists, according to a decision signed Monday by Rhonda Aliouat, acting director of the labor relations board's Region 3, which includes the Syracuse area. The students and employees should have the right to form a collective bargaining unit together if they so chose, the decision states.

The ESF group, which represents 87 people, mostly students, is looking to become part of the Communication Workers of America, AFL-CIO, Local 1104, Sims said.

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Local 1104 already represents 122 ESF and 76 SUNY Upstate Medical University teaching and graduate assistants, Sims said.

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What's unusual about this decision is that it groups the student research assistants with non-student research support specialists, Sims said.

Research assistants and research specialists are hired and paid by the SUNY Research Foundation, a nonprofit organization that handles money that comes from external sources for research projects conducted by SUNY faculty.

The student research assistants are generally assigned about 20 hours of work weekly, although the decision notes that some work 50 hours or more, depending on the project's weekly demands. The research assistants do not receive additional compensation when they work more than 20 hours per week, according to the decision.

Research support specialists work full time 40 hours per week or part time for 20. There are 14 full-time support specialists and two part-time specialists at ESF, according to the decision.

The Research Foundation plans to ask the full National Labor Relations Board in Washington, D.C., to review the decision about the ESF bargaining unit, said Cathy Kaszluga, a foundation spokeswoman.

"We believe that these research assistants are first and foremost students and secondarily employees," Kaszluga said. "The research that they are engaged in is an essential part of their educational program, and we don't believe that collective bargaining should be imposed on what is essentially an academic relationship."

The foundation has already asked for a review of regional decisions that called for a vote on unionizing at the state universities at Buffalo and Albany, where research assistants are trying to form collective bargaining units. At both campuses, votes have already taken place, but the results have been impounded until the full labor board rules on whether the regional decisions should stand.

Sims said at ESF issues such as pay, leave, and health care are concerns of the research assistants and specialists. She said she was not aware of any specific concerns at the ESF campus that prompted the move toward unionization.

"The relationship tends to be very genial and very positive that you have with your professor, but the one or two times that it's not, it's really a problem and that's when recourse to neutral entities is really helpful," Sims said.

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