

GESO: The Union for Graduate Teachers at Yale University

FEDERATION OF HOSPITAL AND UNIVERSITY EMPLOYEES
Local 34, H.E.R.E. ♦ Local 35, H.E.R.E. ♦ District 1199, SEIU ♦ GESO, H.E.R.E.
425 College Street, New Haven, CT 06511 phone (203) 624-5161, fax (203) 776-6438

April 23, 2002

Dear President Levin,

For over a year, members of the Graduate Employees and Students Organization (GESO) have requested that you meet with us to develop a process to respect the right and desire of graduate teachers and researchers to unionize. We believe that a card count neutrality agreement is the best way to achieve this goal. We are committed above all to negotiating a roadmap for how the question of graduate student unionization can be resolved on this campus with the least tension and disruption possible.

At a town meeting sponsored by the Graduate Student Assembly in late February, our Chair, Anita Seth, stated our desire to sit down with your administration and begin discussions to this end. We are writing to you today to reiterate this offer. We firmly believe that we can come up with a process that would meet the concerns both of graduate students in GESO and your administration.

In the past, you have responded to our requests for a card count neutrality agreement with the insistence that a secret-ballot election, under the auspices of the NLRB, is the only democratic way to determine the question of graduate student unionization. Yet you have repeatedly and publicly refused to honor the NLRB process and have threatened to tie up unionization efforts with years of expensive court battles. Furthermore, you have encouraged other private universities like New York University to challenge the legal precedent that gives graduate employees the right to unionize. We believe that the best way forward lies in discussion, not in the courts.

In recent weeks, other members of the Yale community have approached you to request that you discuss with GESO a roadmap for recognition. Over 2300 clerical and technical workers signed an open petition referencing the recommendations of the Restructuring Associates, Inc. report. "Yale must come to an understanding with its unions on how current organizing drives—meaning the drives of the graduate teachers of GESO and the Yale-New Haven Hospital workers—ought to be conducted. We invite Yale to join us in creating a new era of labor relations in which Yale and the unions are equal partners and Yale allows all workers to organize without interference from management." As this petition recognizes, it is impossible to form a strong relationship with some workers on campus while denying the rights of others.

On April 8, The Yale College Council passed a resolution, stating that graduate students and your administration "should convene and determine the fairest, most expedient recourse, without coercion, to an amicable solution."

Your administration has taken admirable steps toward improving relations with the members of our university's recognized unions and with the city of New Haven. We urge you to strengthen this record by negotiating with GESO a process by which graduate employees can demonstrate majority support for union representation.

Signed,

The Coordinating Committee of GESO

Aaron Amosson
Carlos Aramayo
Frances Balamuth
Rachael Barron-Duncan
Ben Begleiter
Jeffrey Boyd
Alfredo Bracamonte
Alison Bruey
Kathleen Cambor
Brenda Carter
Citlali Cortes-Montano
RosaAnna DeFilippis
Martha Friedman
Barbara Garbin
Jay Garcia
Hiba Hafiz
Kate Holland
Shar-Yin Huang
Shafali Lal
Jana Lipman
Chieh-Chyi Lin
Ken Liu
Elisa Mader
Luis Martin-Cabrera
Amy Manning
Ted Melillo
Manuella Meyer

Stefan Monnier
Michael Mullins
Laura Pedraza
Lisabeth Pimentel
Qin Qin
Mary Reynolds
Emma Ross
Suzanne Rowell
Justin Ruben
Rebecca Ruquist
Andrew Sackett
David Sanders
Oliver Schowalter-Hay
Anita Seth
Kristie Starr
Annemarie Strassel
Rachel Sulkes
Stephen Vella
Zachariah Victor
Louise Walker
Brendan Walsh
Wendi Walsh
John Way
Maria Willstedt
Maris Zivarts

YALE UNIVERSITY

OFFICE OF THE PRESIDENT

105 WALL STREET, PO BOX 208229
NEW HAVEN CT 06520-8229

May 2, 2002

Dear Members of the Coordinating Committee:

I write to respond to your letter of April 23, 2002. Yale University is committed to building upon the excellence of its programs of graduate education and to listening to the voices and views of graduate students in doing so. There are many established channels through which individual graduate students may express their views. They may discuss matters with their advisers and their Director of Graduate Studies, with the Dean and Associate Deans of the Graduate Schools, and they may seek to represent their departments and programs in the elected Graduate Student Assembly.

Some students support unionization as a possible alternative to these established channels. But, for reasons that I have stated and reiterated on numerous occasions, the University will not recognize any entity as a collective bargaining agent on the basis of a "card count." To do so would deny graduate students the opportunity to consider fully and debate the merits of unionization, upon which opinions of graduate students, undergraduates, and faculty vary widely. I am, therefore, declining your request.

Sincerely yours,



Richard C. Levin

RCL:md

May 9, 2002

Dear President Levin,

We, the members of the Graduate Employees and Students Organization (GESO), request that you meet with us to develop a process for resolving the graduate employee union drive ongoing at the University.

The recommendations of the Restructuring Associates, Inc. report—jointly sponsored by your administration and Yale's recognized unions—stated that Yale must come to an understanding with its unions on how our organizing drive and the hospital organizing drive should proceed. In April, the Yale College Council encouraged graduate students and the administration to meet together and work out a fair process for resolving the question of unionization.

The NLRB recognition process has proven repeatedly to lead to conflict and extended disputes, most recently at Columbia University. To avoid such conflict here at Yale, we members of the Graduate Employees and Students Organization call on the Yale Administration to sit down immediately with representatives of GESO to work out some fair process for registering the desire to unionize among the members of our community.

So far, your administration has refused to answer repeated requests for such a meeting by GESO's chair and Coordinating Committee. That refusal, in turn, leads us seriously to question your professed desire to usher in a new era of labor relations at Yale. Knowing the importance of an improved labor environment to Yale and New Haven, we fully expect a commitment from your administration to begin talks toward a fair recognition process before the semester's end.

Sincerely,

The membership of GESO

(voted at GESO membership meeting, May 9, 2002)

GESO: The Union for Graduate Teachers & Researchers at Yale

FEDERATION OF HOSPITAL AND UNIVERSITY EMPLOYEES
Local 34, H.E.R.E. ♦ Local 35, H.E.R.E. ♦ District 1199, SEIU ♦ GESO, H.E.R.E.
425 College Street, New Haven, CT 06511 phone (203) 624-5161, fax (203) 776-6438

27 May 2002

To the Trustees of the Yale Corporation:

We are writing to you today as the Coordinating Committee of the Graduate Employees and Students Organization (GESO). GESO has existed as an organization for twelve years now. As members of our union, we believe that organizing for a collective voice for graduate teachers and researchers will only strengthen Yale in its efforts to fulfill its mission.

Because our membership in the union is a result of this deep commitment to teaching and research at Yale as well as the academy as a whole, our members feel strongly that the process by which we decide on the question of unionization should be one that minimizes conflict and disruption on the campus.

We believe that winning recognition through the NLRB election process is not optimal in this respect. Rather, this process is plagued by endemic delays and escalating conflict on all sides – things which will not serve the Yale community. At Columbia University, where a majority of our colleagues has demanded recognition for their union, this process has already led to a strike.

Here at Yale, we have a real opportunity to create a framework for the rest of the academy as we wrestle with the transformations that have led teachers and researchers across the country to turn to unionization to defend the integrity of their fields.

President Levin has already taken an important step in this direction by engaging RAI for the current contract talks with our colleagues in the Federation of Hospital and University Employees, Locals 34 and 35. The RAI report, jointly released this January by President Levin's administration and the leadership of Locals 34 and 35, laid out a promising roadmap for a new spirit of labor relations here at Yale. The first recommendation of that report was that the administration and the unions need to come to some understanding as to how the current organizing drives – meaning our organizing drive and the ongoing effort at our teaching hospital, Yale New-Haven Hospital – will proceed.

There is a growing consensus on the campus that these issues need to be dealt with in a way consistent with the values of our community. In April, the Yale College Council passed a resolution calling upon both GESO and the administration to sit down and work out a process by which we could resolve the issue of graduate employee unionization that would be both timely and the least disruptive. In early May, a group of Yale law students released a report on the state of labor relations at Yale. The report, *When Bad Labor Relations Go Good: A Roadmap for Labor Peace at Yale*, similarly called upon the administration and the unions to sit down and work out a recognition process that would avoid the pitfalls of the existing NLRB process.

We continue to believe that a card count neutrality agreement would serve our community best. We are, however, open to a broad discussion of a range of options on this question. We are writing to you to inform you of our earnest desire to work out some solution that would be mutually acceptable to both the Yale administration and our members. We are convinced that, together, we can succeed in this endeavor if only we start talking.

To this end, at a town meeting on graduate unionization in February of this year, our chair, Anita Seth, offered to begin these discussions with the administration.

We, as the Coordinating Committee of GESO, then reiterated this offer to sit down with the administration in a letter to President Levin dated April 23rd. President Levin declined this request. In the Yale Daily News, he suggested he could not do so as our offer was a kind of "Trojan horse" through which simply by meeting with us, the university unwittingly might be forced to grant us recognition for our union.

There is no danger of that. Across this country, unions and employers sit down all of the time to work out the rules by which organizing campaigns will proceed reflecting the values of the people and communities involved, without the union asking for recognition or the employer giving it.

On April 30th, GESO sponsored a meeting for Yale faculty attended by John Willhelm and the elected leaders of Locals 34 and 35 to address the question of graduate student unionization. Again, it seemed that a consensus was forming that there has to be a better way to resolve this issue than the conflict-ridden NLRB process.

On May 9th, the membership of GESO voted at our spring membership meeting to invite President Levin again to sit down with us and begin discussions as to how we might proceed.

To date, we have received no response. Attached, you will find copies of the correspondence to date.

We continue to believe that there is a way for all of us to come together and devise a process that will make Yale a model for the rest of the academy and fulfill the promise laid out by the RAI report and President Levin's public commitment to a new spirit of labor relations on the campus. In doing so, we believe that we can establish a good working relationship that will serve us well for the future as all of us continue to strive to build the best possible university.

Yours sincerely,

The Coordinating Committee of GESO

Aaron Amosson
Carlos Aramayo
Frances Balamuth
Rachael Barron-Duncan
Ben Begleiter
Jeffrey Boyd
Alfredo Bracamonte
Alison Bruey
Kathleen Cambor
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RosaAnna DeFilippis
Martha Friedman
Barbara Garbin
Jay Garcia
Hiba Hafiz
Kate Holland
Shar-Yin Huang

Shafali Lal
Jana Lipman
Chieh-Chyi Lin
Ken Liu
Elisa Mader
Luis Martin-Cabrera
Amy Manning
Ted Melillo
Manuella Meyer
Stefan Monnier
Michael Mullins
Laura Pedraza
Lisabeth Pimentel
Qin Qin
Mary Reynolds
Emma Ross
Suzanne Rowell
Justin Ruben

Rebecca Ruquist
Andrew Sackett
David Sanders
Oliver Schowalter-Hay
Anita Seth
Kristie Starr
Annemarie Strassel
Rachel Sulkes
Stephen Vella
Zachariah Victor
Louise Walker
Brendan Walsh
Wendi Walsh
John Way
Maria Willstedt
Maris Zivarts

The Federation of Hospital and University Employees

Local 34, HERE ♦ Local 35, HERE ♦ District 1199, SEIU ♦ GESO, HERE
425 College Street, New Haven, CT 06511 Phone (203) 624-5161 Fax (203) 776-6438

September 27, 2002

Dear members of the Yale Corporation,

We have come here today to ask that the appropriate committee of the Yale Corporation schedule time for a brief presentation by representatives of the Federation of Hospital and University Employees. This presentation could focus upon the progress being made on the recommendations made by Restructuring Associates, Inc. We would also be pleased to make ourselves available for questions.

We want to be sure that the Yale Corporation is getting a full and accurate report concerning labor relations on campus. Direct dialogue with Yale's trustees might help speed us toward the peaceful settlement we all desire.

Of course, such a presentation would be informational only and would not constitute formal negotiations in any manner.

Sincerely,

The FHUE Members and Supporters Here Gathered

Yale University

LINDA KOCH LORIMER
Vice President and
Secretary of the University
P.O. Box 208230
New Haven, Connecticut 06520-8230

Campus address:
Woodbridge Hall
105 Wall Street
Telephone: 203 432-2321
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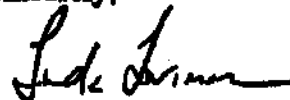
September 30, 2002

Mr. Anthony Dugdale
425 College Street
New Haven, CT 06511

Dear Mr. Dugdale,

I distributed the September 27, 2002 letter you delivered at Derby to all the Corporation members assembled there. The Corporation asked me to convey to you that the appropriate venue for conversation about the recommendations from Restructuring Associates, Inc. is with the bargaining table. This is particularly so during this period when contract negotiations are pending.

Sincerely,



Linda Koch Lorimer
Secretary to the Yale Corporation

L.KJ/s

cc: President Richard C. Levin
Senior Fellow John Pepper

GESO: The Union for Graduate Teachers & Researchers at Yale

FEDERATION OF HOSPITAL AND UNIVERSITY EMPLOYEES
Local 34, H.E.R.E. ♦ Local 35, H.E.R.E. ♦ District 1199, SEIU ♦ GESO, H.E.R.E.
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30 September 2002

Dear President Levin,

On Wednesday, September 25, nearly 200 graduate and professional students were arrested along with our partners in the Federation of Hospital and University Employees. Hundreds more graduate students stood bearing witness to those of us committing the act of civil disobedience. All of us were there in order to stand up for change at Yale. We did not take this action lightly. It is precisely because we are committed to making this university the best possible institution of teaching and research that we are members of our union, the Graduate Employees and Students' Organization (GESO). It is for the same reason that we chose to participate in this act of civil disobedience.

We are writing to you today as the Coordinating Committee of GESO. We would like to begin discussions with you toward the creation of some process by which we can resolve the question of graduate employee unionization here at Yale.

This is now the fourth time that we have requested these discussions with you. Previously, we communicated our desire to sit down with you in letters dated April 23, May 9, and May 27, 2002. We continue to believe that these discussions will prove fruitful and are in the best interest of the entire Yale community.

We are prepared to have a broad discussion about how we as a community will deal with the issue of graduate employee unionization. If we all sit down and talk, we are convinced that together we can craft a process that reflects the academic and community values of our university. While we believe that a card count neutrality agreement would be best, and you have stated that you prefer the NLRB process, it seems that the interests of the broader Yale community demand that everyone be both flexible and creative in this moment.

We understand that these discussions would in no way signify the recognition of GESO as a collective bargaining agent for graduate employees by your administration. Rather, we would be meeting in order to explore how best to determine whether or not a majority of graduate employees support unionization and, if they do, how we might proceed from there.

We all need to step away from any kind of adversarial relationship. By establishing a clear process, we can minimize conflict within our community while graduate employees decide whether or not they want to bargain collectively with your administration.

We are writing to you again now because there are signs that this conflict is intensifying. In the last few weeks, there have been many instances in which Yale faculty have unknowingly been engaged in conduct which we believe breaks federal labor law. Faculty members have allegedly:

- polled their students as to whether or not they intend to go on strike;
- discriminated against union activity as opposed to other non-work activity in university spaces;
- threatened to stop mentoring graduate students who participate in a strike.

All of these activities would represent clear violations of the rights of graduate employees as defined by federal labor law.

Similarly, on September 10th, two graduate students along with two clerical workers were arrested and charged with criminal trespassing by YNH police for distributing union leaflets outside of the medical school. Although your administration has stated that the Yale teaching hospital is a completely separate institution over which you have no control, your graduate students were arrested for handing out literature outside of the buildings in which they work every day. They now face potential jail terms. This is unacceptable.

You have made your position in support of free speech at the university clear. The arrest of these students for exercising their right to free speech should shame us all.

We are certain that, together, we can come up with a process that will allow our community to avoid the kinds of conflicts that are already taking place while at the same time protect the values that make Yale University a university.

We look forward to hearing from you.

Yours sincerely,

The Coordinating Committee of GESO

Carlos Aramayo
Frances Balamuth
Rachael Barron-Duncan
Ben Begleiter
Jeffrey Boyd
Alfredo Bracamonte
Erin Brandel
Alison Bruey
Kathleen Cambor
Brenda Carter
Kate Clancy
Evan Cobb
RosaAnna DeFilippis
Jay Driskell
Leah Eardley
Jay Garcia
Josip Glaurdic
Hiba Hafiz
Robin Herlands
Shar-Yin Huang

Carrie Hughes
Mandi Isaacs
Rachel Jackman
Jenne MacLean
Fernanda Macchi
Yuliy Masinovsky
Amy Manning
Ted Melillo
Manuella Meyer
Stefan Miller
Joey Mokos
Stefan Monnier
Michael Mullins
Rachel Oberter
Laura Pedraza
Lisabeth Pimentel
Jean Pretz
Qin Qin
Mary Reynolds
Gahodery Rodriguez

Emma Ross
Suzanne Rowell
Rebecca Ruquist
Andrew Sackett
David Sanders
Anita Seth
Jatin Shah
Kristie Starr
Annemarie Strassel
Rachel Sulkes
Stephen Vella
Beth Videlock
Louise Walker
Brendan Walsh
Wendi Walsh
Qian Wan
Emma Wasserman
Maris Zivarts

cc. The Yale faculty
The Fellows of the Yale Corporation
Yale Graduate & Professional Students

YALE UNIVERSITY

OFFICE OF THE PRESIDENT

105 WALL STREET, PO BOX 208229
NEW HAVEN CT 06520-8229

October 14, 2002

Dear Members of the Coordinating Committee:

I write in reply to your letter of September 30, 2002.

In matters large and small this University has protected and defended the rights of graduate students, undergraduates, and faculty to express themselves freely. Because the question of graduate student unionization is one on which opinions vary widely, free and open debate is imperative. No one should be denied the right to express an opinion on this important subject.

A secret ballot election sanctioned by the National Labor Relations Board is the time-honored method of ensuring and protecting the rights of all parties. It is the process that has been chosen by unions at every other private university where organizing drives have been conducted. Because the NLRB process permits free and open debate and protects the rights of all parties, and because it is available to you under the current interpretation of the governing labor law, I am declining your request for a meeting to discuss "how best to determine whether or not a majority of graduate student employees support unionization." A secret ballot election, supervised by the NLRB, serves precisely this purpose.

Let me also address your concerns about faculty behavior that may constitute inadvertent violations of federal labor law. I would strongly urge any graduate student who believes that he or she has been subjected to improper behavior by a faculty member to bring the situation, in its particulars, to the attention of the Dean or the Provost, who will review the circumstances and take appropriate action.

Sincerely yours,



Richard C. Levin

RCL:md

GESO: The Union for Graduate Teachers & Researchers at Yale

FEDERATION OF HOSPITAL AND UNIVERSITY EMPLOYEES

Local 34, H.E.R.E. ♦ Local 35, H.E.R.E. ♦ District 1199NE, S.E.I.U. ♦ GESO, H.E.R.E.
425 College Street, New Haven, CT 06511 phone (203) 624-5161 fax (203) 776-6438

December 3, 2002

Dear President Levin,

In the last year, members of GESO have asked you on numerous occasions to enter into a dialogue with us in order to fashion a mutually acceptable process through which the question of graduate student unionization might be resolved on our campus.

Each time, you have insisted that graduate students at Yale use the NLRB process to resolve this question. At the same time, in other venues you have made it clear that you have no intention of honoring the results of an NLRB election or even allowing such an election to be held until the Yale administration exhausts all opportunities to appeal the existing NLRB precedent in the federal courts – a costly process which would take years.

Members of GESO believe that a negotiated “made at Yale” process for deciding the question of graduate student unionization is important in order to avoid the strife and conflict that regularly characterize the existing NLRB recognition process.

Again, because our membership in the union is a result of our deep commitment to teaching and research at Yale as well as the academy as a whole, we are committed to doing everything possible to avoid unnecessary conflict and disruption on the campus.

We do not believe that your administration has made the same commitment. You have refused even to sit down and discuss what a mutually acceptable process might look like. You have failed to give the Yale faculty clear guidelines as to their role in this process attempting instead to use them like line supervisors in a clumsy anti-union campaign that has done more to erode faculty/graduate student relationships than any collective bargaining process ever will.

In recent months, members of the Yale faculty have engaged in behavior which we believe violates both Yale’s own policy on freedom of expression as well as federal labor law. Faculty have threatened graduate students for engaging in protected union activity:

- On September 4, 2002, Enrique De La Cruz, a faculty member in the MB&B department threatened to throw any student out of his laboratory and to cease advising them altogether if they participated in a strike – protected activity under American law. When told that this threat was illegal, Professor De La Cruz responded that he “didn’t care about the law.” He continued: “This is personal. We’ll take it outside.”

Both federal labor law and Yale’s own policy on freedom of expression prohibit discrimination against talking about unionization at the University. On numerous occasions faculty have discriminated against talking about graduate student unionization in Yale laboratories and buildings:

- On August 7, 2002, James Saiers, a faculty member in the School of Forestry and Environmental Studies, expelled graduate students from his laboratory while talking about the union telling them: “You are not allowed to come in here because you are not students in this lab.” It is normal practice for students within departments to visit one another in each other’s labs. It is only because these students were talking about the union that they were expelled from the lab.

On Friday November 8, 2002, Professor Mark Mooseker in the MCDB department expelled graduate students from his lab for talking about the union. He said: "If this is union business, you can't talk in this lab."

We believe that each of these instances represent clear violations of our rights as defined by the NLRA. At the same time, we believe that the latter incidents represent violations of Yale's own policy on freedom of expression.

This policy states: "By voluntarily taking up membership in a university and thereby asserting a claim to its rights and privileges, members also acknowledge the existence of certain obligations upon themselves and their fellows. Above all, every member of the university has an obligation to permit free expression in the university. No member has the right to prevent such expression. Every official of the university, moreover, has a special obligation to foster free expression and to ensure that it is not obstructed."

The policy statement concludes: "...the paramount obligation of the university is to protect their right to free expression. This obligation can and should be enforced by appropriate formal sanctions."

The instances described above have created a climate in which many graduate students do not feel as if they have the space to engage in the "free and open debate" on the question of graduate student unionization that you called for in your letter of October 14, 2002. Rather, we are in danger of having a university where people are afraid to speak their minds - where people are told when, where, and what to think.

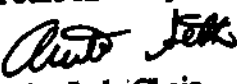
In your last letter to us, you said that if we believed that faculty behavior may constitute violations of federal labor law, we should bring it to the attention of the Provost or the Dean. We do not understand why the NLRB is the only appropriate means by which graduate students can achieve union recognition while you seem to think it an inappropriate method through which graduate students might protect their right to organize. That said, because of our commitment to avoiding what promises to be even more conflict under the NLRB process, we are writing to you today as per your suggestion in your letter of October 14, 2002.

We expect your administration to issue a clear public statement condemning the actions of the faculty detailed above and assuring graduate students across the campus of their rights to organize themselves both under the NLRA as well as Yale's own free speech policy. We expect your administration to issue clear and public guidelines to the faculty so as to protect the faculty/graduate student relationship from further erosion as this debate proceeds. There is plenty of room for all of us to agree to disagree without university officials or faculty threatening graduate students or prohibiting speech in university labs and buildings.

Because of the serious threat these kinds of actions pose to the integrity of our academic community, your administration must move swiftly to ensure that nothing like this happens again. If you will not do so, we will be forced to turn to the NLRB next week to ensure that our rights are protected.

President Levin, we have an opportunity here at Yale to establish a framework for the entire nation as to how teachers and researchers might wrestle with the question of collective bargaining while protecting the values of the academy that we all hold sacred. If we can establish this framework, it will be something that we will all be proud of for years to come. It is not too late to do so.

Yours sincerely,


Anita Seth, Chair
GESO

Cc: Provost Alison Richard
Dean Susan Hockfield
The Fellows of the Yale Corporation

YALE UNIVERSITY

OFFICE OF THE PRESIDENT

105 WALL STREET, PO BOX 209120
NEW HAVEN CT 06520-9120

December 12, 2002

Ms. Anita M. Seth
Graduate Employees and Students
Organization
425 College Street
New Haven, CT 06511

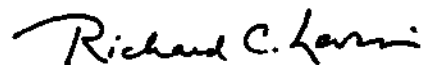
Dear Ms. Seth:

I am responding to your letter of December 3, 2002, which was delivered to my office late in the day on Thursday, December 5. Although I appreciate your bringing to my attention three specific instances in which you believe that members of the faculty engaged in conduct violating the National Labor Relations Act, I understand that by Tuesday of this week you had already filed an unfair labor practice charge with the NLRB based upon these allegations. The University will respond as the NLRB requires.

In the meantime, I wish to reiterate to you this University's commitment to free expression and an atmosphere free from intimidation of any member of the Yale community. A copy of my letter of November 17, 1998 to GESO's Chair is enclosed.

At the same time, I also wish to point out that, to prevent the disruption of scientific work, laboratory directors in the sciences at Yale do have the ability to restrict the entry into laboratory spaces of unauthorized individuals, including students, on a nondiscriminatory basis.

Sincerely yours,



Richard C. Levin

RCL:md

Enclosure

Yale University

December 20, 2002

Labor Relations
Department of Human Resources
P.O. Box 208315
New Haven, Connecticut 06520-8315

Campus address:
155 Whitney Avenue
Telephone: 203 432-9822
Fax: 203 432-9850

Michael J. Boyle, Esq.
169 Montowese Avenue
North Haven, CT 06473

Dear Michael:

This letter will confirm all dates you proposed during our session on December 13, 2002; namely, January 7 – Union Caucus and January 8, 9, 13, 14, 15, 16, 21, 22 and 23 for negotiations. We have reserved rooms at the OMNI for the period January 8 through 23. We propose that we also schedule each day from January 27 through January 31 in the belief that contracts could be completed by the end of January.

Our proposed agenda is as follows:

- January 8 Homebuyers Program; Community training; Parking
- January 9 Training (if not settled on 1/8); child scholarship, payroll deduction, workers comp
- 13 Stepp recommendation 2, best practices; 34 job security
- 14 Stepp recommendation 2, best practices; 34 job security
- 15 Retirement, medical benefit issues
- 16 Retirement, medical benefit issues
- 21 Salary premiums, bonuses, wages
- 22 Salary premiums, bonuses, wages
- 23 Salary premiums, bonuses, wages

* You will note that we have deleted your proposal to discuss Stepp recommendation #1 on both January 15 and 16. The issue of your organizing efforts involving GESO and YNHH is a non-mandatory subject of bargaining. We have repeatedly said that we will not bargain about your neutrality proposal set forth on page 1 of your proposals dated 6/19/02. We will not agree to put this on the agenda nor engage in any discussion about GESO or the Hospital. We remain ready, willing and able to continue discussions on all mandatory topics to reach an agreement.

Sincerely,



Brian J. Tunney
Director Labor Relations

Cc: Mr. Joseph W. Dubin
Federal Mediation & Conciliation Service
333 East River Drive
Suite 507
East Hartford, CT 06108

GESO: The Union for Graduate Teachers & Researchers at Yale

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April 13, 2003

Dear President Levin,

Last week, more than 50 members of the Yale faculty issued a statement calling for your administration to sit down with representatives of GESO and openly discuss a fair and appropriate process for measuring the support of graduate students for unionization.

In the past, you have responded to our requests to negotiate such a fair process by stating that: **"Yale is committed to free expression and open debate, and the secret ballot is the time-honored method used in American democratic elections of all kinds. It is the procedure used in elections by the National Labor Relations Board to protect the rights of employees."**

I am writing to you today to make a proposal in the spirit of the faculty statement released last week: The Graduate Employees & Students' Organization is prepared to sit down and work out a process to measure the support of graduate students for unionization which would include a secret ballot election.

However, we think it reasonable that the votes cast in any such an election be counted and honored when that election occurs. This too is a time-honored practice of American democratic elections of all kinds.

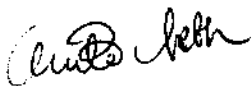
Since February 2002, I and members of GESO have called upon your administration repeatedly to negotiate such a mutually acceptable process. Each time, you have refused to do so, insisting that graduate students at Yale use the NLRB process to resolve this question. At the same time, in other venues you have made it clear that you have no intention of honoring the results of an NLRB election or even allowing such an election to be held until the Yale administration exhausts all opportunities to appeal the existing NLRB precedent in the federal courts.

This is the situation at Columbia, Tufts, Brown, and the University of Pennsylvania where ballots cast by graduate employees in NLRB elections have been impounded pending the appeals filed by the administrations of those universities.

We believe that, together, we can fashion a fair election process. We propose that, with your administration, we pull together an electoral commission representing diverse viewpoints to determine all aspects of such an election and then, to oversee its conduct. This kind of "made at Yale" process will allow us to resolve the issue of graduate employee unionization in the most collegial way possible. By undertaking this process together, what happens here at Yale might serve as a model for the entire academy as our generation of scholars, teachers, and researchers wrestles with this important question.

Accordingly, we propose that, together with your administration, we convene such an electoral commission as soon as possible.

Yours sincerely,



Anita Seth, Chair
GESO

Yale Faculty Petition

The undersigned faculty write to express our desire to see the issues surrounding unionization on the Yale campus resolved with the minimum disruption possible. Regardless of our individual opinions on unionization, we all seek to avoid a protracted and disruptive conflict. Our priority is to maintain an open, collegial academic environment conducive to learning, teaching, and research. To that end, we call upon the administration to sit down with representatives of GESO and District 1199—the union of the employees of Yale-New Haven Hospital—and openly discuss a fair and appropriate process for measuring the support of graduate students and hospital workers for unionization.

Name	Title and Department
Jennifer Bair	Assistant Professor of Sociology
Victor Bers	Acting Chair and Professor of Classics
Mark Bly	Chair and Professor (Adjunct) of Playwriting Program, & Associate Artistic Director, School of Drama
Susanna Braund	Professor & Acting Director for Graduate Studies for Classics
Alejandra Bronfman	Assistant Professor of History
William Burch	Frederick C Hixon Professor of Natural Resource Management, School of Forestry & Environmental Studies
David Cameron	Director of Undergraduate Studies and Professor of Political Science & Director of European Union Studies
Hazel Carby	Charles C & Dorathea S Dilley Professor of African-American Studies and American Studies
John Collins	Holmes Professor of Old Testament Criticism & Interpretation, Divinity School
Emila V da Costa	Professor Emeritus of History
David Demille	Associate Professor of Physics
Michael Denning	William R Kenan Jr Professor of American Studies; English; and Chair of Ethnicity, Race, and Migration
Liz Diamond	Chair and Assistant Professor (Adjunct) of Directing Program & Resident Director, School of Drama
John Mack Faragher	Arthur Unobskey Professor of American History; American Studies; and Director of the Howard R Lamar Center for the Study of Frontiers & Borders
Elinor Fuchs	Professor (Adjunct) of School of Drama
Paul Gilroy	Chair & Professor of African-American Studies, and Professor of Sociology
Robert Gordon	Chancellor Kent Professor of Law & Legal History; Professor of History
David Graeber	Assistant Professor of Anthropology
Dimitri Gutas	Chair and Professor of Near Eastern Languages and Civilizations
John Halle	Assistant Professor of Music Composition & Theory
Jonathan Holloway	Associate Professor of History, African-American Studies & American Studies
Cynthia Horan	Lecturer in Political Science
Matt Jacobson	Professor & Director of Graduate Studies for African-American Studies, and Professor of American Studies and History
L. Serene Jones	Associate Professor of Theology, Divinity School

Name (cont'd)	Title and Department
Gil Joseph	Farnam Professor of History, Chairman of the Council on Latin American & Iberian Studies (YCIAS)
Laurence King	Assistant Professor of Sociology
Jennifer Klein	Robert Wood Johnson Scholar In Health Policy, Institute for Social and Policy Studies; Assistant Professor in History (appt, July 2003)
James Leverett	Chair and Associate Professor (Adjunct) of Dramaturgy & Dramatic Criticism Program, School of Drama
Mary Lui	Assistant Professor of History and American Studies
John MacKay	Assistant Professor of Slavic Languages and Literature
Michael Mahoney	Assistant Professor of History
John McCormick	Associate Professor of Political Science
John Merriman	Charles Seymour Professor of History
David Montgomery	Farnam Professor Emeritus of History
Erika Munk	Professor (Adjunct) at School of Drama & Editor Theatre Magazine
Mridu Rai	Assistant Professor of History
Chris Rhomberg	Assistant Professor of Sociology
Marc Robinson	Director of Theater Studies; Associate Professor (Adjunct) of Theater Studies & English; School of Drama
John Roemer	Elizabeth S & A Varick Stout Professor of Political Science and Economics
Gordon Rogoff	Professor (Adjunct) of Dramaturgy & Dramatic Criticism, School of Drama
Cynthia Russett	Larned Professor of History
Alicia Schmidt Camacho	Director of Undergraduate Studies for Ethnicity, Race, and Migration, and Assistant Professor of American Studies
Andrew Schranck	Assistant Professor of Sociology
James Scott	Sterling Professor of Political Science and School of Forestry & Environmental Studies and Anthropology, Director of Agrarian Studies
Catherine Sheehy	Associate Professor (Adjunct) & Resident Dramaturg, School of Drama
Michael Veal	Assistant Professor of Music Department and African-American Studies
David Watts	Professor of Anthropology
Laura Wexler	Associate Professor of Women's & Gender Studies & American Studies
Jay Winter	Professor of History
Stephen Wizner	William O. Douglas Clinical Professor of Law & Supervising Attorney, Law School
Keith Wrightson	Professor of History

YALE UNIVERSITY

OFFICE OF THE PRESIDENT

105 WALL STREET, PO BOX 208229
NEW HAVEN CT 06520-8229

April 21, 2003

Ms. Anita M. Seth
Graduate Employees and Students
Organization
425 College Street
New Haven, CT 06511

Dear Ms. Seth:

I have received your letter of April 13, 2003. Let me explain why I do not believe it appropriate to establish a new process for determining whether Yale's graduate students will be represented by a union.

The National Labor Relations Act already sets out a clear and fair process for deciding this question, a process that has been and remains available to GESO. The NLRA process provides supervision of a secret ballot election to protect the privacy of individuals, as well as their freedom from coercion or intimidation. It also provides a means of adjudicating other issues such as who will be eligible to vote, and, more fundamentally, whether graduate students should be treated as "employees" under the Act. Indeed, GESO itself has recently sought to use the protection of labor law by initiating unfair labor practice charges against several Yale faculty members. Such charges are predicated upon the applicability of the National Labor Relations Act to Yale's graduate students, and they raise many important issues about the boundaries between labor law and educational matters. We would not wish to prejudice the University's right to pursue a full, legal exploration of issues like these, should it become necessary.

As you are aware, in the past few years the NLRA process has been followed by unions seeking recognition of graduate students at NYU, Brown, Columbia, Penn and Tufts. It is likely that the National Labor Relations Board will issue decisions soon in cases which may clarify the law applicable to any case involving Yale's graduate students.

Under all of these circumstances, I must decline your request.

Sincerely yours,



Richard C. Levin