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Duke Graduate Students Union (DGSU) Statement on Path to Recognition after Administration's Legal Opposition

On Friday, Duke Vice President for Public Affairs Chris Simmons confirmed in a statement that Duke attorneys intend to challenge the right of graduate student workers to unionize – not only at Duke but at private universities nationwide. This step is a dangerous escalation of their anti-worker position, and one that threatens the rights and well-being of graduate student workers across the country. Nevertheless, we are confident their strategy will not succeed, and we will win recognition soon. We continue to focus on our mission, fighting for the well-being of graduate workers.

In 2016, the National Labor Relations Board (NLRB) ruled that graduate students at Columbia University and across private institutions have legal standing as employees to unionize. In 2016-17, Duke's legal team attempted to contest this precedent by arguing that the situation at Columbia was substantially different than at Duke. After months of needless and wasteful delay and millions of educational dollars spent, the NLRB issued an unambiguous ruling, rejecting Duke's argument on all counts. None of Duke's main peer institutions have challenged this precedent since, nor have any taken such a hardline anti-union stance. Duke graduate workers are indeed employees.

Duke administration appears to be ironically unable to learn from their mistakes. The precedent set at Columbia in 2016 has only become far more entrenched since, as graduate workers at more and more universities have unionized with rulings in their favor, while the NLRB has only become more progressive. The NLRB has already ruled on the specifics of Duke graduate workers, and it is clear to all involved that Duke's legal strategy will not succeed.

The question is: Why is Duke going so far out on a limb, taking such an extreme and regressive position that no other university has, in what they know is an entirely futile effort? This answer is obvious: it is a transparent delay tactic. Duke wants to keep its workers from having a voice for as long as possible, hoping for future political changes in their favor. This is reprehensible. With a clear and growing majority, graduate workers have already spoken. Duke has chosen its side, but it is not too late to change course. The door remains open to recognition, and we are ready to sit down at the bargaining table as soon as Duke realizes this is the only path forward.

Yet as delay tactics go, it is an incredibly dangerous one. In challenging this precedent, the administration risks grinding to a halt the litany of graduate unionization campaigns currently underway at universities around the country. This is a nationwide movement, and a rapidly growing one. What's more, Duke's challenge threatens to reverse the immense progress and improvements to working conditions already won by existing graduate unions over the past few years.

In their own words, Duke aims to “contribute boldly to the international community of scholarship; to promote an intellectual environment built on a commitment to free and open inquiry; to help those who suffer, cure disease, and promote health.” We struggle to see how employing a notorious union-busting law firm at \$1800 per hour, and devoting countless hours of their employees’ time to fight a union fits with that mission. A recognized DGSU would make Duke a more equitable, accessible, place for people from all backgrounds to come and work. This fight flies in the face of Duke’s own commitments to Diversity, Equity, and Inclusion. Unfortunately, the disconnect between values and actions is not new: Duke’s anti-worker policies have been made clear to the Durham community in the past few years, with firings of workers at Beyu Caffè and opposition to light rail. We hoped that the administration would see recognition – or at least neutrality – as an opportunity to put their espoused values into practice.

We will win recognition in the end. Ultimately, Duke’s tactics have only shown the strength and solidarity of the unionization movement: we have received support from unions and graduate unions alike across the country, Duke alums, elected officials, and more, decrying Duke’s behavior and calling on the administration to reverse course. But in the meantime, Duke’s unfortunate decision comes at a massive cost to workers who need the benefits of a union now. Childcare coverage, visa cost reimbursements, and cost-of-living adjustments cannot wait. We hope they waste not one dollar more on futile legalistic union-busting, listen to their workers, and meet us at the bargaining table immediately.