

Can Graduate Assistants Organize? Columbia University Effort Could Result In The Reversal Of The Brown Decision

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In 2004, the NLRB decided that graduate student teaching assistants at Brown University did not have the right to organize as a union because they had a predominantly academic, rather than employment relationship with their private university. The UAW now appears to have teed up a new case involving graduate assistants at Columbia University that could result in a reversal of the Brown holding by the NLRB. The union has petitioned the board to represent the more than 3,000 graduate assistants at Columbia, but the board's regional director in New York originally dismissed the representation petition saying she is "constrained by current Board precedent" in Brown and that reconsideration of Brown is a matter reserved for the board to decide. In March, the NLRB reversed the regional director's decision saying that the UAW raised "substantial issues warranting review." The matter is now back again before the regional director for full hearings and briefing. In briefs filed last week with the regional director, the UAW specifically asked the regional director to disregard the board's Brown University decision because it was wrongly decided. The university, not surprisingly, argued that the petition should be dismissed because Brown still controls. Copies of the briefs submitted last week can be accessed [here](#) and [here](#).

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