



# INSTITUTE for the American Worker

## Respect Graduate Student Workers Act

Bill name: Respect Graduate Student Workers Act

Bill sponsor: H.R. 5104, Rep. Mark Pocan (D-WI)

**Summary:** The Respect Graduate Student Workers Act would grant graduate student teaching and research assistants the right to organize. These graduate students at colleges and universities would be classified as “employees” for purposes of the National Labor Relations Act (NLRA). The bill also prohibits the National Labor Relations Board (NLRB) from finalizing its proposed rule, preventing graduate student workers at private colleges and universities from unionizing.

**Background:** The matter of graduate student unionization at the NLRB has flipped back and forth multiple times since the NLRB allowed grad student teaching assistants to organize at New York University in 2000. During the George W. Bush administration, the NLRB reversed that decision and it was eventually reversed back during the Obama administration.

A proposed rule was issued by the current Republican-led NLRB on September 20, 2019, to formally address the question of whether these students can also be considered “employees” under the NLRA. It states, “the National Labor Relations Board (the Board) proposes a regulation establishing that students who perform any services for compensation, including, but not limited to, teaching or research, at a private college or university in connection with their studies are not employees” within the meaning of [the NLRA].”

---

**Bill Status:** Rep. Pocan introduced the Respect Graduate Student Workers Act on November 14, 2019. No legislative action has occurred since its introduction. The NLRB closed the public comment period for its “Student/Employee Status” rule on November 22, 2019. An expected timeframe for when this rule will go final is unknown at this time.

---