

To: Graduate and Professional Students

From: John L. Jackson, Jr., PhD, Provost  
Karen Detlefsen, PhD, Vice Provost for Education

On April 10, 2024, the National Labor Relations Board (NLRB) issued an Order – in response to an appeal by the United Auto Workers (UAW) of the NLRB’s March 19 decision – which has resulted in the postponement of the union election previously scheduled for April 16, 2024 and April 17, 2024. This election is being held so that graduate and professional students in the unit determined by the NLRB can vote on whether they wish to be represented by the UAW.

**The secret ballot election will now be held on Wednesday, May 1, 2024 and Thursday, May 2, 2024, from 10:00 AM to 7:00 PM in Bodek Lounge, which is on the first floor of Houston Hall.**

The NLRB’s April 10, 2024 Order necessitated the postponement of the election because it determined that an additional group of approximately 300 PhD students should be permitted to vote in the election subject to challenge. These 300 students must now be added to the voter list, which must be shared with the NLRB and the UAW; before this can be done, all students who are now eligible to vote must be notified of their rights, under the Family Educational Rights and Privacy Act of 1974 (FERPA), to not have their personal information (e.g., home address, personal cell number, personal email address) shared with the union and the NLRB, and they must be given an opportunity to file a motion or petition to request that this not be done. There are legal timeframes for these important processes, which protect students’ privacy, that could not be met for an election on April 16 and April 17. The NLRB explained the reason for the postponement in the stipulation that it drafted – and which both the University and union signed – agreeing to the rescheduled election dates, times, and location. A copy of that stipulation is attached.

The NLRB indicated to the University that its preference was for the rescheduled election to be held the week of April 29, 2024, and the University cooperated fully with the NLRB to enable the election as requested.

Per the NLRB’s Order, the students who are eligible to vote are those who are included in the bargaining unit, as well as an additional group of students whom the NLRB has determined should be permitted to vote subject to challenge:

### **Bargaining Unit**

**INCLUDED:** All graduate and professional students who provide research or instructional services for the University, including those who serve as Teaching Assistants, Teaching Fellows, Research Assistants, Research Fellows, Pre-Doctoral Trainees, and Student Workers employed by the Employer at its Philadelphia, PA University. This includes Educational Fellowship Recipients if they provide teaching or research services for the University, including those who serve as Teaching Assistants, Teaching Fellows, Research Assistants, Research Fellows, Pre-Doctoral Trainees, and Student Workers employed by the Employer at its Philadelphia, PA University during the payroll period ending February 29, 2024.

**EXCLUDED:** All other employees, students pursuing professional degrees in the Veterinary School, the Dental School, and the Medical School with the exception of professional students in those programs who are pursuing a joint degree and who qualify for inclusion by virtue of their

research or instructional service for the University in conjunction with their other graduate or professional program, Educational Fellowship Recipients who do not provide teaching or research services for the University, guards and supervisors as defined in the Act.

### **Others Permitted to Vote**

All Educational Fellowship Recipients in lab rotations in the first year of the Biology PhD Program and the first and second years of the Biomedical Graduate Studies PhD Program may vote in the election, but their ballots will be challenged since their eligibility has not been resolved. No decision has been made regarding whether the individuals in this group are included in or excluded from the bargaining unit. The eligibility or inclusion of these individuals will be resolved, if necessary, following the election.

Between now and the election, we encourage all graduate and professional students who are eligible to vote to learn as much as possible about this significant issue. A simple majority of those who vote in the election will determine the outcome. Therefore, we encourage all graduate and professional students who are eligible to vote to do so.

**STIPULATION TO RESCHEDULE ELECTION**

**Trustees of the University of Pennsylvania**

**Case 04-RC-327396**

The parties **AGREE AS FOLLOWS:**

The election originally scheduled to take place on April 16, 2024 and April 17, 2024 in this matter was postponed as a result of the National Labor Relations Board's issuance of an Order on April 10, 2024, which changed the composition of the voting unit in this case. Therefore, to comply with NLRB's Voter List requirements as well as Family Educational Rights and Privacy Act of 1974 (FERPA), the election has been postponed for administrative reasons beyond the control of any party to the election.

**By agreement of the undersigned parties**, the election will now be held on Wednesday, May 1, 2024 from 10:00 AM to 7:00 PM and Thursday, May 2, 2024 from 10:00 AM to 7:00 PM in the Bodek Lounge in Houston Hall located at the Employer's 3417 Spruce Street, Philadelphia, PA facility. The ballots will be commingled and counted on Friday, May 3, 2024 at 10:00 AM in the Class of '49 Auditorium on the 2<sup>nd</sup> Floor in Houston Hall located at the Employer's 3417 Spruce Street, Philadelphia, PA facility.

If the election is postponed or canceled, the Regional Director, in his or her discretion, may reschedule the date, time, and place of the election.

**Trustees of the University of Pennsylvania**

(Employer)

**By:** /s/ Daniel V. Johns 4/15/24

(Signature) (Date)

**Print Name:** Daniel V. Johns

**Graduate Employees Together-University of Pennsylvania/International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (GETUP-UAW)**

(Petitioner)

**By:** /s/ Jeremy Meyer 4/12/24

(Signature) (Date)

**Print Name:** Jeremy Meyer

