Local 33 Management FAQs

Useful links

Employee Services Center
Local 33 website
Yale Labor Relations website

Contact Information

If you have questions about the Local 33 collective bargaining agreement or any other labor relations-related matter, please contact Joe Sarno, Senior Director, Labor Relations, and/or email your questions to L33management@yale.edu.

If you would like to view the Local 33 collective bargaining agreement, please use the following link Yale Labor Relations website.

If you other employee relations questions (e.g., job descriptions) or need assistance with disciplinary matters that are not related to academics, please contact the Human Resources Business Partner (HRBP) assigned to your department. If you do not know who your HRPB is, please contact the Employee Service Center at employee.services@yale.edu.

If you require assistance with an academics related concern or disciplinary matter, please contact the Graduate School (GSASadministrative@yale.edu) or your school's dean's office.

Overview

Who is in the union?
Students enrolled in the Graduate School of Arts and Sciences will be in the union in any term in which they serve as a research assistant, including while on university fellowship, training grants, and individual fellowships. PhD students in the science division of the Graduate School will serve as salaried research assistants during the duration of their academic program, excluding the following:

- First-year PhD students in Engineering and Applied Science, other than Computer Science
- First-year PhD students in the Combined Program in Biology and Biomedical Sciences
- PhD students in Environment on university fellowships
- PhD students enrolled in the Investigative Medicine Program
Any Graduate or Professional student at Yale will also be in the union during any term in which they hold the following teaching positions:

- A teaching fellow position of any type
- Grader Without Contact
- Grader/Tutor
- Discussion Section Leader
- Lab Leader
- Part-Time Acting Instructor
- Teaching Assistant
- Summer Assistant 1 or 2
- Summer Session Instructor of Record
- Writing Fellow
- Project Assistant

Postgraduate, post-baccalaureate, and postdoctoral researchers are not included in the bargaining unit.

**Pay Rates**

**What is the duration of the Local 33 contract?**
The contract became effective on December 16, 2023, and will expire on July 31, 2028.

**What are the stipend increases for PhD graduate workers?**
Effective January 16, 2024, PhD stipends were increased as follows:

- Humanities/Social Sciences/Physical Sciences/Engineering: $48,330 stipend
- Biological & Biomedical Sciences: $49,800 stipend
- Management: $50,800 stipend

At the start of academic years 2024-25 through 2027-28, stipends will increase by 2.5% each year.

**How will stipend increases for PhD students impact faculty grant resources?**
For Spring 2024 (January-August), individual schools and units will cover the cost of stipend increases. This is a subsidy of approximately $4800 per student.

Beginning in Fall 2024, faculty who fund PhD students on research grants will be responsible for covering the full cost of the new stipend rates.

Expansions to fringe benefits (health, dental, vision) for PhD students will continue to be funded by schools, not by individual faculty members.
How will other pay rates for non-stipend Teaching Fellows and hourly research assistants be impacted by the Local 33 contract?

Effective January 16, 2024, the non-stipend rates for teaching fellows were increased to:

- TF10: $5,400
- TF20: $10,800

Effective January 16, 2024, the minimum hourly rates for all hourly graduate worker positions increased by $1.00/hour or up to $19.50/hour, whichever is greater, with $.50 increases annually thereafter.

Employment and Academics

Will unionization impact academic requirements and curricula?

No, the contract has a strong management and academic rights provision, ensuring that academic and curricular matters remain within the university's discretion.

As a result, faculty will maintain oversight of the curricular requirements of degree programs and continue to be responsible for evaluating the academic progress of their students, including:

- Determining who is taught, what is taught, and how it is taught.
- Determining students' academic progress, including but not limited to completion of degree requirements, graduation standards, assessment of student grades, and research productivity.
- Determining standards related to academic integrity.
- Creating, eliminating, or modifying education and research programs.
- Determining grading policies and practices.
- Establishing, maintaining, modifying, or enforcing standards of education, research and scholarship, and academic performance.

Graduate programs and individual faculty members are urged to provide clear and transparent guidance on all academic expectations and to document these through advising guidelines, mentoring agreements, or lab manuals. Resources to develop such documents are available on the Graduate School’s website.

How are employment and academics distinguished under the Local 33 contract?

The terms “employment” or “work” refer to those tasks and responsibilities that a graduate worker performs solely for the benefit of the university. For salaried and hourly teaching roles, it is generally easier to identify employment or work responsibilities than it is for research assistant roles. These teaching roles include any teaching-related responsibilities such as grading, leading sections and labs, instruction, etc.

For research assistants, it is more difficult to distinguish between academic and employment related effort because “work” that contributes to the success of the overall research project is
intertwined with the research required to complete the graduate worker’s degree. In fact, the university and union both acknowledge that the work of a salaried research assistant is a blend of academic and employment endeavors that is difficult to separate. Some examples of responsibilities that are exclusively employment-related may include, but are not limited to:

- Cleaning or maintaining lab equipment.
- Ordering supplies, preparing solutions and materials for experiments.
- Research-related animal care.

**How many work hours should we expect graduate workers to complete per week?**

Teaching fellowships offered through the Teaching Fellow Program are designated at the TF 10 (up to 10 hours per week on average) or TF 20 (up to 20 hours per week on average) level. All other teaching positions should state the expected number of hours in the job description and appointment letter.¹

The number of hours a research assistant performs is a combination of their efforts for their own academic advancement and their employment efforts for the benefit of the university; therefore, determining which hours are used for academic research versus work effort can be difficult. Purely work-related tasks should be identified where appropriate. The total number of hours devoted to “work-related” responsibilities, independent of academic obligations, for research assistants must be fewer than 20 hours per week, however. Overall, faculty should explain and document the typical number of hours in a week needed to make academic progress and complete degree requirements in their field and how that schedule is likely to fluctuate depending on experiments, or time needed for classes.

**Are there restrictions on when work can be performed?**

Faculty and supervisors must make every effort not to schedule required work events or meetings outside of standard business hours (M-F 8:30am-5pm). Faculty and supervisors must also provide written notice, including by email, to graduate workers if their work-related responsibilities require work outside of standard business hours. Such work must be operationally justified. For example, if animal care is a shared duty of all lab members that clearly requires a graduate worker to be present in their lab on a weekend or in the evening, it is reasonable to set that expectation.

**May graduate workers be asked or volunteer to assist with departmental events or other service?**

As long as the work they will perform is not covered by the Local 33 union contract, graduate workers may be asked and choose to assist with other activities. For example, students should not be asked to voluntarily perform lab work functions or teach. However, they can be asked to volunteer for departmental committees or organizing departmental events.

¹ More information on appointment letters is provided below.
Time Off and Absences

How much time off are graduate workers eligible for?
Salaried research assistants are eligible for 30 days of paid time off (PTO) per academic year: 15 official university holidays and 15 additional days that can be used for personal, sick, or vacation days. Time off for research assistants may NOT be rolled over from one academic year to the next. If, by the nature of their work or as directed by their supervisor, a research assistant is required to work on a holiday or recess day, they will be entitled to an additional day off without loss of pay that must be used in the same academic year. Please note that Fall and Spring Breaks in the academic calendar and are not PTO for salaried research assistants. A mechanism for requesting and approving time off is being developed by ITS. In the interim, faculty should keep track of time off manually.

Paid time off for salaried research assistants will be prorated for Academic Year 2023-2024 given that the Local 33 collective bargaining agreement was resolved mid-year. Salaried research assistants must be provided 20 days of paid time off for use from January through the end of the spring semester on August 31, 2024 (the 5 university holidays that fall during this period as well as 15 additional days that can be used for personal, sick, or vacation days).

Graduate workers serving as teachers do not receive paid time off but will continue to follow the academic calendar consistent with current practice.

Graduate workers holding research assistant and teaching positions simultaneously shall not take their paid time off during days when they perform their teaching and grading duties, except in exceptional circumstances.

Work- or Academic-Related Discipline

What should faculty members and supervisors do if they believe that a graduate worker has engaged in work-related misconduct or has failed to complete their work-related responsibilities?
If a faculty member or supervisor believes that a graduate worker should be disciplined for a work-related matter, they should contact the Human Resources Business Partners assigned to their department or Labor Relations for guidance.

Some examples of work-related misconduct and failure to complete work-related responsibilities, include:

- Failing to complete grading or other assignments on time
- Failure to be present for teaching responsibilities
- Failing to attend work-related meetings
How should issues of academic good standing be addressed?
If a student’s unsatisfactory performance or unapproved absence is causing them to fall behind academically, there should be a conversation with the DGS and/or academic dean. Typically, the faculty member should have a conversation with the student, document the issue and the plan for remediation with deadlines in writing, including by email, and then follow up as needed. Decisions about academic standing or dismissal from a degree program do not constitute work discipline and are not subject to the union’s "just cause" standard or the grievance procedure. For reference, ‘just cause’ is the contractual standard used to determine whether employment-related discipline issued to union workers is warranted.

If you cannot determine whether a performance concern is employment or academic related, reach out to Labor Relations for guidance to determine the appropriate course of action.

Grievances

What is a grievance?
A grievance is a claim asserting that the university has violated an explicit term of the collective bargaining agreement. For instance, if a faculty member or supervisor unreasonably denies a graduate worker’s use of paid time off, the union may file a grievance challenging it.

What is the supervisor’s role in a grievance procedure?
The supervisor's role is to respond to grievances as the first step of the process. This involves engaging in a conversation with the graduate worker with the goal to informally resolve the raised concern. The graduate worker may request a union steward be present at such conversations, and the supervisor may have another representative from their department or Human Resources present. The supervisor must provide their answer to the grievance within three working days of the meeting.

What happens if a grievance is not resolved at the first step of the process?
If a grievance is not resolved at the first step of the grievance process, the union may choose to pursue the grievance to the next step(s) of the grievance procedure. At that point, Labor Relations will more closely manage the process.

What may not be grieved?
Academic issues including but not limited to graduation standards, assessment of student work and grades, and determinations as to students' academic progress including but not limited to the completion of degree requirements are outside of the scope of the agreement and cannot be grieved.
Fair Treatment and Accommodations

How will work-related claims of discrimination, harassment, and mistreatment be handled under the Local 33 contract?
The Local 33 contract includes a Fair Treatment provision that incorporates the university’s existing internal harassment, discrimination, and mistreatment policies and procedures, including *Yale’s Policy Against Discrimination and Harassment (Policy 9000)* and *Yale’s Faculty Standards of Conduct*. Graduate workers are required to exhaust existing internal processes regarding complaints of fair treatment prior to pursuing the union’s grievance and arbitration process.

Can the union independently file a grievance alleging a violation of the Fair Treatment provision?
Yes, the union may file a grievance alleging a violation of the Fair Treatment provision. Any such grievance may be filed (1) at any time while the complaint is being processed, (2) up to 60 days after the complaint process is complete, or (3) up to one year after the incident giving rise to the alleged violation.

Please note that Fair Treatment grievances will be held in abeyance pending the completion of existing internal processes and procedures. If, however, the internal processes are not fully completed within 90 calendar days of the receipt of a complaint the union may activate and pursue the grievance.

It is important to note that graduate workers are entitled to union representation at all points during the Fair Treatment processes.

How should requests for accommodations be handled?
A graduate worker and their supervisor may discuss and implement a reasonable work accommodation on an “informal” basis. Informal accommodations may include, but are not limited to, adjustments to a graduate worker's assignment, hours, responsibilities, workplace health and safety measures, and/or work location. Graduate workers are not required to provide medical documentation to their supervisors when requesting an accommodation on an informal basis.

Graduate workers also may file a request for a “formal” work accommodation. Formal requests for accommodations must be submitted to the university’s *Student Accessibility Services Office*.

Graduate workers are entitled to union representation at any meeting about an informal or formal accommodation or access adjustment request.

Are graduate workers allowed to work remotely?
Graduate workers may request to work remotely or hybrid in-person/remote on a temporary or permanent basis. All such requests must be submitted to their supervisor and reviewed by
Human Resources. Approvals must come from the Dean of the applicable school, or their
designee.

All teaching (lectures, seminars, and sections) is expected to take place in person except in
special cases that have already received approval. If a teaching fellow requires remote teaching
arrangements, please contact Pam Schirmeister, GSAS and Yale College Deputy Dean, for
guidance. Please further note that all graduate workers who perform laboratory-based work
are not eligible to work remotely.

Union Stewards

What is a steward?
A steward is an individual selected by the union to represent graduate workers, administer the
contract, and/or participate on labor-management committees. Union stewards may be Local
33 staff members or individuals who hold, have held, or may reasonably expect to hold a
bargaining unit position, including as a Graduate Worker.

Are stewards allowed to perform their union-related work on work time?
If serving in bargaining unit position, stewards may request to be excused from work (release
time) to perform such duties. Release time must be taken in a manner that is least disruptive to
operations, including teaching and research responsibilities of the steward and the graduate
worker with whom they are working. This could mean that the steward would need to make up
missed research time.

What access to university properties do union stewards have?
Stewards must be given reasonable access to university buildings to confer with graduate
workers when a conference is necessary to administer the contract (i.e., for non-academic
matters). Such access shall be conducted at a time and in a manner that is least disruptive to
ongoing research or teaching duties.

Do stewards have full, unfettered access to all university properties?
No. The contract includes an acknowledgement that access to certain spaces, such as
laboratories, may be restricted for health and safety reasons as well as the confidential nature
of the work performed in such areas.

What should faculty do if a student asks to bring a steward to a meeting about academics that
is not work related?
The presence of a union steward does not automatically mean the conversation is about
employment. Faculty can clarify when a conversation is about academics and not employment.
If the student or steward insists during such conversations that the meeting is work related and
not about academics, faculty should end the meeting and escalate to Labor Relations. As a
reminder, academic information may be protected by FERPA and should not be shared.
Are stewards and other union representatives allowed to attend recruitment and orientation events for new students?
The Local 33 contract requires the university to notify the union of the dates, times, and locations of any centralized orientation sessions for graduate workers conducted by the university or any department, school, or program. It further provides that the union shall have up to one (1) hour but no less than thirty (30) minutes at any centralized orientation sessions to make a presentation to graduate workers about union membership, activities, contracts, and any related matters. There is no contractual requirement that the university allow union stewards to attend recruitment events, nor is there a prohibition against it.

Employee Participation Meetings

What is an “Employee Participation Meeting”?
An Employee Participation Meeting is a meeting with graduate workers (with union representation/ stewards) and their supervisor(s) or any university designee to discuss issues related to employment, not academic matters.

When are Employee Participation Meetings held?
They must be held during business hours or at a mutually convenient time.

What issues are discussed at Employee Participation Meetings?
- Problems or suggestions about the workplace
- Improving communications about work-related matters
- Increasing work productivity and efficiency

Who may schedule an Employee Participation Meeting?
Both faculty members and graduate workers may schedule them.

May a supervisor invite a representative from outside of their department, lab, program, etc. to attend an Employee Participation Meeting?
Yes, supervisors are encouraged to include a representative of Human Resources in these meetings.

Employment Evaluations

Does the Local 33 contract require faculty supervisors to complete employment evaluations?
No, faculty supervisors are NOT obligated to create and/or use employment-related evaluations or evaluative processes to assess job performance. With that said, if a faculty supervisor uses employment-related evaluations or evaluative processes to assess a graduate worker’s job performance, they must provide notice, in writing or electronically, to the graduate worker describing the evaluation and process prior to the graduate worker’s date of hire.
What is the best way to provide notice to graduate workers about employment evaluations?
Information describing the evaluation process should be included in job descriptions, postings, and/or appointment letters to satisfy the notice requirement.

Appointment Letters

What information must the University provide to Graduate Workers upon their hire into a bargaining unit position?
Beginning with the fall semester of Academic Year 2024 – 25, on or before a Graduate Worker's date of hire, the University must provide an appointment letter or email containing the following information:

- The job title and position detail, pay classification, expected duration, and hours or approximate hours per week of the position.
- Inclusion of the position in the bargaining unit.
- Instructions for signing a union membership card and authorizing the payroll deduction of dues.
- The frequency and rate and/or amount of pay.
- The general expectations, duties, and/or responsibilities of their position, or where such information may readily be found.
- Any required training that that is a condition of employment.
- Whether the position requires them to be a mandatory reporter.
- Any additional University policies that pertain to their employment, or where such policies may readily be found.

Upon their hire, Graduate Workers also must be advised, in writing:

- Whether their position requires that work be performed in a specific location or locations, and if so, in what location or locations and how to obtain access to said locations.
- Whether their position requires that work be performed during specific hours and/or on specific days, and if so, during which hours and on which days.
- The names and contact information of any direct supervisor or supervisors and relevant work unit administrators.