

University of California  
San Francisco

July 28, 2014

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The Honorable Kevin de Leon  
Chair, Assembly Appropriations Committee  
State Capitol, Room 5108  
Sacramento, CA 95814

*Re: AB 1834 (Williams), as amended April 24, 2014  
Scheduled for Hearing in the Senate Appropriations  
Committee on August 4, 2014  
Position: OPPOSE*

Dear Chair de Leon:

As Deans of Graduate Studies at all ten UC campuses, we write to express our steadfast opposition to AB 1834 (Williams), which is scheduled to be heard in your Committee on Monday, August 4. We add our voices to others within UC — led by President Janet Napolitano — that seek to highlight the University's significant concerns with this bill.

UC has opposed this measure that allows collective bargaining for graduate student researchers (GSRs) as it has appeared in three distinct but largely similar iterations over the last four years. Throughout this period, UC's Graduate Deans have not wavered in our view that this bill would severely impair the University's ability to achieve its missions pertinent to teaching, research and public service by undermining our ability to attract and retain the best faculty and graduate student researchers available.

Our primary concern is that AB 1834 would have the negative impact of undermining the fundamental *faculty-student* relationship on our campuses. We emphasize that the faculty-student relationship at UC differs dramatically from the employer-employee relationship found in nearly any other setting. Although foundational instruction occurs in the classroom setting, it is the side-by-side collaboration on research that is of indispensable value to graduate students. As the mentors in this relationship, faculty provide graduate students with unique opportunities to learn and explore. Serving as a GSR is vital in preparing for and conducting the research necessary for his or her dissertation to fulfill degree requirements.

Contrary to what proponents of this measure suggest, research is not "work" in the traditional employment sense, as it does not represent an exchange of

wages for services. Indeed, for the past 15 years, the official determination of the Public Employment Relations Board (the body responsible for administering and enforcing employer-employee relations in higher education) has been that, pursuant to existing law, UC's graduate student researchers are not employees. We believe that supplanting the student-faculty relationship with a labor-management relationship will harm UC's ability to attract the most talented faculty and most promising graduate students. In fact, we would anticipate loss of faculty who would be drawn to other institutions with less restrictive relationships with their graduate students.

We are also concerned that terms and conditions negotiated through collective bargaining pursuant to AB 1834 could ultimately increase the time required for students to complete their degrees. Faculty (whose grants in large part fund GSR positions) may shy away from hiring GSRs if they become subject to similar employment restrictions as teaching assistants (TAs). For example, if the terms of a contract require a period of employment of one year, but a faculty project provides funding for only six months, the effect will be to preclude faculty from selecting graduate students for the work.

Also, the hours typically worked as a GSR are not based exclusively on the goal of obtaining a work result within a specified time frame, as with TAs. Instead, time spent on research is often determined solely or primarily by the student in an effort to plan her/his time-to-degree and to expedite the conclusion of the research to achieve her/his educational objectives. Research results are always uncertain and the paths of discovery taken by GSRs often lead in unpredictable ways to new ideas and directions that cannot be prescribed in advance. In fact, it is often the student who chooses the research direction under the guidance of the faculty mentor.

Because AB 1834 fails to recognize these distinctions, the time that GSRs might seek to devote to their dissertation research could directly conflict with the workload provisions of a union contract. The insertion of collective bargaining into the process could — through negotiated GSR hours and pay — lengthen the average time it takes for graduate students to receive their degree.

Finally, although our arguments relate principally to policy concerns with the bill, we recognize also that AB 1834 would be costly for UC to implement. Specifically, UC estimates collective bargaining and related contract administration costs would exceed \$2 million per year. In addition, increases in GSR compensation (ranging from 3 to 7 percent) would add another \$8.5 million to nearly \$17 million. Thus,

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UC estimates initial costs to implement AB 1834 from nearly \$11 million (with a 3 percent compensation increase) to over \$19 million (with a 7 percent increase). In almost every instance, such dollars would negatively impact research grants obtained by our faculty. Such increases in costs would make our faculty less competitive for scarce federal research funding at a time when the competition for such funding is especially intense. Increased costs may have the unintended consequence of fewer and fewer GSRs being supported.

We appreciate your consideration of our views as Graduate Deans with close-to-the-ground understanding of faculty-student interrelationships. Should you have any questions regarding the views of the undersigned UC Graduate Studies Deans on AB 1834, please do not hesitate to contact Pamela Jennings, Director of Graduate Studies, UC Office of the President, at (510) 987-9446.

Sincerely,

Carol Givett      Jeffrey C. Goldberg

Frances Leslie      [Signature]

[Signature]  
Elizabeth Watkins

[Signature]  
Marjorie S. Zatz      [Signature]

[Signature]

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### **UC Graduate Studies Deans**

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