

Student Workers in College Office of Admission Vote to Unionize

WRITTEN BY

Michael E. Baughman | Christopher J. Moran | Sean P. McDevitt

The National Labor Relations Board (Board) recently conducted an election in which student workers in the Office of Admission (Admissions) at Hamilton College (College) voted 25 to 20 to be represented by Local One of the United Food and Commercial Workers (Union). It is reasonable to expect that the results of this election will encourage students at other institutions to seek to join labor unions.

Background

The issue of whether students who perform services for financial compensation in connection with their studies can unionize is one on which the Board has changed its position several times over the years. In 2019, under the Trump administration, [the Board proposed to enact a rule](#) that such students could not unionize because “the relationship these students have with their school is predominately educational rather than economic.” That proposed rule was not finalized before the 2020 presidential election and then, in March of 2021, under the Biden administration, the Board announced that it was [withdrawing the proposed rule](#).

Recent Election

In August 2021, the Union filed a petition with the Board, seeking to represent students working in Admissions at the College. A student member of the union organizing committee stated that the students hoped to secure [“higher wages, a uniform disciplinary process and greater respect.”](#) A group of 42 faculty members also wrote a letter to the College newspaper [“wholeheartedly support\[ing\] the unionization effort.”](#) For its part, the College [let the students know](#) that it would strongly prefer that they not unionize, but also that it fully supported their right “to choose what they believe is best for them.”

The Board then conducted a mail ballot election beginning on September 24, and the votes were counted on October 12. The Union received the majority of the 45 votes cast by a small margin. Indications are that the College does not plan to challenge the election and, if that is the case, the Union will become the exclusive bargaining representative of the tour guides and senior fellows in Admissions when the Board formally certifies the election results.

Takeaways

It is reasonable to expect that the results of this election will encourage some students at other institutions to seek to join labor unions. Although this recent election involved an admissions department, future efforts could involve

student workers in other areas of the institution (e.g., cafeteria, bookstore, etc.).

For institutions that want to avoid student union campaigns, there is no better time than the present to ensure that their student workers feel valued and fairly treated. Also, keep in mind that every vote matters. In this recent election, if just three more of the 45 students who voted had voted against unionization, the Union would have lost the election.

This is still something of an unsettled area. It is possible that another institution, which is faced with a student worker union election, may challenge the Board's present position on whether student workers can form unions. Moreover, depending upon the results of future presidential elections (*i.e.*, during the next Republican presidential administration), the Board may also revise its present position on the issue.

RELATED INDUSTRIES + PRACTICES

- [Educational Institutions](#)
- [Labor + Employment](#)