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Taken for Granted: The Fat Lady Sings

Beryl Lief Benderly
United States
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In 2006, union organizers tried and failed to unionize the nearly 6000 postdocs in the vast University of California (UC) system. The [acrimonious and complicated attempt](#), which pitted postdoc against postdoc, ended when the organizers, citing a bureaucratic snafu, [withdrew their application](#) for recognition but vowed to continue their efforts. After a renewed organizing drive, the union seems on the verge of the decisive victory it promised 2 years ago.

"The University of Connecticut postdoc union is obviously a model and an inspiration for us." -- Matthew O'Connor

Now, organizers expect to achieve their goal of creating the nation's second--and by far the larger--postdoc union by bringing into the [UAW](#) an estimated 10% of the nation's postdocs. (The total number of postdocs in the United States is unknown.) An AFL-CIO-affiliated national union, UAW already represents UC's 12,000 academic student employees, the faculty at UC Santa Cruz, and over a million other active and retired industrial, white collar, and professional workers across the country. Given the UC system's size, its standing in the academic community, and California's traditionally huge cultural influence, this move may shift the discussion about postdoc status and rights on other campuses as well.

DIFFERENT THIS TIME

On 30 June, the union, known as [PRO/UAW](#) (its official name is Postdoctoral Researchers Organize/International Union, United Automobile, Aerospace and Agricultural Implement Workers of America), filed with California's Public Employment Relations Board (PERB) a petition for recognition as the UC postdocs' collective bargaining representative. The union presented signed cards from what it claims is a "large majority" of UC postdocs requesting that PRO/UAW represent them, according to union spokesperson Matthew "Ok!" O'Connor, a member of the organizing committee and a Berkeley

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bioengineering postdoc. Under state law, if organizers present valid signatures from 50%-plus one of the relevant workers, unionization is automatic.

Unlike last time, there is no apparent evidence of organized opposition to the current unionization effort. Barred by law from expressing an opinion on the desirability of unionization, the university administration remains neutral. "The University of California neither opposes nor encourages unionization," said spokesperson Nicole Savickas by telephone. "We support the right of our employees to make their own decisions regarding unionization."

The AntiPRO/UAW Web site that rallied the opponents last time has been taken down and its Web address sold to a union supporter, according to the leader of the erstwhile adversaries, a UC San Francisco postdoc we have called Anne T. Union, who spoke on condition of anonymity and declined to specify why she was no longer fighting the drive. Last time, the PRO/UAW petition precipitated an unprecedented legal wrangle. This time, it appears to be a routine request.



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Determining the outcome is therefore "a clerical procedure" of counting the cards, according to PERB labor relations specialist Roger Smith, who spoke from his office in Sacramento. After a petition is filed, "we give the employer approximately 3 weeks to give us a list of the people employed in the job classes," he said. Once that is in hand, "it will take us some time to get through" the process of matching that official roster with the names on the cards. Smith expects a determination "by mid-August."

A second difference from last time is that the union now has "a very good handle on the number of postdocs in the unit," O'Connor says. The previous attempt foundered because of a misunderstanding. The 2006 unionization drive coincided with a reclassification of the job statuses for all postdocs at UC carried out in conjunction with the start of a new [systemwide health care and benefit scheme](#) that then--and now--ranked among the best in the nation. A number of people who considered themselves postdocs but who, under the terms of their job classifications, did not meet the official criteria of that category mistakenly signed cards. The union did not realize the error until after it had filed its PERB application. When it counted again and found itself about 100 legitimate signatures short, the union withdrew the petition.

"This time we're confident ... because we know how many postdocs are in the unit--about 5000 postdocs statewide," O'Connor explains. That number is lower than the 5800 to 6000 postdocs previously cited for the UC system because only two of the three current postdoc categories recognized by the university are eligible to petition for union representation. Those two categories are postdocs paid directly out of professors' grants and postdocs who hold grants or fellowships that are administered by the university and who therefore receive paychecks from the university. Postdocs who have direct-pay grants or fellowships are not considered employees and are therefore ineligible to sign the cards. This time, "we submitted well over 3000 cards," O'Connor says.

The 2006 failure required the organizers to start enrolling postdocs again from scratch because signature cards are valid for only 1 year. "We worked very hard to get postdocs involved this time, to make this a very postdoc-driven process," O'Connor says. Many of the postdoc activists were already experienced unionists, having belonged during their grad school days to [UAW Local 2865](#), which represents UC's student teaching assistants, graders, and lecturers.

HOPES FOR THE FUTURE

Once the union is recognized, it will negotiate a contract with the university that will cover all postdocs and build on conditions that are, compared with those at many other universities, already quite good. Those postdocs who receive their paychecks through the university will be entitled to join the union if they wish and have a vote in its affairs by signing up and paying dues equal to 1.15% of their incomes. Postdocs who are not members will pay the union a fee of approximately 0.9% of their incomes. The main issue in the drive was gaining "the ability to engage in collective bargaining with our employer," O'Connor says. "The union is going to give [us] a much stronger voice than we had before, and I'm very optimistic and excited about the future."

Should the experience in dealing with the university resemble that of the nation's first postdoc union, [University Health Professionals](#) at the University of Connecticut Health Center (UCHC) in Farmington, that optimism is warranted. The University of Connecticut opposed the unionization drive but has had [good relations with the union](#) since it gained recognition, sources on both sides say. The first contract substantially improved postdocs' situation. The current agreement, which runs to 2010, provides the approximately 125 UCHC postdocs 12 paid sick days and 30 paid leave days each year; health insurance; state retirement; 100% tuition reimbursement for courses taken at the University of Connecticut and 75% for courses taken elsewhere; up to \$450 a year to attend conferences, in addition to those paid by the postdoc's principal investigator; a \$1000 stipend to adopt a child; a minimum salary equal to the National Institutes of Health minimum or \$36,000, whichever is greater; and raises of 3.25% in 2006, 2% in 2007, 3.25% in 2008, and 2% in 2009.

The original UCHC unionists hoped that their efforts "would be repeated at other institutions," says John Wagner, one of the drive's postdoc organizers and now a researcher at a major company. "Some of us even dared to dream that one of those institutions would be the University of California." It's too soon to tell whether postdocs at other U.S. campuses will follow suit, but north of the border, unionization is on the march. In recent months, postdocs at two universities in the Canadian province of Ontario have opted to unionize.

In February, those at the University of Western Ontario (UWO) in London "voted to form Canada's first unionized postdocs, represented by [the Public Service Alliance of Canada \(PSAC\)](#)," says Peter Ferguson, the first president of the Postdoctoral Association at Western, who currently works with PSAC, in an e-mail. "The University is contesting the vote on the basis that postdocs are independent contractors and not employees. PSAC is defending the rights of postdocs to form a Union on the basis that there are in fact employees within the meaning of the Labour Relations Act. The issue is currently before the Ontario Labour Relations Board," he continues. Shortly after the union vote at UWO, postdocs at McMaster University in Hamilton, Canada, [voted to join the Canadian Union of Public Employees](#). McMaster has not contested unionization.

THE END OF THE BEGINNING?

In the United States at least, the future usually begins in California, but this time it dawned a continent away in Connecticut. "The University of Connecticut postdoc union is obviously a model and an inspiration for us," says O'Connor, adding that he carried an article about the first UCHC contract as he worked to persuade postdocs to sign. Ferguson, too, notes that a later report on the UCHC experience played a role in convincing postdocs at Western Ontario. Despite the New England pioneers' stirring example, however, O'Connor notes that "nothing will compare in scale" to the University of California union.

So now that the mythical portly prima donna of sports-metaphor fame has finally broken into song to signal the end of the California unionization drama, what is she warbling? Probably not her customary operatic arias but rather one of the rousing anthems of countless picket lines and organizing drives, such as "[Solidarity Forever](#)" or "[Union Maid](#)" (video links).

<p>Beryl Lieff Benderly has been a regular contributor to <i>Science Careers</i> since 2003, writing on postdoc matters and other scientific workforce issues. She writes from Washington, D.C.</p>	<p>Comments, suggestions? Please send your feedback to our editor.</p>
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