

Region 2 Attn: Regional Director Karen P. Fernbach
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National Labor Relations Board
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202-273-1952

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

THE TRUSTEES OF COLUMBIA
UNIVERSITY IN THE CITY
OF NEW YORK

Employer

and

Case 02-RC-143012

GRADUATE WORKERS OF
COLUMBIA –GWC, UAW
Petitioner

NOTICE AND INVITATION TO FILE BRIEFS

On December 23, 2015, the Board granted the Petitioner's Request for Review and the Employer's Conditional Request for Review.

The Board invites the filing of briefs to afford the parties and interested *amici* the opportunity to address the issues raised in this case.

The parties and *amici* are invited to address the following questions:

1. Should the Board modify or overrule *Brown University*, 342 NLRB 483 (2004), which held that graduate student assistants who perform services at a university in connection with their studies are not statutory employees within the meaning of Section 2(3) of the National Labor Relations Act?

2. If the Board modifies or overrules *Brown University*, supra, what should be the standard for determining whether graduate student assistants engaged in research are statutory employees, including graduate student assistants engaged in research funded by external grants? See *New York University*, 332 NLRB 1205, 1209 fn. 10 (2000) (relying on *Leland Stanford Junior University*, 214 NLRB 621 (1974)).

3. If the Board concludes that graduate student assistants, terminal masters degree students and undergraduate students are statutory employees, would a unit composed of all these classifications be appropriate?

4. If the Board concludes that graduate student assistants, terminal masters degree students and undergraduate students are statutory employees, what standard should the Board apply to determine whether they constitute temporary employees?

Briefs by the parties not exceeding 50 pages in length and briefs by amici not exceeding 25 pages shall be filed with the Board in Washington, D.C. on or before February 29, 2016. The parties may file responsive briefs on or before March 14, 2016, which shall not exceed 25 pages in length. No other responsive briefs will be accepted. The parties and *amici* shall file briefs electronically by going to www.nlr.gov and clicking on "E-File Documents." Parties and *amici* are reminded to serve all case participants. A list of case participants may be found at <https://www.nlr.gov/case/02-RC-143012> under the heading "Service Documents." If assistance is needed in E-Filing on the Agency's website, please contact the Office of Executive Secretary at 202-273-1940 or the undersigned at 202-273- 3737.

Dated, Washington, D.C., January 13, 2016.

By direction of the Board:



Gary Shinnors
Executive Secretary