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Organizing the Academy: Unionization Efforts in Higher Education

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Abstract: Labor organization efforts grew following the pandemic in the United States at tech companies, automakers, and even higher education institutions. This brief examines unionization trends at private colleges and universities from 2007 to 2023, revealing staff as the main force behind unionization attempts, followed by contingent faculty. Major unions like the SEIU and the AFL-CIO play significant roles in representing college and university employees. This study underscores the importance of understanding historic unionization efforts, shedding light on often overlooked staff categories like maintenance and security.

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Labor organization efforts have been a major post-pandemic economic storyline in the United States. High-profile unionization campaigns at Amazon and Starbucks, and strikes in Hollywood and at automakers Ford, General Motors, and Stellantis attracted national attention (Minchin, 2023). In 2022, over seven in ten Americans approved of unions, the highest level of support since 1965 (McCarthy, 2022) (1).

Buoyed by campaigns such as the Service Employees International Union's (SEIU) Faculty Forward initiative and the Kalmanovitz Initiative for Labor and the Working Poor's Labor Spring, a wave of labor organization efforts has swept universities, from Rutgers faculty to Duke graduate students (Quinn, 2023). Even the men's basketball team at Dartmouth has unionized (Lederman, 2024). Although the higher education industry accounts for a fraction of nationwide unionizations, the academy retains significant influence in the national discourse.

Prior research has examined pre-pandemic unionization trends, with a particular focus on contingent faculty, students, and other academic or administrative workers (Bennett, 2023; Herbert et al., 2020; Herbert et al., 2023; Herbert & Apkarian, 2017; Kroeger et al., 2018). Scholarship has largely ignored maintenance employees, food workers, campus security, and other staff who form the backbone of institutions' day-to-day operations. In this brief, we explore trends in unionization efforts at private American colleges and universities between 2007 and 2023. We find staff are involved in a majority of unionization elections, while contingent faculty account for a third of organizing efforts. We also find two labor organizations, the SEIU and the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), account for nearly three in five unionization attempts. Finally, we observe a concentration of elections in a handful of union-friendly states and well-resourced institutions.

Data Sources and Collection Methodology

Using National Labor Relations Board (NLRB) election reports, we compiled an original dataset of the union certification elections at private colleges and universities from January 2001-December 2023 (Authors et al., 2024) (2). Because the NLRB is a federal agency that certifies elections for private sector employees, our dataset includes only private institutions. From the NLRB case reports, we coded voting units (employees seeking union representation) into nine categories: tenured or tenure-track faculty; contingent faculty; library; campus safety; residence life; maintenance; research/medical assistants/fellows; food services; and other staff. The resulting dataset contains 336 union elections at 186 institutions between 2007 and 2023 (3).

Trends in Unionization

There were 336 total election petitions filed from 2007-2023 that included 86,004 eligible voters at colleges and universities. Of the 336 elections, roughly 84% (282/336) resulted in unionization. Of the certification elections from 2007-2023 for which we have coded voting units, 228 elections included staff (67.86%), while just 108 (32.14%) included faculty (4).

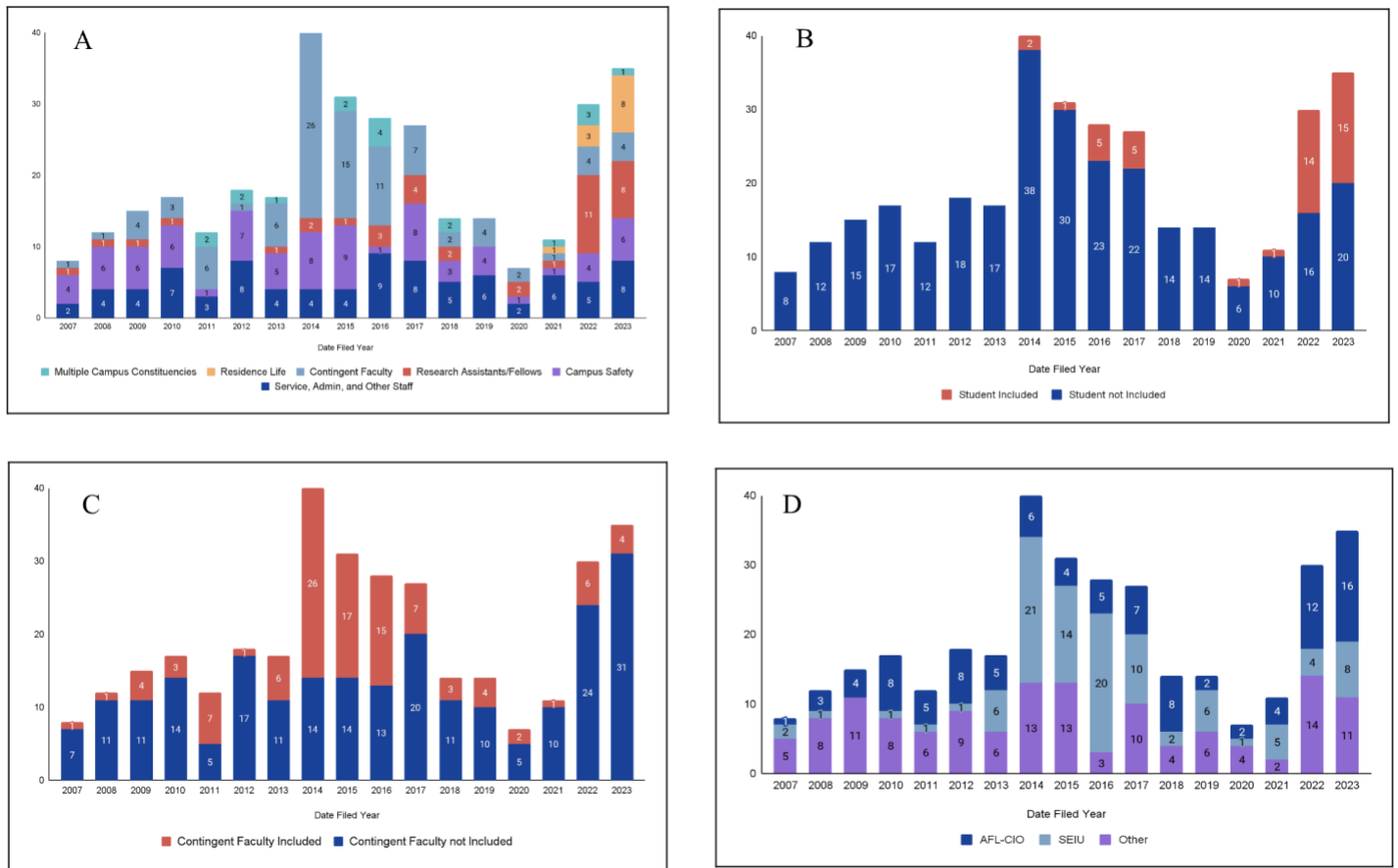
Figure 1 panel A shows an increasingly diverse group of employees seeking to unionize. Just under 30% (98/336) of the election petitions included only contingent faculty (5). Campus safety personnel, and service, administrative, and other staff consistently appear in voting units. Residence life and research assistants/fellows emerge more frequently starting in 2021. In 2022 and 2023, around 45% (29/65) of union elections included undergraduate or graduate students. Figure 1 panel A shows a rise in union elections including residence life staff and research assistants, categories more likely to involve student employees (6).

From 2014-2016, contingent faculty comprised between 53% and 65% of the voting units listed in election reports. Recently, they are represented in a smaller proportion of voting units.

The AFL-CIO and the SEIU are the representative labor organizations for almost 60% (203/336) of the union elections in the dataset. The AFL-CIO is America's largest labor federation, while the SEIU has targeted higher education institutions for unionization in its Faculty Forward campaign (Bennett, 2023).

About four in five (82%, 274/336) union elections were in New York, Massachusetts, Pennsylvania, California, Illinois, Connecticut, Rhode Island, and Washington, D.C. Union membership is generally more common in these states and D.C. (Shierholz et al., 2024). A small group of colleges and universities account for a disproportionate share of union elections. Table 1 shows almost a quarter of union elections (82/336) occurred at just 15 institutions. Seven are located in either Massachusetts or New York. With some notable exceptions (e.g. College of Saint Rose, University of New Haven, etc.), most are relatively prestigious and well-resourced. Half of the Ivy League (i.e. Brown, Columbia, Cornell, and Dartmouth) are represented in the table, and nine are Association of American Universities (AAU) institutions. The 15 institutions in Table 1 had a collective \$73,283,123,661 in endowment assets at the end of FY 2022 (U.S. Department of Education). The most frequent voting unit in these 82 elections is campus safety personnel, followed by contingent faculty.

Figure 1. Trends in Unionization Efforts in Higher Education, 2007-2023



Note. The “Multiple Campus Constituencies” category reflects instances in which more than one campus constituency was co-listed on the voting unit. For example, in 2016, all full-time and part-time English Language Learning Program/ESL faculty and team members (adjunct instructors, instructors, ESL professors, ESL teachers, and ESL tutors) voted to unionize. Because the voting unit included both faculty and other staff, we categorized this voting unit as “Multiple Campus Constituencies.” Panel B reflects the count of undergraduate and/or graduate students. If a Certification of Representative petition (known as an RC petition) included multiple labor organizations, Panel D shows only the organization that received the most votes. In our dataset, 36 petitions included multiple labor organizations. The Y-Axis in each of the panels is the year each petition was filed. The X-Axis is the number of petitions in a given year.

Discussion

Staff members at colleges and universities account for the majority of voting units in unionization attempts. Relative to faculty members, this group of employees often has weaker job security and less flexibility (Selingo, 2020). The uptick of elections including staff in 2022 and 2023 could stem from concerns over pandemic layoffs that disproportionately targeted staff members or a campus divide between faculty and staff (Selingo, 2020). Staff may also simply represent a larger proportion of employees at an institution.

Still, around 30% of unionization attempts are by contingent faculty. Other scholars have observed the rise of unionization elections including graduate students and contingent faculty in the last decade (Bennett, 2023; Herbert et al., 2023; Herbert & Apkarian, 2017; Kroeger et al., 2018). Higher education institutions have increasingly relied on the cheaper labor of graduate students and contingent faculty – in the United States, the majority of faculty are non-tenure track (Colby, 2023). Collective bargaining may offer graduate students and contingent faculty an avenue to higher pay, job security, institutional support, a role in institutional governance, and health benefits (Bennett, 2023). While contingent faculty unionization attempts have slowed in the last few years, contingent faculty have consistently sought to unionize over the last decade, particularly from 2014-2016 (8). The number of union elections including student workers – especially in residence life, fellowship, and research assistant positions – surged in the years following the onset of the pandemic.

Around 80% of elections are concentrated in a handful of states and the District of Columbia. None of these states or D.C. have “right-to-work” laws that prohibit contracts requiring all benefiting employees in a unionized workplace to financially contribute to the union

(National Council of State Legislatures, 2023). Union membership is typically reduced in “right-to-work” states (Dasgupta & Merchant, 2023).

Limitations and Conclusions

NLRB election and case reports offer valuable insights into higher education unionization efforts, but they are limited to private colleges and universities. We chose to focus on private institutions because of the availability of reliable data and the fact that private, not-for-profit institutions largely drove recent faculty unionization growth (Herbert et al., 2020). We aimed to develop mutually exclusive voting unit categories, but some overlap may exist. For example, some institutions consider librarians as faculty with a role in shared governance. In our dataset, we coded librarians as staff; they are not included in faculty counts.

A series of high-profile organizing efforts have made national news across the past year, including at colleges and universities. Amidst this nationwide revitalization of organizing, research to understand past unionization efforts is especially relevant. Previous research has largely focused on contingent faculty and graduate student organizing campaigns. While we have also documented this trend, we believe it is important to shed light on the other key campus constituencies and their efforts to unionize.

Notes

- (1) Still, overall unionization rates remain far below those of fifty years ago, and the percentage of workers represented by a union fell slightly in 2023 to 11.2% as overall job growth outpaced organized labor's gains (Shierholz et al., 2024).
- (2) Our analysis focuses on data collected from election petitions filed between 2007 and 2023. Many election reports from 2001-2006 were missing corresponding case reports, which include the year the petition was filed, voting unit, ballot count, and the number of void or challenged votes. It is also important to note that just because employees win an RC election, it does not guarantee they get to immediately negotiate with their employer. After a successful certification election, or a "win," the employer must recognize the union as the bargaining representative. Employees must still, however, reach a legally binding collective bargaining agreement with the employer. Employees often face hurdles to establishing a contract due to delay tactics and unfair labor practices by employers (Kallas et al., 2023).
- (3) The dataset also includes information such as the election's filing date, the vote outcome, and the labor organization seeking to represent the employees. For more information on our coding processes, see the technical appendix.
- (4) We found three instances where contingent faculty and tenured/tenure-track faculty were co-listed on the voting unit. In all three cases, the voting unit included "full-time faculty." In the 1980 *NLRB v. Yeshiva University* case, the Supreme Court ruled that faculty at Yeshiva University were *de facto* managerial employees and therefore not subject to the protections of the National Labor Relations Act. Following this ruling, unionization efforts among tenure-track faculty at private colleges and universities slowed. See Herbert & Apkarian (2017) for more information. We coded full-time faculty as tenured/tenure-track faculty if IPEDS confirmed they had a tenure system in that particular year.
- (5) Campus safety personnel are the second-most-represented group, appearing in around 24% (80/336) of union elections.
- (6) Panel B shows eight RC petitions filed from 2014-2016 that include students. These cases did not appear on election reports until at least 2016 when the NLRB ruled in *Columbia University*, 364 NLRB No. 90 that "student teaching assistants" and "student research assistants" at private institutions were legally considered employees under the National Labor Relations Act (Kroeger et al., 2018).
- (7) Our findings mirror those of Herbert and colleagues (2020), who note the substantial growth in faculty bargaining units from 2013-2019. Scholars have argued that the relative slowing of contingent faculty unionization efforts may be a post-pandemic oddity (Herbert et al., 2023). Our data, however, show that trend beginning three years before the onset of COVID-19, in 2017, and accelerating in 2022. These data suggest the decline may evidence a new normal for contingent faculty.

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Table 1*Institutions with the highest number of union elections, 2007-2023*

IPEDS Unit ID	Institution Name	State	Total Number of Elections	AAU Member	Endowment Size
144050	University of Chicago	IL	13	Yes	\$8,569,802,385
164988	Boston University	MA	7	Yes	\$2,973,352,000
123961	University of Southern California	CA	6	Yes	\$7,400,081,000
168148	Tufts University	MA	6	Yes	\$2,350,755,000
190150	Columbia University	NY	6	Yes	\$13,279,846,000
147767	Northwestern University	IL	5	Yes	\$10,879,850,000
165662	Emerson College	MA	5	No	\$224,902,734
190415	Cornell University	NY	5	Yes	\$9,346,229,362
217156	Brown University	RI	5	Yes	\$6,141,243,000
129941	University of New Haven	CT	4	No	\$86,882,337
131496	Georgetown University	DC	4	No	\$3,210,032,000
164739	Bentley University	MA	4	No	\$333,061,000
182670	Dartmouth College	NH	4	Yes	\$8,065,742,786
195234	The College of Saint Rose	NY	4	No	\$40,115,923
217493	Rhode Island School of Design	RI	4	No	\$381,228,134

Note. These schools come from a list of the 336 elections in the dataset for which we have an institutional IPEDS Unit ID, year for the date filed, and a coded voting unit from 2007-2023. Those 336 elections occurred at a total of 185 institutions. 111 institutions had only one union election, comprising three-fifths (60%) of the institutions in the dataset, but only around one-third of the union elections (33.04%). The remaining 75 had more than one union election each, accounting for around two-thirds (66.96%) of all union elections. The table above shows the 15 institutions with at least four union elections, representing around eight percent of the total number of institutions but almost a quarter (24.4%) of all union elections in the dataset. The University of Chicago alone accounts for nearly one in 25 elections (13/336, 3.86%). Endowment figures represent the end of year totals for FY 2022.

Supporting Online Material

Data and Methods

Borrowing from Bennett's (2023) methodology, we scanned NLRB election reports for the terms *college*, *university*, *institute*, and *school* to identify elections held at higher education institutions. We collected data on Certification of Representative Petitions (RC petitions) filed with the NLRB. Employees or a labor organization may file an RC petition for a representation election after collecting signatures of at least 30% of workers in the potential bargaining unit (NLRB, 2024). After the NLRB receives the RC petition, eligible employees vote in a secret ballot election to unionize a workplace. After a union wins a majority of votes, the employer must recognize the union as the exclusive bargaining representative. Following a successful certification election, employees must still reach a collective bargaining agreement with the employer.

Our search sometimes yielded hospitals, museums, or research entities affiliated with the college or university. We included these entities in the dataset only if they are governed by the same board as the college or university. Our dataset does not include private hospitals governed by public higher education institutions. We did not collect data on RM petitions, RD petitions, or elections that were withdrawn. Employers file RM petitions to demonstrate that the currently recognized union has lost its majority status (NLRB, 2024). Employees file RD petitions when they no longer want to be represented by the currently recognized union (NLRB, 2024). We consolidated cases with duplicate case numbers, unless multiple voting units were involved in the election. When there was a discrepancy between an election report and a case report, we used the information listed in the case report, as it was typically more detailed. We collected data on all union elections from 2001-2023, but our analysis focuses on data from 2007-2023. Many

election reports from 2001-2006 were missing corresponding case reports, which include the year the petition was filed, voting unit, ballot count, and the number of void and challenged votes.

We coded the employees into nine voting unit categories. Table S1 shows examples of employee titles and how we categorized them. We cross-checked our data with information on institutional websites to confirm we correctly identified student employees. For example, if a case report listed “Residence Advisors” in the voting unit, we verified Residence Advisors at the institution were student employees, not full-time staff members. We also cross-checked our data with Bennett’s (2023) Table 1 “Certification Elections for Contingent Faculty Unions, 2001-2018” to ensure that we did not miss any elections involving contingent faculty. We added one contingent faculty election from Bennett (2023) that we did not find in the election reports.

Table S1*Voting Unit Categorization*

Voting Unit Categories	Examples
Adjunct/contingent Faculty	Instructor, part-time faculty, lecturers, unranked, professor of the practice, clinical faculty, contingent faculty, adjunct faculty
Tenured/tenure-track Faculty	Full-time faculty (validated by IPEDS), tenured faculty, tenure-track faculty
Librarians/library staff	Employees of the library, associate librarians, library techs/assistants/clerks
Campus Safety	Police, security, guards, emergency service, sergeants, firefighters
Residence Life	Residence advisor, housing assistant, resident assistant
Maintenance Staff	Custodians, groundskeepers, repair/maintenance, facilities assistants, parking monitors
Food Service Staff	Cashiers, food servers, catering operations, dining services staff, bakers, cooks
Residents/Fellows/Assistants/Medical	Teaching assistant, research assistant, teaching fellow, medical assistant, laboratory technician
Other non-faculty Staff	Administrative coordinator, production/marketing coordinator, business services, web developer, communications staff, clerical employees

Table S2*Union Elections by Voting Unit*

Voting Unit	Win	Loss	Totals
Contingent Faculty	83	15	98
Library	1	0	1
Campus Safety	61	19	80
Residence Life	12	0	12
Maintenance	37	10	47
Other Staff	30	4	34
Research Assistants/Fellows	37	2	39
Food Service	6	1	7
Contingent Faculty + TT Faculty	2	0	2
Contingent Faculty + TT Faculty + Library	1	0	1
Contingent Faculty + Library	3	0	3
Contingent Faculty + Other Staff	2	1	3
Contingent Faculty + Research Assistants/Fellows	1	0	1
Library + Other Staff	1	0	1
Library + Other Staff + Food Service	1	0	1
Maintenance + Campus Safety	1	0	1
Maintenance + Other Staff	1	1	2
Maintenance + Food Service	1	0	1
Other Staff + Research Assistants/Fellows	1	0	1
Other Staff + Food Service	0	1	1
Totals	282	54	336

Note. 336 reflects the number of elections for which we have coded voting units and complete case report information from 2007-2023.

Table S3*Union Elections by Collapsed Voting Units*

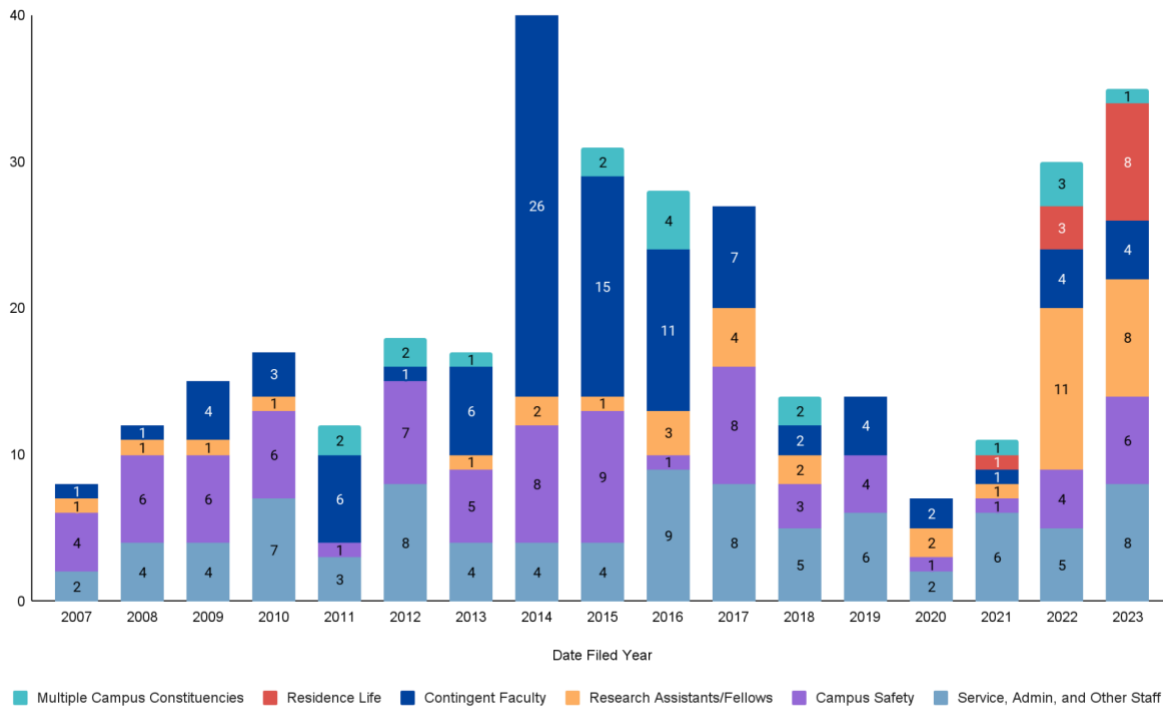
Voting Unit	Win	Loss	Totals
Contingent Faculty	83	15	98
Campus Safety	61	19	80
Residence Life	12	0	12
Service, Admin and Other Staff	74	15	89
Research Assistants/Fellows	37	2	39
Multiple Campus Constituencies	15	3	18
Totals	282	54	336

Note. 336 reflects the number of elections for which we have coded voting units and complete case report information from 2007-2023.

Individual Graphs from Figure 1

Figure S1

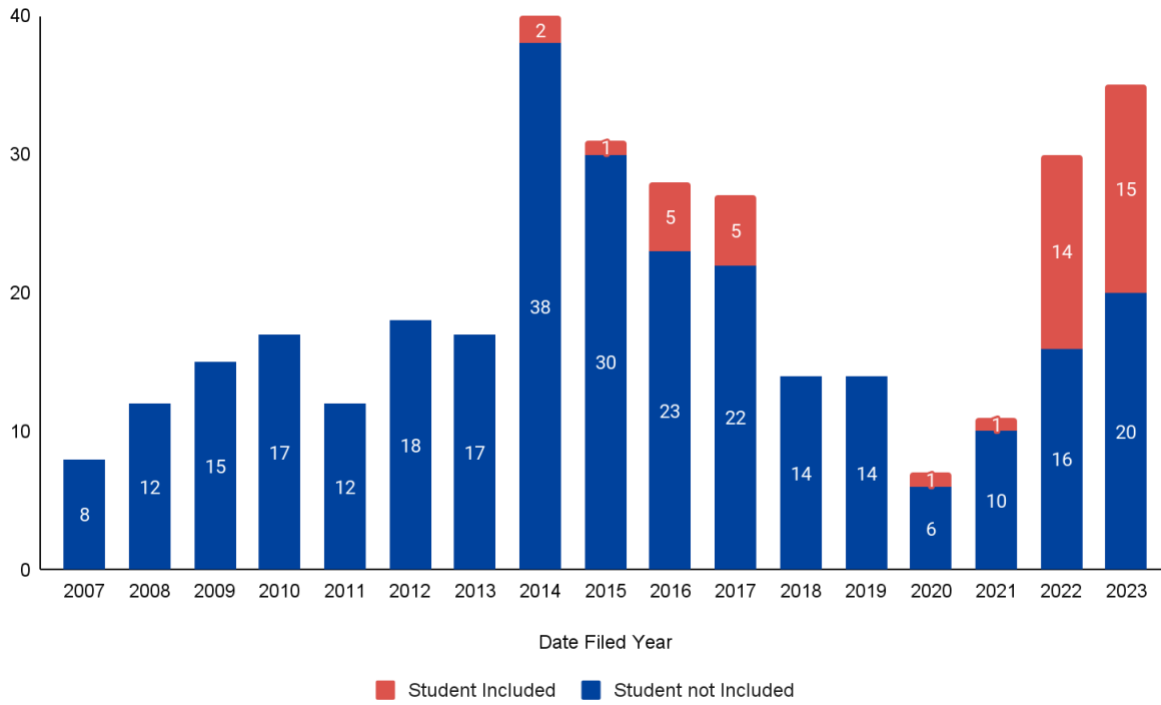
Voting Units Included in Election Petitions, 2007-2023 (Figure 1A)



Note. The “Multiple Campus Constituencies” category reflects instances in which more than one campus constituency was co-listed on the voting unit. For example, in 2016, all full-time and part-time English Language Learning Program/ESL faculty and team members (adjunct instructors, instructors, ESL professors, ESL teachers, and ESL tutors) voted to unionize. Because the voting unit included both faculty and other staff, we categorized this voting unit as “Multiple Campus Constituencies.”

Figure S2

Proportion of Union Elections Including Students, 2007-2023 (Figure 1B)



Note. The term “student” includes undergraduate and graduate students.

Figure S3

Number of Union Elections Including Contingent Faculty (Figure 1C)

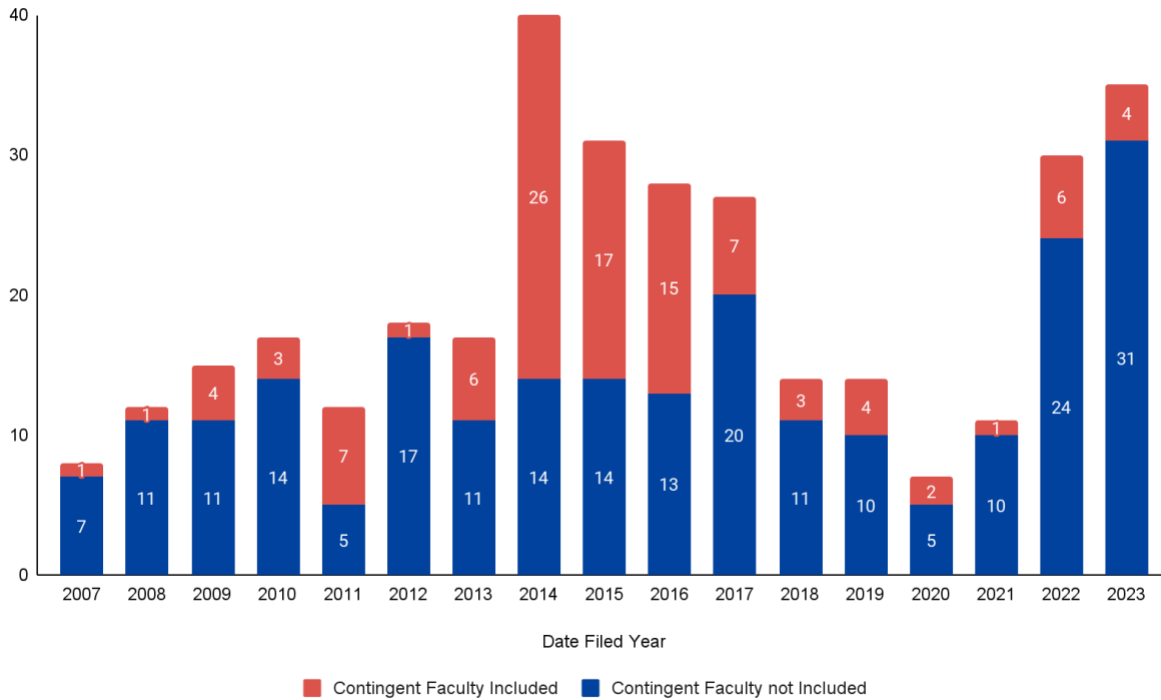
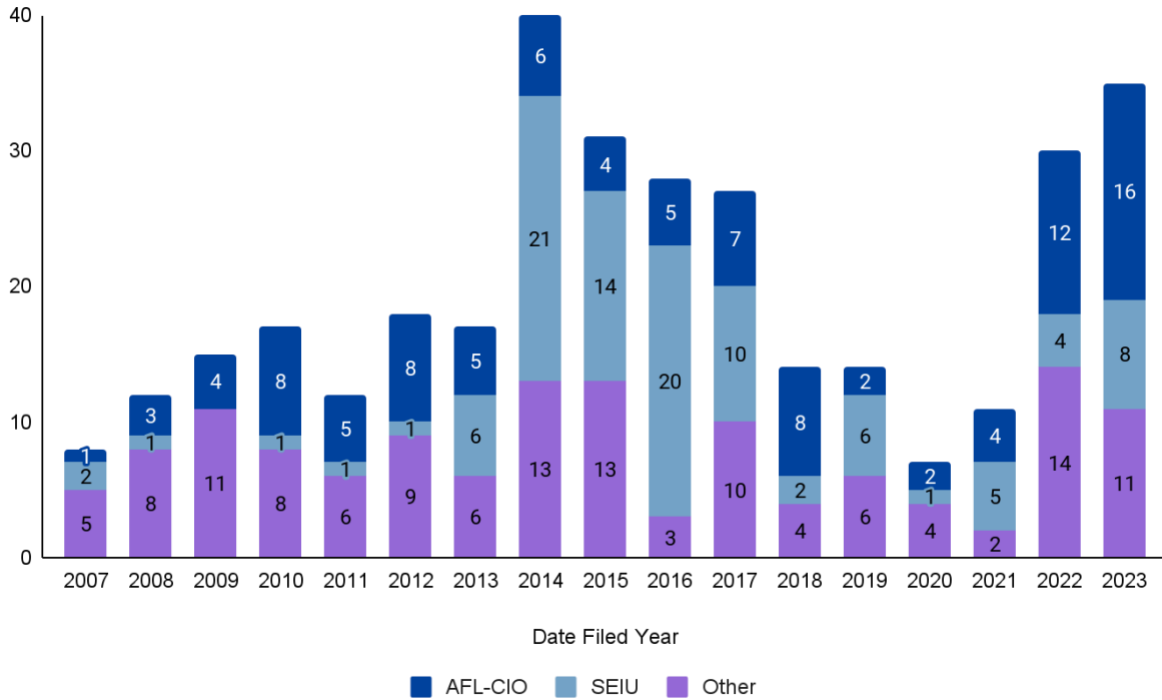


Figure S4

Proportion of Union Elections by Labor Organization (Figure 1D)



Note. If an RC petition included multiple labor organizations, Panel D shows only the organization that received the most votes. In our dataset, 36 petitions included multiple labor organizations.