

STATE OF MICHIGAN
EMPLOYMENT RELATIONS COMMISSION
LABOR RELATIONS DIVISION

In the Matter of:

UNIVERSITY OF MICHIGAN,
Public Employer,

-and-

Case No. R11 D-034

GRADUATE EMPLOYEES ORGANIZATION/AFT MI, AFT, AFL-CIO
Petitioner-Labor Organization,

-and-

MELINDA DAY,
Intervenor,

-and-

STUDENTS AGAINST GSRA UNIONIZATION,
Intervenor.

Christine M. Gerdes (P67649)
Suellyn Scarnecchia (P33105)
Attorneys for University of Michigan
503 Thompson Street
Ann Arbor, Michigan 48109-1340
(734) 647-1392

Mark H. Cousens (P12273)
Attorney for GEO, AFT, AFL-CIO
2621 Evergreen Road, Suite 110
Southfield, MI 48076
(248) 355-2150

Patrick J. Wright (P54052)
Attorney for Intervenor Students Against GSRA Unionization
Mackinac Center Legal Foundation
140 West Main Street
Midland, MI 48640
(989) 631-0900

SUPPLEMENTAL RESPONSE OF PUBLIC EMPLOYER UNIVERSITY OF MICHIGAN

A. Introduction

The Public Employer University of Michigan (hereinafter "University") offers the following supplemental response to correct and clarify the record.

B. Procedural History

On April 27, 2011, the Union filed a Petition for Representation Proceedings seeking an election to become certified as the exclusive representative of graduate student research assistants (GSRAs) under the Public Employment Relations Act ("PERA"), MCL 423.201 *et seq.* On September 14, 2011, the Commission issued its Decision and Order dismissing the Union's petition. The Union filed a Motion for Reconsideration. The University filed a Response to Petitioner's Motion for Reconsideration on October 17, 2011. Thereafter, the Intervenor filed a Motion to Intervene and to Deny Petitioner's Motion for Reconsideration.

C. Response to "Statement of Questions Involved"

The Intervenor's Brief in Support of Motion to Intervene and In Opposition to Motion for Reconsideration included the following "Statement of Questions Involved:"

II. Should the Michigan Employment Relations Commission reconsider its dismissal of the representation petition of a union seeking to organize people whom the Commission has already ruled are not public employees?

University of Michigan's answer:	No.
Graduate Employees Organization/AFT's answer:	Yes.
Students Against GSRA Unionization's answer:	No.

The University does not agree with the response Intervenor provided to this question on behalf of the University. As discussed at pages 2 and 4 of the University's Response to Petitioner's

Motion for Reconsideration, on May 19, 2011, the Regents of the University of Michigan voted

6-2 to pass the following resolution:

Resolved, that consistent with the University of Michigan's proud history of strong, positive, and mutually productive labor relations, the Board of Regents supports the rights of University Graduate Student Research Assistants, whom we recognize as employees, to determine for themselves whether they choose to organize.

The University's response to the Intervenor's second "Question Involved" is, therefore, "Yes" and the University wishes the election to go forward.

D. Clarification of University's Position

To clarify, at the time the Board of Regents passed its resolution on May 19, 2011, those in the majority who supported the resolution understood the facts as presented in the University's earlier brief and affidavits, but concluded that the facts in 2011 had substantially changed since 1981. For example, the size and scope of the research enterprise has changed considerably. In 1981, the research expenditures for the University totaled approximately \$130 million. Today, those expenditures exceed \$1 billion and are central to the University's business model. In 1981, there were only about 400 GSRA's, today the total number is over 2,000. The University continues its support of the election process.

Christine M. Gerdes / *by S. Scarnecchia*
Christine M. Gerdes (P67649)
Suellen Scarnecchia (P33105)
Attorneys for the University of Michigan
503 Thompson Street
5010 Fleming Administration Building
Ann Arbor, MI 48109-1340
(734) 647-1392

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