

EDUCATION & LABOR COMMITTEE

Congressman George Miller, Chairman

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House Approves Miller Amendment to Ensure Timely Disclosure of Employment-Related Information by Public Universities

WASHINGTON, D.C. – The U.S. House of Representatives approved an amendment today authored by **U.S. Rep. George Miller** (D-CA) to ensure timely disclosure of critical employment-related information by public universities to research and postdoctoral scholars as part of ongoing contract negotiations.

The amendment, approved by a 250 to 174 vote to the COMPETES Act (H.R. 5116), would require public universities whose research staffs are represented by unions, and are working on grants funded under the COMPETES Act, to provide those unions with the information that they are legally entitled within 15 days, or another mutually agreed-upon time frame.

“These scientists are among the most highly trained, highly skilled and yet lowest paid professionals in the country. This amendment ensures that our federal tax dollars are well managed and that these critical investments accomplish the goal of developing the next generation of American scientists,” said Miller, the chair of the House Education and Labor Committee.

If a university fails to disclose this information, they will have an additional 30 days to provide the information or explain why it is not necessary. Those that continue to refuse to provide the information will have federal payments for Facilities & Administrative (F&A) costs suspended until the information is forthcoming. Only F&A costs would be affected; grant funds for research itself would not be affected.

Yesterday, Miller sent a letter to University of California’s President Mark Yudof to express his deep concern regarding the failure of the university to come to an agreement with the union representing its 6,000 post-doctoral scholars. In particular, Miller highlighted delays in providing basic information on the wages of postdoctoral scholars employed in the University’s research labs, some of whom are supported by federal funds.

To read the letter to President Yudof, [click here](#).

The Education and Labor Committee recently held a hearing in Berkeley on the topic of the difficulty of first contract negotiations and looked at the problems of post-doctoral scholars at the University of California as a case study.

For more information on the hearing, [click here](#).

Background on the Miller amendment:

Universities can easily afford to meet this standard of record-keeping and respond to information requests. In addition to direct funding for research, funds under the COMPETES Act will provide hundreds of millions of dollars in general operating funds (F&A) to these schools. Those funds should be more than sufficient to enable universities to keep accurate records of how federal and other research funds are spent.

Timely sharing of information is the foundation of respectful labor relations. Negotiations at the University of California have been delayed for nearly 18 months, in part because university officials have not provided basic information on how researchers – many of whom are federally-funded – are paid. Such behavior frustrates scientists and their efforts to improve their working conditions, ultimately discouraging some from continuing work in their chosen fields.

This amendment does not change existing labor law at the state or federal level. It does not create any new right to information. It simply requires that information which a university is already obligated to provide be provided on a timely basis.

This is a science issue. The future of American science rests on the shoulders of the tens of thousands of PhD students and postdoctoral scholars who are now engaged in the nation's research labs. These highly skilled, highly dedicated – but low-paid – professionals deserve the minimal right to be able to negotiate on their own behalf to improve conditions in their research facilities. If we don't support them in the exercise of basic rights, we risk driving away the very people we are working so hard to recruit to this field of work.