OFFICIAL REPORT OF PROCEEDINGS
BEFORE THE
NATIONAL LABOR RELATIONS BOARD

In the Matter of: UNIVERSITY OF CHICAGO
Employer

And

GRADUATE STUDENTS UNITED
Petitioner

Case No.: 13-RC-198325

Place: Chicago, IL
Date: 05/22/17
Pages: 357-587
Volume: 3

OFFICIAL REPORTERS

Veritext National Court Reporters
Mid-Atlantic Region
1250 Eye Street, NW – Suite 350
Washington, DC 20005
888-777-6690
UNIVERSITY OF CHICAGO )  
Employer )  
and ) No. 13-RC-198325  
GRADUATE STUDENTS UNITED )  
Petitioner )  
)  

The above entitled matter came on for hearing pursuant to notice, before CHRISTINA MOLS, Hearing Officer, at 219 South Dearborn Street, Suite 807A, on Monday, May 22, 2017, at 9:00 A.M.
Page 361

EXHIBITS (continued):

<table>
<thead>
<tr>
<th>EXHIBIT</th>
<th>IDENTIFIED</th>
<th>IN EVIDENCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>21</td>
<td>456</td>
<td>467</td>
</tr>
<tr>
<td>22</td>
<td>477</td>
<td>478</td>
</tr>
<tr>
<td>23</td>
<td>483</td>
<td>485</td>
</tr>
<tr>
<td>24</td>
<td>494</td>
<td>495</td>
</tr>
<tr>
<td>25</td>
<td>505</td>
<td>506</td>
</tr>
<tr>
<td>26</td>
<td>519</td>
<td>521</td>
</tr>
</tbody>
</table>

Page 362

(Start time: 9:03 a.m.)

HEARING OFFICER MOLS: On the record.

All right. So at the adjournment of the last day of these proceedings, the Employer had completed their direct expectation of Dr. Wild and now Petitioner is going to proceed with its cross-examination.

Petitioner.

MS. AUERBACH: Before I do that, I have a petition to revoke a subpoena that was served on the Union late Friday night. I don't know if you want to deal with that now.

HEARING OFFICER MOLS: Why don't we finish with Dr. Wild and then we'll do that.

MS. AUERBACH: Okay.

CROSS EXAMINATION

BY MS. AUERBACH:

Q. Dr. Wild, you were asked whether graduate students are thrust wholesale into many of the core duties of teaching and you said no. What is your understanding of what it means to be thrust wholesale into the core duties of teaching?

MR. PEARLMAN: Objection. That question actually wasn't asked in those words.
college to provide undergraduates with a high quality education?
A. Yes.
Q. And undergraduates pay tuition to attend the university?
A. Yes.
Q. And does having high quality teachers help provide undergraduates with high quality education?
A. Yes.
Q. And is that one reason that is a good idea to train graduate students before they're sent in to teach undergraduates?
A. That's one reason.
Q. Do graduate students outside of the humanities division teach courses in the humanities division?
A. Yes.
Q. And when you said that you oversee the appointment process for graduate students in humanities, does that include any graduate students from other divisions that teach courses in humanities?
A. Yes.
Q. You talked about the Chicago Center for Teaching. Does the Chicago Center for Teaching provide training to faculty at the university?
A. Yes.
Q. And is the training that the Chicago Center for Teaching provides to faculty similar to that that it provides to graduate students?
A. That's hard for me to say. In broad strokes, probably yes. I'm familiar with every single workshop and what the primary target audience is.
Q. Do you know any of the types of training that CCT offers to faculty?
A. Well, the teaching consultation, for instance, and technology workshops and things like that.
Q. So the teaching consultation, is that the one-on-one thing that you talked about?
A. Correct.
Q. And how about you talked about that the CCT could send someone in to videotape a class and get feedback. Is that something that CCT also does for faculty?
A. Yes.
Q. You said that you work with the CCT in training instructors in the core. Does that include both faculty and graduate students who are teaching in the core?
A. Yes.
Q. And you talked about a fall orientation that's put on jointly by CCT and the humanities division. Is that only for graduate students or also for faculty?
A. That's for all incoming teachers in the core and those who want to, you know, also returning teachers but who want to do it. So it's really open for everyone.
Q. So would faculty members who are new to teaching the core be expected to attend that orientation?
A. They are encouraged.
Q. And why is that?
A. Well, because the core is a very unique pedagogical format. So if you have new faculty coming from outside who are not conversant with the core, we encourage them to, you know, participate in the orientation.
Q. And are the graduate students required to participate in the orientation?
A. Again, we strongly encourage them.
Q. So they are encouraged to the same extent as the faculty?
MR. PEARLMAN: Argumentative.
HEARING OFFICER MOLS: Overruled.
You can answer the question.
BY THE WITNESS:
A. As I said, I do not keep attendance, so there would be no mechanism to do exactly what you just were asking for.
Q. And other than that fall orientation, is there any other CCT training that graduate students who are teaching are required to take?
A. Well, the graduate students are also -- they do an orientation portion with the CCT that is not only focused on the core. So theirs is longer.
And as I indicated on Friday, graduate students, to my knowledge -- or we try not to have graduate students teach in the core if they have not served as writing interns. So writing students
would have had the writing internship training. They would have served as a writing intern in the present at least for one quarter in a core section before they reached that point.

Q. And which of the CCT trainings that you talked about are voluntary for graduate students?
A. Teaching consultations, for instance.

Q. Those are voluntary. So it's a resource that's offered to them but not required?
A. Mm-hmm.

Q. And videotaping them is also a resource offered but not required?
A. That's part of the consultation.

Q. How long is the orientation workshop?
A. I think two days.

Q. And how long is the other training that you talked about?
A. Which other training?
Q. The training that you said all grad students do regardless of whether they are --
A. Well, that's two days and the workshop for the core is one day.

Q. And do all of the departments in the humanities division require that graduate students take training before teaching or is that just Germanic studies?
A. I'm going to be honest --

MR. PEARLMAN: Objection. Foundation.

MS. AUERBACH: He's been put on -- he's testified he has a role over graduate and undergraduate education in the humanities division, not just in Germanic studies.

MR. PEARLMAN: One will say he can answer to the extent he knows.

HEARING OFFICER MOLS: You can answer the question.

BY THE WITNESS:
A. Again, usually.

BY MS. AUERBACH:
Q. Do any of the faculty handle the discussion sections or is that only handled by the graduate students?
A. It's common. It's not unusual that a faculty member takes over one of the discussion sections.

Q. So typically in a lecture class how many discussion sections are there?
A. Well, again, this is up to individual faculty. As I mentioned on Friday, we have a ratio of 24-to-1. So that's sort of a number that we work from. Usually discussions sections are a little bit smaller than -- end up being smaller than 24-to-1, but that's about -- that's what I would imagine the size of it is around 20 students.

Q. And in a lecture class where both a teaching assistant and the faculty member are holding discussion sections, is the graduate student expected to perform the same functions in the discussion section that the faculty member...
Q. And who would that be?
A. On occasion.

Q. the TA in that setup?
A. anyone other than a graduate student function as

Q. And in the humanities division, does
A. that setup requires teaching assistants.

Q. So running a large lecture class depends
A. It doesn't, per se, depend on it but the

Q. And in the humanities division, does
A. anyone other than a graduate student function as

Q. And who would that be?
those teaching responsibilities?
A. Again, I don't know. They get a stipend package. The teaching is part of the stipend package. And how that factors in, I don't see that.

We just simply are asked by the department or we get a recommendation by the department about teaching assignments. And then on the basis of that recommendation, I appoint but I don't see that part.

(WHEREUPON, certain documents were marked Petitioner Exhibit Nos. 3 through 6, for identification.)

BY MS. AUERBACH:
Q. So I've handed you documents marked Petitioner Exhibit 3, 4, 5 and 6.
A. And if you look at Petitioner Exhibit 3, it shows that it's a letter -- a memo from you appointing someone to the position of lecturer and designating a salary.

Are you familiar with this document?
A. Not with this document in particular.
Q. I'm only familiar with documents like these.

BY THE WITNESS:
A. There is one -- I'm going to be honest, I'm only familiar with documents like these.

BY MS. AUERBACH:
Q. So when you say the "template," so looking at Petitioner Exhibit 3, was there a format of the letter sent or given to graduate students who are appointed to a position as lecturer in the humanities division?
A. This is for a graduate student lecturer who is serving as a standalone lecturer or teaching a standalone course as a lecturer.

BY THE WITNESS:
A. I don't understand the question.
Q. Can you answer the question?
A. I don't understand the question.

BY THE WITNESS:
A. I believe so.
Q. And do you review these before they are sent out?
A. I believe so.
Q. So from looking at Petitioner Exhibit 3, can you tell from looking at this what point in the career this student would be at?
A. It's a six- or seven-year student.
Q. How about Petitioner Exhibit 4?
A. Same thing.
Q. Why is that?
A. Because here it lists 6,000.
Q. So the amount of 6,000 is only paid to someone in their sixth year or later?
A. In the sixth and seventh year.
Q. What are people -- are people paid prior this sixth or seventh year?
A. As far as I remember, it's 5,000 but since it's part of the fellowship packet, it doesn't make a difference how much it is. The fellowship package stays constant.
Q. So if a graduate student in the fifth year is teaching the same class as the class listed in Petitioner Exhibit 3 the department letter would say 5,000 instead of 6,000?
A. Probably, but I'm not 100 percent sure.
Q. You said that if you supervise a TA in a discussion -- in a class with discussion sections you help -- try to help the TA to lead effective

MR. PEARLMAN: Objection to the use of the word "salary."
HEARING OFFICER MOLS: It says salary on the document.
MR. PEARLMAN: I understand that but we should have a standing objection to the use of the word salary.
HEARING OFFICER MOLS: Noted for the record. You can answer, Dr. Wild.

BY THE WITNESS:
A. No, because that is to be determined -- or, yeah, it may vary.
BY MS. AUERBACH:
Q. Vary between departments or courses?
A. No, it doesn't vary between departments.
Q. What does it vary based on?
A. It varies based on where the graduate student is in terms of their career, which year they are.

Q. You said that if you supervise a TA in a role that they are serving, i.e., either lecturer, teaching assistant, preceptor.
A. As far as I can tell, with the exception of the latter three -- the latter two, I think --

BY MS. AUERBACH:
Q. I've handed you a document marked as Petitioner Exhibit 7, which is from the University of Chicago's web page for German language and reading courses, slash, Germanic studies.

BY THE WITNESS:
A. I have to say I presume so. I don't have a memory that I can say that, you know, this is it but I assume that it is. It looks right.
Q. From looking at this document, can you testify as to which of these courses are in some -- at least in some cases taught by graduate students?
A. As far as I can tell, with the exception of the latter three -- the latter two, I think --

BY MS. AUERBACH:
Q. I've handed you a document marked Petitioner Exhibit No. 7, for identification.

BY THE WITNESS:
A. Yes.
Q. And are they taught only by graduate students?
A. Yes.
Q. And so going to Elementary German for Beginners I, II and III, is that class offered every term, every quarter?
A. Yes.
Q. And how many sections of those classes are normally offered every quarter?
A. You are asking me something --
Q. If you know.
A. You know, I would say anywhere between two and four.
Q. Okay. And how many of those sections are normally taught by graduate students?
A. Again, I'm not sure. I don't know. It depends on a number of things.
As I explained on Friday that graduate students, you know, start out teaching elementary German. And so if graduate students are at a different place in that progression, somebody else would be teaching elementary German. So it depends on a variety of factors, and I just can't -- I can't say.
Q. So for all of these courses that are taught by -- that you said are taught by graduate students, elementary German, intermediate German and third year German, do you know approximately what percentage of those classes are taught by graduate students?
A. I would have to guess.
Q. Do you have any estimate? Is it at least half?
A. That's possible. But, again, I would have to guess.
Q. When the graduate students teach those classes, do they have the same responsibilities for classes as a lecturer or a part-time lecturer teaching the same classes?
MS. AUERBACH: I would just interpose an objection that hasn't been established what type of teaching or position, whether it's a TA or a lector, for example, which makes the question confusing.
HEARING OFFICER MOLS: Just to be 100 percent clear for the record, when we were discussing graduate students teaching one of these courses being discussed, they would be listed as the instructor of record?
BY THE WITNESS:
A. That's correct.
BY MS. AUERBACH:
Q. What position would they be appointed to? Would that be a lecturer or a teaching assistant?
A. A lecturer.
Q. And so when a graduate student is appointed as a lecturer in teaching elementary, intermediate or third year German, is that graduate student lecturer expected to carry out the same responsibilities to students in the class as a full-time or part-time lecturer who's not a part-time graduate student teaching the same class?
A. Yes.
(WHEREUPON, a certain document was marked Petitioner Exhibit No. 8, for identification.)
BY MS. AUERBACH:
Q. I've handed you document marked at Petitioner Exhibit 8, which is a University of Chicago web page for graduate programs in Germanic studies.
Does this document accurately describe the program in Germanic studies?
A. Let me look at it briefly. I believe so.
Q. With respect to a graduate student teaching German, how many hours a week is that graduate student expected to devote to such responsibilities?
A. Thirteen hours on average.
Q. How much of that time is spent teaching the actual class time?
A. I think in German we have three or three and a half contact hours.
Q. And does that include just class time or also meeting with students outside of class?
A. That is primarily class time.
Q. And how was the rest of the time that's expected to be devoted to teaching a class spent?
A. Well, office hours, and at least one hour per week and preparation of the class and then, you know, correcting and grading of assignments.
Q. And is the hour expectation the same for intermediate German and third year German?
A. Yes. It is an average assessment so it's averaged per week. There will be weeks where it's less and there will be weeks where it's more and the idea is to say that's about average what a graduate student should be spending on teaching.
Q. And in the -- does the course catalog list the name of the instructor in these classes, elementary, intermediate and third year German?
A. I'm not sure. I think in the past it was staff. We have a new core search system, and I haven't looked at it in detail -- although I look.
Q. But if a graduate student, say, teaches 24 of scaffolding for a full-time lecturer, we don't provide the same type more help is given, so to say. So if we have a 22 harder when you teach for the first time but also 20 scaffolding in place.

So it's to say on the one hand it's 20 more help is given, so to say. So if we have a 22 full-time lecturer, we don't provide the same type 24 of scaffolding for a full-time lecturer.

Q. But if a graduate student, say, teaches

A. Yes.

Q. And if a grad student is teaching one of those classes beyond the fifth year, is that

A. In general, yes. And one thing I do want to stress is I don't know if that's part of the core responsibility. But if that particular graduate student is teaching elementary German for the first time, there is, again, an elaborate scaffolding in place.

Q. Which is which?

A. That's correct.

Q. And has the same responsibility to the students in the class?

A. Correct.

Q. I wasn't clear what you were saying.

A. You were asked about how the teaching positions were funded whether in the case of a graduate student who has not yet completed the GAI points and one who has and you said one comes from the division and one comes from the college?

A. That's correct.

Q. Which is which?

A. If the graduate students are fulfilling GAI points during the five years, the funding comes from the division.

Q. The funding for the graduate student to be teaching that class?

A. Correct.

Q. And if the graduate student is beyond the fifth year?
oversight that process. She also has a Ph.D. in second language acquisition.

So, you know, she had a very, you know, a very strong hand in designing the syllabus. But the syllabus gets tweaked from year to year and graduate students have a hand in it. That's part of their pedagogical training.

So in some sense or Kathy Baumann would be the one responsible for the design of the syllabus, even if she doesn't design and was responsible for every aspect.

Now we have courses like third year German where the explicit pedagogical rationale for the graduate student training is that they design the syllabus on their own. And there we again have a transfer of knowledge to the graduate students who have taught it. There is -- Kathy Baumann is in the room. For a number of years we have revised the third year curriculum. I was involved in that process, too, as a faculty member. It's now the director of undergraduate studies who sits in.

And so it really depends on what level.

Intermediate means it's not only an intermediate course but it's also intermediate in terms of the pedagogical training that graduate students receive.

As you see here, you know, you have Deutsche Marchen and Deutsche-Amerikanische Theman where there is somewhat more content and the focus on language acquisition is a little less. So there is more room for variability. So there are -- you know, a graduate student might choose a particular fairytale on their own in consultation always with Kathy Baumann.

And so again, you can see sort of the progression going from at the beginning you get handed really the syllabus. You can become more and more independent and that sort of gaining independence is again part of that framework of providing assistance to graduate students.

Q. So for elementary German, there is a fairly standard syllabus that the graduate students that are teaching are expected to follow?

A. Yes.

Q. You were asked what preceptors do and you said they are responsible for a group of seniors writing a B.A. thesis.

Do the preceptors meet with the undergraduate seniors on a regular basis?

A. Yes.

Q. How often is that?

A. That's up to the program, and I'm not -- I don't know it also depends on the time of the academic -- you know, within the academic year. At the beginning, I would imagine that it's less. And shortly before the deadline or handing in the B.A. thesis, it's going to be more often. And how each department does that, I would imagine that it varies from preceptor and the group of students involved to the next group and preceptor.

Q. You also talked about language assistants. Do language assistants also meet with students one on one?

A. As far as I know. But again we don't have that in the department, so I only know that secondhand.

Q. So do you know how often they meet with the students?

A. It could be -- again, I'm speculating here. It could be weekly. I don't know in detail. I don't have the experience that I have with the German program, so I don't know how the individual
Q. Is that a yes?
A. Mm-hmm.
Q. The term. They are used interchangeably?
A. Yes. We use that synonymously the term.
Q. Is the course assistant also the same as the teaching assistant?
A. It's the same as for a teaching assistant.
Q. And do you know the salary amount for a writing intern?
A. It's the same as for a teaching assistant.
Q. Is the course assistant also the same as the teaching assistant?
A. Yes. We use that synonymously the term.
Q. The term. They are used interchangeably?
A. Mm-hmm.
Q. Is that a yes?

A. Yes. Sorry.
Q. Do undergraduate students evaluate faculty?
A. Undergraduate students?
Q. Yes.
A. Well, we have teaching evaluations, yes.
Q. And those are evaluations completed by students with respect to faculty?
A. To all instructors.
Q. So students evaluate both faculty and graduate students who are teaching a class that they take?
A. That's correct.
Q. Is the same evaluation form used whether it's a faculty or graduate student teaching?
A. It's basically instructor of record and then it depends on the type of class so a language class has a different feedback form. They are called evaluations. We see them more as a feedback form, but it depends, then, on the type of class.
So a language class has different sets of questions, you know, so to say, a regular seminar or a regular course.
Q. But for any one course all instructors of record, regardless whether they were faculty members or graduate students, are evaluated on the same form?

MR. PEARLMAN: Objection. Asked and answered.
HEARING OFFICER MOLS: No. He answered that the forms vary from the type of course, and Ms. Auerbach was asking within a particular type of course if the same form would be used for all instructors of record, regardless of being faculty or graduate students.
BY THE WITNESS:
A. The same form would be used for all instructors of record.

HEARING OFFICER MOLS: Thank you.
BY MS. AUERBACH:
Q. Does Kathy Baumann observe graduate students in all departments in humanities or just in Germanic studies?
A. She observes in Germanic studies -- yes, primarily in Germanic studies. It's possible that every once in a while because she oversees all resources for language instruction, once in a while we'll do this also for another department but it would be on an ad hoc basis.
Q. If a graduate student performs poorly in teaching a course, does that affect what other courses that student can teach?
A. It might but -- it might.
Q. And are there -- are there examples where it would likely affect them?
A. Well, I can't think of examples. I can think of a hypothetical scenario where it might but, as I explained on Friday, you know, the objective is to improve the teaching of the graduate student and it might make sense for a graduate student to repeat teaching the same course. I could imagine that. But the most important thing is to address the teaching performance of the graduate student. And in that sense, you know, again the progression is one where there is a progression within German -- in the German department but, you know, to be able to -- it's not a progression where you are held back in that sense.

HEARING OFFICER MOLS: Quick question before we move on.
So, then, to your knowledge, has it ever occurred in your personal experience where a graduate student has had to teach a course over again because perhaps they didn't perform adequately?
THE WITNESS: No. I don't -- I haven't experienced that.

HEARING OFFICER MOLS: Thank you.

BY MS. AUERBACH:

Q. You talked about a third year working group. What is that?

A. Well, that was a group of graduate students who were at that stage in their teaching.

Kathy Baumann and I, we, together, collectively revised the third-year language program, so to say, or the third-year language level. Again, because this is something that graduate students will have to be able to talk about in a job interview, how even if I don't teach first and second year, but at most -- at most programs in the country you have to at least teach third year even if you don't necessarily teach first and second year. It depends on what kind of institution it is. So we wanted graduate students to be involved in that planning process and that design process so that they could, you know, speak compellingly about that in a job interview and be also able to take that role as faculty.

So we did this all together and that's why it was called a third-year working group. It retained that name, although not any longer. It performs the same work now. It's basically the framework in which graduate students, as I explained, design their syllabus but in an assisted way.

Q. Is there any uniform mentoring requirement in the humanities division for graduate students?

A. No. There is no -- we're a very decentralized university with many localized practices. So there isn't a uniform mentoring requirement. I think what is uniform is a mentoring expectation but not a specified requirement.

Q. You can talked about media studies and you said there are weekly meetings where an instructor presents a lesson plan and others make suggestions.

Is the person who presents the lesson plan, can that be or has that been applied to both faculty members and graduate students?

A. Yes.

Q. So in some cases a faculty member will present a lesson plan and others will comment and in other cases the graduate student who is instructing in a class will present the lesson plan and others will comment?

A. Yes.

Q. You said that every core sequence has a chair or core leader and that person serves new instructors in that core class?

A. That's correct.

Q. And does that coordinator observe both graduate students new to teaching a class and faculty members new to teaching a class?

A. That's correct. It depends on the type of faculty. Tenured faculty are encouraged. But in the case it's only with graduate students, lecturers and collegiate assistant professors that there is an expectation that they get observed once or twice in their first quarter of teaching.

Q. What is that last position you said, collegiate --

A. We have so-called collegiate assistant professors. They are four-year position. You could call them a teaching post doc that teach in the humanities core and the social sciences core.

Q. So a coordinator observing -- what are those post docs teaching a course would be looking for the same things as when the coordinator observes the graduate student teaching a course?

A. I would have to speculate but I would assume so.

Q. Have you had occasion to do that?

A. Yes.

Q. Were you looking for the same thing?

A. I evaluate the performance of the instructors and if that's -- if you think that's the same thing, then, yes.

HEARING OFFICER MOLS: Is there like a rubric that you use for these evaluations?

THE WITNESS: No, not really. I mean, I'm looking for certain things obviously but, you know, the organization of the lesson plan, the how well prepared the instructor is, how comfortable, what the rapport is with the class, how they are able to conduct a discussion, what kind of formats they use, whether they use group work, et cetera, et cetera.

So those are some of the things, but I don't have a form and we don't have a form.

HEARING OFFICER MOLS: Thank you.

BY MS. AUERBACH:

Q. Who takes classes at the writing program?
A. That's a very broad question. A short answer would be students across the whole university.

Q. So both undergraduate and graduate students?

A. That's correct.

Q. And are all of the classes at the writing program taught by graduate students?

A. No.

Q. Who else?

A. Well, we have a number of classes that are taught by full-time lecturers. Larry McInerney and Cathy Cochrane teach a variety of classes that are aimed at, for instance, you know, in the med school, in the law school, et cetera, et cetera.

Q. The position of writing intern at the writing program, is that position held only by graduate students?

A. I don't know for sure. I just don't know.

Q. And the position of lector at the writing program, do you know if that's held only by graduate students?

A. I don't know.

Ms. AUERBACH: Can we go off the record for a moment?

Hearing Officer MOLS: Off the record.

(WHEREUPON, discussion was had off the record.)

Hearing Officer MOLS: On the record.

By Ms. AUERBACH:

Q. Showing you a document that's marked as Petitioner Exhibit 2. Are you familiar with that policy?

A. Can you give me moment?

Yes.

Q. Are you familiar with that policy?

A. Yes, I am.

Q. Does that policy apply to graduate students who are teaching assistants and lecturers?
MR. PEARLMAN: Objection the document speaks for itself and still no foundation.

HEARING OFFICER MOLS: I don't have my copy of the document.

MS. AUERBACH: I have the document.

HEARING OFFICER MOLS: While you are looking for that, I still think it's fine. So the question was his understanding of the policy.

MS. AUERBACH: Yes.

HEARING OFFICER MOLS: You can answer, Dr. Wild.

MR. PEARLMAN: I would want to lodge for the record a best evidence objection. And in addition, there is no foundation. If he is just testifying as to his understanding of something that's not out there, that violates the best evidence rule.

HEARING OFFICER MOLS: We'll give his testimony on this aspect the appropriate weight at the time of the decision. If it doesn't have the proper foundation at the time, it maybe as the record continues it will be established but for now you can answer the question.

THE WITNESS: Can you repeat the question, please?

MS. AUERBACH: Well, I'm going to show you a document.

(WHEREUPON, a certain document was marked Petitioner Exhibit No. 9, for identification.)

BY MS. AUERBACH:

Q. I've handed you a document marked as Petitioner Exhibit 9. Take a minute to review that.

In particular, I would like you to look at the page on the bottom says 6/19 under Roman Numeral VII, Responsible Employees.

Are you familiar with this policy?

A. Again, in broad strokes, yes.

Q. And are graduate students who are teaching assistants and preceptors considered responsible employees who are required to report sexual misconduct?

A. According to Section VII, yes. When they function -- when they serve as TAs, preceptors.

Q. And do you know whether that also applies when graduate students are serving in other positions such as lecturers?

A. I'm not 100 percent sure since it doesn't say here, and I'm not -- you know, I'm not a lawyer.

Q. Do you know whether graduate students who are functioning as teaching assistants have been asked to go to Title 9 training?

A. I don't know.

HEARING OFFICER MOLS: So do you know if the faculty attends Title 9 training?

THE WITNESS: You know, I'm not sure. I just don't know.

HEARING OFFICER MOLS: Okay.

BY MS. AUERBACH:

Q. Are you familiar with the web pages of the other departments in the humanities division that set out the requirements of the Ph.D. programs, including teaching requirements?

A. "Familiar" is a very broad term. I have -- as my function of master, I look at them but I don't study them that I'm going to be able to give you detailed answers about individual departments. Again, we have 15 of them.

Q. And how about the -- so if I showed you pages from those, would you be able to identify them or not?

A. I would not be able to tell you whether it's the current document or whether it's the one from last year, et cetera.

Q. And how about department handbooks for other departments in the humanities division that are posted on the university's website, are you familiar with those?

A. No.

Q. Who would be familiar with all of the web pages and handbooks for the various departments?

A. I'm not -- I can't be sure. Again, we are very decentralized. Individual departments would be the ones that know these departmental handbooks.

(WHEREUPON, a certain document was marked Petitioner Exhibit No. 10, for identification.)

BY MS. AUERBACH:

Q. I've handed you what's been marked a Petitioner 10, which is from a University's Division of Humanities Ph.D. student teaching web page. Does that document set forth accurate summaries of the descriptions of the positions set out there, course assistants, language assistants --
A. You have to give me a little more time for that.

Q. Sure.

A. Do you want me to go through it? I mean it's the first time that I see this document. So.

Q. Yeah. Let's take a few minutes.

A. Okay.

Q. So does this document accurately summarize the position set forth in the document?

A. Well, I mean, I would quibble here and there with language, but I was not involved in writing the document. It does not correspond to my understanding of a language assistant, the section on language assistants.

Q. So for the other positions, is it fairly accurate?

A. I think, more or less. Again, I don't oversee in detail what studio assistants do. I can't speak to preceptors in math. That's outside of my domain. But I would say preceptors, lecturers and course assistants are more or less, as I said, there are individual phrasings that I -- but, you know, more or less.

Q. More or less accurate?

A. Accurate.
HEARING OFFICER MOLS: So he successfully continue to teach.
THE WITNESS: It's on the back end in the humanities division.

MR. PEARLMAN: May we go off the record and take a break?

HEARING OFFICER MOLS: Sure. Off the record.

THE WITNESS: Quota? Not that I'm aware of.

Mr. Pearlmam: Has there ever been an incident where an instructor has denied a TA, said no thank you.

THE WITNESS: In the humanities division we have.

Mr. Pearlmam: May we go off the record and take a break?

HEARING OFFICER MOLS: Sure. Off the record.

THE WITNESS: Again, as master I don't see that because it doesn't come into the master's resources that they offer noncredit bearing, courses?

Mr. Pearlmam: Has there ever been an incident where an instructor has denied a TA, said no thank you.

THE WITNESS: The instructor has? I can't say.

Mr. Pearlmam: Has there ever been an incident where an instructor has denied a TA, said no thank you.

THE WITNESS: The instructor has? I can't say.

Mr. Pearlmam: Has there ever been an incident where an instructor has denied a TA, said no thank you.

THE WITNESS: The instructor has? I can't say.

Mr. Pearlmam: Has there ever been an incident where an instructor has denied a TA, said no thank you.

THE WITNESS: The instructor has? I can't say.

Mr. Pearlmam: Has there ever been an incident where an instructor has denied a TA, said no thank you.

THE WITNESS: The instructor has? I can't say.
HEARING OFFICER MOLS: Okay. So I apologize if this was covered already but I just want to make sure it's clear for the record and for myself. You testified about the writing program offers training for writing interns; is that correct?

THE WITNESS: That's correct.

HEARING OFFICER MOLS: The training that the writing interns receive, is that a credit bearing course?

THE WITNESS: You know, I'm not sure. Yeah, I don't think so -- I don't know.

HEARING OFFICER MOLS: Okay.

THE WITNESS: Credit bearing in graduate programs is a departmental domain, so it's up to departments to count that as credit bearing.

HEARING OFFICER MOLS: Okay.

THE WITNESS: For instance to come back to your question with the CCT, the CCT offers a certificate, a teaching certificate but the teaching certificates don't have an official status at the University of Chicago but it's something that they will list on their CV. Is that credit bearing or not, that's a question of definition.

HEARING OFFICER MOLS: So you testified that the writing lectors will teach small writing seminars; is that correct?

THE WITNESS: That's my understanding.

HEARING OFFICER MOLS: Okay. So when these writing lectors are conducting these seminars, is this a course for which they are listed as instructor of record?

THE WITNESS: I don't know.

HEARING OFFICER MOLS: Okay.

THE WITNESS: I don't know.

HEARING OFFICER MOLS: I believe that's all of my questions for now. Off the record.

(WHEREUPON, a break was taken.)

HEARING OFFICER MOLS: On the record.

REDIRECT EXAMINATION

BY MR. PEARLMAN:

Q. Dr. Wild, you were asked to question on cross-examination about whether teaching of graduate students promotes a high quality of education for undergraduate students, what is the primary purpose of teaching the graduate students how to teach?

MS. AUERBACH: Objection. This was covered already in direct.

BY MR. PEARLMAN:

Q. Is the primary purpose to benefit the undergraduates?

A. No.

Q. What is the primary purpose?

A. To train graduate students to be good teachers.

Q. Why?

MS. AUERBACH: Objection. This was already covered.

HEARING OFFICER MOLS: I believe we covered why.

MR. PEARLMAN: It relates to the same question.

BY MR. PEARLMAN:

Q. Is that in order to benefit the students, the undergraduate students?

A. No directly. I mean, good teaching for undergraduates is a byproduct of training graduate students to be good teachers.

Q. You were asked questions on cross-examination about whether or not the CCT provides training to faculty and whether some of that training was similar to the training that's provided to graduate students.

Do you recall that?

A. Yes.

Q. Is there a reason why the training -- the teaching training provided to faculty may be similar to the training that's provided to graduate students?

A. Yes.

Q. What is that?

A. Well, in some cases, the concerns are the same. We have incoming faculty who have no experience with the core. So the core is -- as I mentioned before -- is a very specific
We also, of course, have -- the CCT has plenty of programming that is directed exclusively as to faculty, a teaching certificate program, the teaching fellows program, et cetera, et cetera, is exclusive to graduate students but we also have programming, for instance, on instructional technology where it's where faculty and other lectors as well as graduate students lectors would be participating or graduate student who are not necessarily teaching. They just want to know how to use new instructional technology in the classroom even if it's not pertinent to their current teaching assignment.

HEARING OFFICER MOLS: Just to clarify before your next question.

When you were answering that question at first you said there was some training particularly to the faculty and then you said some training particular to graduate students. Is that the case -- is that true in both of those instances or was that --

THE WITNESS: Again, I don't run the CCT, so I don't have an overview of the full range of programs, but there is -- there is a program that is targeted primarily at faculty and a program that's targeted primarily at graduate students. And there is programming where both of them mix.

MR. PEARLMAN: Thank you.

BY MR. PEARLMAN:

Q. Counsel asked you a question suggesting that graduate students issue the ultimate grade on papers; is that correct?

A. That's a very broad question. It depends on whether they are now -- they are standalone instructors, i.e., lectors, then that's the case.

Q. What about for a TA?

A. In the TA, it's the instructor on record who issues the grade.

Q. So you are saying that the graduate student who's a TA does not issue the ultimate grade?

A. No.

Q. For whose benefit is the graduate student taught how to grade papers?

A. Well, it's part of their graduate training. That's something that they will have to do as future faculty and so the primary benefit is the graduate students.

Q. Does the faculty teach the TA how to grade?

A. Yes.

Q. And what effect or impact does the faculty member teaching the TA how to grade have on the faculty member's workload?

A. Well, for a graduate student doing the grading.

Q. And what effect or impact does the faculty member teaching the TA how to grade have on the faculty member teaching the TA how to grade have on the faculty member's workload?

A. For the graduate student doing the grading.

Ms. Auerbach is accurate. I believe this is the trouble of not finishing a witness before the weekend.

If my memory serves, I believe this question was answered. Is there something that -- something else that you are trying to get at? I could be --

MR. PEARLMAN: Well, I would like to give him a complete answer as to the effect that it has on the faculty member. I think that was raised on cross-examination, and he needs to fully answer that question.

MS. AUERBACH: Object to the extent that a lot of the issues that they face are similar to graduate students, although the case in graduate students functioning as or serving as lectors in the core they would actually have more experience than faculty coming in that are new faculty.

We also, of course, have -- the CCT has plenty of programming that is directed exclusively as to faculty, a teaching certificate program, the teaching fellows program, et cetera, et cetera, is exclusive to graduate students but we also have programming, for instance, on instructional technology where it's where faculty and other lectors as well as graduate students lectors would be participating or graduate student who are not necessarily teaching. They just want to know how to use new instructional technology in the classroom even if it's not pertinent to their current teaching assignment.

HEARING OFFICER MOLS: Just to clarify before your next question.

When you were answering that question at first you said there was some training particularly to the faculty and then you said some training particular to graduate students. Is that the case -- is that true in both of those instances or was that --

THE WITNESS: Again, I don't run the CCT, so I don't have an overview of the full range of programs, but there is -- there is a program that is targeted primarily at faculty and a program that's targeted primarily at graduate students. And there is programming where both of them mix.

MR. PEARLMAN: Thank you.

BY MR. PEARLMAN:

Q. Counsel asked you a question suggesting that graduate students issue the ultimate grade on papers; is that correct?

A. That's a very broad question. It depends on whether they are now -- they are standalone instructors, i.e., lectors, then that's the case.

Q. What about for a TA?

A. In the TA, it's the instructor on record who issues the grade.

Q. So you are saying that the graduate student who's a TA does not issue the ultimate grade?

A. No.

Q. For whose benefit is the graduate student taught how to grade papers?

A. Well, it's part of their graduate training. That's something that they will have to do as future faculty and so the primary benefit is the graduate students.

Q. Does the faculty teach the TA how to grade?

A. Yes.

Q. And what effect or impact does the faculty member teaching the TA how to grade have on the faculty member's workload?

A. Well, for the graduate student doing the grading.

Q. And what effect or impact does the faculty member teaching the TA how to grade have on the faculty member teaching the TA how to grade have on the faculty member's workload?

A. For the graduate student doing the grading.

Ms. Auerbach is accurate. I believe this is the trouble of not finishing a witness before the weekend.

If my memory serves, I believe this question was answered. Is there something that -- something else that you are trying to get at? I could be --

MR. PEARLMAN: Well, I would like to give him a complete answer as to the effect that it has on the faculty member. I think that was raised on cross-examination, and he needs to fully answer that question.

MS. AUERBACH: Object to the extent that a lot of the issues that they face are similar to graduate students, although the case in graduate students functioning as or serving as lectors in the core they would actually have more experience than faculty coming in that are new faculty.
of these questions are just asking him to repeat
things he testified to on direct. He testified
about spending time when he has a graduate student
working for him.

HEARING OFFICER MOLS: Here is something that
I'm concerned with that I think might answer your
question, Counsel.

Dr. Wild, in your personal experience
when you have had TAs -- you testified that you
have in the past, correct?

THE WITNESS: Mm-hmm, yeah.

HEARING OFFICER MOLS: How did that change
your work -- or affect your work compared to when
you conducted courses without TAs?

THE WITNESS: Well, you have to -- as I
mentioned, you have to set up a whole different
framework. If you have TAs, it's a different
course. You have to -- you know, TAs do some of
the grading or -- not the grading. The grading is
done by the instructor of record but the commenting
or marking of papers, but that's also something
that needs -- or that is part of a -- you can call
it a supervisory process where -- I was involved in
meeting, discussing a number or most of the papers
that were graded. And then in that sense, you

know, so those are some of the things that are
different.

If I teach a course that it doesn't have
TAs, I just do all of these things myself and so I
don't have to coordinate. I don't have to mentor,
et cetera et cetera.

BY MR. PEARLMAN:

Q. You were asked if you supervised a TA
do you try to help them lead effective discussion
groups and does that benefit undergraduates.

My question is: What's the primary
purpose of teaching a TA how to lead an
effective discussion group?

MS. AUERBACH: Objection to the line of
question. I mean, I think these questions go to
the issue whether they are employees and not
dispute that they are students and that they are
also learning.

HEARING OFFICER MOLS: I mean is there
anything else that you are trying to --

MR. PEARLMAN: It's a question that was asked
on cross-examination. I think it deserves a full
answer.

MS. AUERBACH: If the cross all went to
direct -- I mean, all of this was covered in direct
A. Well, the way that we have designed the pedagogy program in the German department is that we believe that it equips the students to teach all levels of German and to be thereby, you know, competitive when they are applying for jobs. And so really I think I can say most aspects are about the preparation of our students for, you know, to apply to faculty positions.

Q. Okay. Let me turn your attention to Petitioner's Exhibit 8, please.

A. Could you please turn your attention, Dr. Wild, to the last page where it says teaching in the college and the first paragraph under that?

Q. Could you please read that first paragraph under teaching in the college?

MS. AUERBACH: Objection. It's in the record.

HEARING OFFICER MOLS: You mean just for his own reference, not aloud.

MR. PEARLMAN: Yes.

HEARING OFFICER MOLS: Okay.

BY MR. PEARLMAN:

Q. Do you understand what you are reading there where it talks about graduate students in Germanic studies getting certain benefits in entrance the job market to be an important purpose of the teaching requirements?

A. Yes.

Q. Why is that?

A. Well, because particularly humanities faculty for them -- teaching is really an essential component. It's not like in the physical sciences where there is all sorts of other things that faculty do and it's much more grant based in the case of humanities faculty.

Also at the University of Chicago, teaching is just a central component and we try to prepare our graduate students for a whole range of positions, not just for one liberal arts positions at second or third tier institutions.

So we have all different kinds of programs. Programs have different missions. And so that requires a broad set of teaching and not just preparing them to teach one particular aspect of German as some of our peers do.

Q. You were asked questions by counsel where she talked about what she called a salary for preceptor and salary for language assistants and other graduate student teaching.

What's your understanding as to whether or not there is a salary that's provided to those folks?

A. Well, I'm not a lawyer. This is -- as I mentioned this is a document that has a collective authorship and involves the provost's office and legal counsel, so I can't -- you know, my understanding is second or thirdhand. My understanding is that it has something to do with tax law. That language is used but again I'm not a lawyer.

Q. You were asked questions regarding whether undergraduates evaluate the faculty and whether or not the same form is used for each.

Why is feedback solicited with respect to the teaching performance of both faculty and graduate students?

A. Excuse me. Can you repeat that?

Q. Why is feedback solicited from undergraduate students as to the quality of teaching by faculty as well as graduate students?

A. Well, you know, these questionnaires are a valuable form of soliciting feedback both for any instructor of record. As I mentioned, we do have different ones if -- if -- for TAs that looks differently than an instructor of record and a language course looks different from a regular undergraduate seminar and the faculty -- or instructors of record can also adjust the current teaching evaluations and then add their own.

It's also the case that we have a lot of instructors who actually devise their own -- their own surveys. Some of them do midterm surveys to just get feedback from the class. So it's all part of an interactive process that you are trying to see how you are doing and then possibly adjust course.

So you know, I don't see them as so much as evaluations, they are called that. But they are really a feedback in sort of a self-reflexive teaching process.

Q. Dr. Wild, with respect to your practice, are you applying and do you apply the same criteria for evaluating a TA as you do for faculty?

A. No, not nor a TA and faculty.

Q. Why?

A. Well, TA has -- first of all, TAs are usually graduate students that are beginning in their teaching career. And then they serve a different role. So there is a number of reasons why you know simply when I would differentiate.
Q. You were asked some questions about lessons plans and that question arose in the context of media studies and you were asked whether lesson plans are presented by both faculty member and students a like. Why is that? Why would that be?

A. Well, first of all, I should say that, yes, they both present lesson plans, but, you know, usually a graduate students wouldn't present the lesson plan at the beginning.

What happens is you have, you know, in some of these core sequences. We have 10, 15, 20 instructors teaching at the -- in the same quarter.

So, you know, you start out with instructors that taught in that core sequence already or sometimes that's their field specialty. So if you have the Dontista, you'll have the Dontista actually present maybe the first meeting that discusses Dante's Divine Comedy and -- and then -- so you start out with more experience and then you see, you know, graduate students who are new to teaching, can see how experienced the instructor of record approaches putting together a lesson plan. And the core coordinator also helps present their lesson plan, so to say, as something that -- as sort of their contribution but also in some sense to give them feedback on what they have been doing.

And so it's in that sense it's part of that process but usually it doesn't happen at the beginning but it happens again when the graduate student has had some experience to see how others do it. And again, you know, this is sort of a question of a term that I used as a scaffolding to make sure that the graduate student is adequately assist had to then put together their own lesson plan and present that lesson plan and contribute to the conversation of the instructors in that particular core sequence.

Q. Are you saying that even though there may be some general similarities that a graduate student is still a student?

MS. AUERBACH: Objection. I mean, there is no dispute that they are students.

HEARING OFFICER MOLS: I would agree on that there is no dispute on that matter.

BY MR. PEARLMAN:

Q. With respect to coordinators, counsel asked you whether or not they observed new faculty and graduate students alike. If that's the case why does the similarity exist?

A. Well, I mean, one thing -- and this is a more general point is this -- and I made it in passing before -- as teachers we are all also learners. I think that's the reason why most of us are in this profession. We never stop learning. Sometimes when I'm exploring a new research area, actually I teach a graduate course on it and in order to also model how to enter a new area.

And so in that sense, I think that there isn't a fundamental difference in what -- in the it's always a difference of degree that we're all learning but, of course, graduate students have more to learn still. They don't have yet the experience. They need to you know -- again, one term that I have used is that we're trying to -- particularly in the German department -- make our graduate students into self reflexive teachers and that's something that is a process of self-reflection. It's something that needs to be practiced and continually practiced. I need to practice it but, of course, I have much more experience than a graduate student in their second or third year. So in that sense as I said on the one hand I would say you know as teachers we're all learners. That's why we have feedback forms, et cetera. But it's also a question -- it's a question of degree and of course that question of degree can mean that there is then quite a significant difference. We are all in it together but that's why we are also teaching -- we need to have to sequence of this scaffold in certain ways so that those who have more experience can pass that experience onto those who have less.

Q. So with respect to counsel's question about the coordinator observing both the new faculty and graduate students alike, is there a different level of or different type of scrutiny or observations forth student versus the faculty?

A. Well, since graduate students are still students. I would imagine that you know the -- or at least let me personalize it.

My attitude towards the graduate student being the instructor of record is one that is slightly different. I'm not giving so much a colleague feedback but a student feedback in that sense there might be a higher degree of understanding. There will be also particularly as a core coordinator, when I'm doing this I might --
I will invest more time in helping that student succeed than in the case of the faculty member. A faculty member might say, you know, you may want to consult with the CCT. In the student's case, I'll do it myself because that's part of what core coordinators do. Or if you are teaching a lecture course as a faculty, that's what you do as a faculty member.

HEARING OFFICER MOLS: So before the next question, I apologize.

So you have served as core coordinator, correct?

THE WITNESS: Mm-hmm.

HEARING OFFICER MOLS: Again, we seem to be speaking a lot in what may or may not happen in certain scenarios.

So has that been your experience as a core coordinator that in the difference in evaluating graduate students, instructors of record and faculty instructors of record.

Did you give more attention to the evaluation of the graduate students?

THE WITNESS: Definitely.

HEARING OFFICER MOLS: Okay.

BY MR. PEARLMAN:

Q. Dr. Wild, I would like to turn your attention, please, to Petitioner's Exhibit 2. In the top of that document -- Dr. Wild, do you now have before you Petitioner No. 2?

A. I have it.

Q. The document at the top says, Student Employment, correct?

A. Correct.

Q. If you can please turn your attention -- I'm not going to ask you to read this out loud -- but if you can look to paragraph three and paragraph four in that document, sir.

It says in the beginning of each paragraph, While employed by the university, the student is covered by the university's human resources policy.

Do you know what that's a reference to?

A. What?

Q. The word "employed by the university," do you have an understanding of what that means?
<table>
<thead>
<tr>
<th>Page 445</th>
<th>Page 447</th>
</tr>
</thead>
<tbody>
<tr>
<td>is not a legal labor expert.</td>
<td>that the record is clear with respect to</td>
</tr>
<tr>
<td>MR. PEARLMAN: Okay. I just want the question</td>
<td>Petitioner's Exhibits 5 and 6.</td>
</tr>
<tr>
<td>to be there on the record. I understand your</td>
<td>BY MR. PEARLMAN:</td>
</tr>
<tr>
<td>position, Madam Hearing Officer.</td>
<td>Q. So if you, Dr. Wild, please turn to</td>
</tr>
<tr>
<td>HEARING OFFICER MOLS: Okay.</td>
<td>those exhibits, do you personally know whether or</td>
</tr>
<tr>
<td>BY MR. PEARLMAN:</td>
<td>not the documents that you see as Petitioner's 5</td>
</tr>
<tr>
<td>Q. The same question with respect to offer</td>
<td>and 6 are used at present?</td>
</tr>
<tr>
<td>of employment under eligibility, did you select</td>
<td>A. I'm fairly confident that they are not</td>
</tr>
<tr>
<td>those words?</td>
<td>but I can't be 100 percent sure.</td>
</tr>
<tr>
<td>A. Not that I can remember.</td>
<td>MR. PEARLMAN: Thank you. That's my last</td>
</tr>
<tr>
<td>MR. PEARLMAN: And I understand your position</td>
<td>question.</td>
</tr>
<tr>
<td>on this.</td>
<td></td>
</tr>
<tr>
<td>BY MR. PEARLMAN:</td>
<td></td>
</tr>
<tr>
<td>Q. Do you believe that offer of employment</td>
<td></td>
</tr>
<tr>
<td>accurately characterizes the nature of the</td>
<td></td>
</tr>
<tr>
<td>relationship between the graduate student and the</td>
<td></td>
</tr>
<tr>
<td>university?</td>
<td></td>
</tr>
<tr>
<td>MS. AUERBACH: Objection.</td>
<td></td>
</tr>
<tr>
<td>BY MR. PEARLMAN:</td>
<td></td>
</tr>
<tr>
<td>Q. With respect to their teaching?</td>
<td></td>
</tr>
<tr>
<td>MS. AUERBACH: Objection.</td>
<td></td>
</tr>
<tr>
<td>HEARING OFFICER MOLS: Objection is sustained.</td>
<td></td>
</tr>
<tr>
<td>MR. PEARLMAN: I just want to establish my</td>
<td></td>
</tr>
<tr>
<td>record and make an offer of proof that Dr. Wild</td>
<td></td>
</tr>
<tr>
<td>would have testified that the answer is no that</td>
<td></td>
</tr>
<tr>
<td>this is a salary. That these folks who are TAs</td>
<td></td>
</tr>
<tr>
<td>teaching receive -- and, likewise I would make an</td>
<td></td>
</tr>
<tr>
<td>offer of proof that Dr. Wild would have testified</td>
<td></td>
</tr>
<tr>
<td>that the terms offer of employment do not</td>
<td></td>
</tr>
<tr>
<td>accurately characterize the nature of the</td>
<td></td>
</tr>
<tr>
<td>relationship between the graduate student and the</td>
<td></td>
</tr>
<tr>
<td>university. They are students and that's the</td>
<td></td>
</tr>
<tr>
<td>academic nature of the relationship. It's not an</td>
<td></td>
</tr>
<tr>
<td>economic relationship which distinguishes that from</td>
<td></td>
</tr>
<tr>
<td>employment.</td>
<td></td>
</tr>
<tr>
<td>HEARING OFFICER MOLS: Okay. I mean, he has</td>
<td></td>
</tr>
<tr>
<td>already testified he didn't -- he doesn't recall</td>
<td></td>
</tr>
<tr>
<td>selecting those terms. So if he doesn't recall</td>
<td></td>
</tr>
<tr>
<td>that, then I'm not going to permit his testimony</td>
<td></td>
</tr>
<tr>
<td>further about what they may or may not mean about</td>
<td></td>
</tr>
<tr>
<td>the relationship. I believe we have sufficient</td>
<td></td>
</tr>
<tr>
<td>other evidence in the record concerning how he</td>
<td></td>
</tr>
<tr>
<td>views the relationship between the graduate</td>
<td></td>
</tr>
<tr>
<td>students and the university.</td>
<td></td>
</tr>
<tr>
<td>MR. PEARLMAN: Thank you. I understand your</td>
<td></td>
</tr>
<tr>
<td>position.</td>
<td></td>
</tr>
<tr>
<td>HEARING OFFICER MOLS: Okay. Any further</td>
<td></td>
</tr>
<tr>
<td>questions?</td>
<td></td>
</tr>
<tr>
<td>MR. PEARLMAN: No, Madam Hearing Examiner.</td>
<td></td>
</tr>
<tr>
<td>I apologize. I just want to make sure</td>
<td></td>
</tr>
</tbody>
</table>

VERITEXT NATIONAL COURT REPORTING COMPANY
1250 EYE STREET - SUITE 350 - WASHINGTON DC 20005 -- 888-777-6690

23 (Pages 445 to 448)
goal of the university's mission to teach?

THE WITNESS: Yes.

HEARING OFFICER MOLS: Okay.

BY MS. AUERBACH:

Q. It is important to undergraduates to have their grade accurately reflect the work they have done?

A. It is.

Q. And training graduate students to grade papers helps further that goal of having undergraduates receive appropriate grades, correct?

A. That's correct.

Q. With respect to the media studies meetings where lesson plans are presented, does it help a faculty member who's new to teaching a course to hear an instructor experienced in the course of field discuss how he would approach a text?

A. Yes.

Q. With respect to Petitioner Exhibit 2, the student employment policy, there is nothing in here that excludes graduate students from the policy, correct?

MR. PEARLMAN: Objection. The document speaks for itself.

HEARING OFFICER MOLS: Maybe just to his knowledge. So are you aware of maybe anything outside of the document that would exclude graduate students from the policy?

THE WITNESS: I am not.

BY MS. AUERBACH:

Q. In fact, in the first paragraph, the second-to-last sentence, refers to teaching and research being prioritized and considering exceptions to the policy because of their importance; is that correct?


HEARING OFFICER MOLS: Can you rephrase, Ms. Auerbach?

BY MS. AUERBACH:

Q. Are you aware of teaching and research being prioritized for exceptions to the hours limit in the policy?

A. I don't handle that part. That's the dean of students in the humanities division who handles that so she -- it's a she -- she, you know,
have to, you know, require a recess from the hearing in order to do that.

The reasons for the -- they cited cases in paragraph five and six with regard to the privacy rights of names of supporters of a union in an organizing drive. And it seems that some of their requests are just aimed at finding out who those people are.

In addition, any documents that would be relevant would be within the university's possession and control, documents showing whether the petition for employees are employees. To the extent the subpoena requests documents in succession of individual graduate students, they are not agents of the union and many -- any documents that would be relevant have -- a number of those are subject to attorney-client privilege or work product.

I would say that the only documents that are in the Union's possession that might be appropriately relevant to this hearing are copies of admission letters and appointment letters. The appointment letters are similar to Petitioner's Exhibits 3, 4, 5 and 6. The Union has more of those, most of which have been provided to the

Union at my request since I entered an appearance in this case after the petition was filed. And admission letters from the university. They do have names on them. Some -- not all of those people are the people the Union is calling as witnesses. The Union is hoping to limit the number of witnesses in this case.

You know, if the university wants to -- you know, I might be open to discussing with the university to stipulate to some of the documents to sharing some of those but some of them go back years. Some are more recent than others. There do have names on them. There has been no agreement to exchange a list of witnesses. In fact, on the first day of hearing when I asked who the next witness is, they declined to inform me. There was no such agreement.

So to the extent that any documents would show names of any of the employees who may be called to testify, you know, then I think the employer should also list the witnesses it's planning to call.

HEARING OFFICER MOLS: Does the employer wish to say anything on the record?

MR. PORZIO: We just got a copy of this.

We're working and more than happy to give a response but I think we would like to take a few minutes to review. Maybe we can do that after lunch?

HEARING OFFICER MOLS: Sure. You said you have another issue to raise?

MS. AUERBACH: The other thing is -- and I did serve a subpoena during the hearing on Friday to the employer, which they told me they are going to try to gather documents in response, asking for things such as handbooks and appointment letters and admission letters.

But the union has also over the last several days downloaded from the university's website a number of such documents, both a number of the departments have graduates doing handbooks or teaching handbooks on their web sites. They have policies regarding the teaching requirements on the website.

So I would be interested in knowing whether I provide those to counsel, the university would be willing to stipulate to those. Because if not, then, you know, I'm going to make a request for a number of more subpoenas for whoever might be able to identify these documents. These are all things from the university website that I think are relevant to the hearing and should be included.

And so the request I'm asking for a process to have reviewed and agree to stipulate to those.

MR. PORZIO: We would be happy to review any documents, if they would like us to consider to stipulate to so we can check their authenticity and make sure they are accurate.

So if you have a list of links or if you have the documents you would like us to look at, I'll be happy to do that.

MS. AUERBACH: Okay.

HEARING OFFICER MOLS: So now it's quarter to 12:00. I think it's an appropriate time to take a recess.

We can review these documents and counsels can discuss possible stipulations concerning the handbooks. So let's say we reconvene until 1:00 o'clock.

(WHEREUPON, a recess was had until 1:00 p.m.)
Petitioner submitted a petition to revoke on the next day well, where an employer served a subpoena and it was met with a petition to revoke on the next day as compared to the typical practice which is for the parties to discuss, you know, ways to certainly set of documents, I would estimate the range of about 200-plus pages worth of documents which are in response to the Union's subpoena that it filed on us similarly will found 200-plus pages of documents that we are happy to produce and we have done that in good faith and we would ask that the Union similarly, you know, spend some time to try to identify these documents. We would be happy to produce those documents in advance of that.

Second, this is the first time, certainly in my experience and my colleagues as well, where an employer served a subpoena and it was met with a petition to revoke on the next day as compared to the typical practice which is for the parties to discuss, you know, ways to certainly identify the issues that the opposing side has with our subpoena and that we can try to work out some kind of stipulation or understanding in terms of limiting the scope or certainly types of documents that the union wants to identify for protection. That hasn't happened yet. We're happy to respond to the petition to revoke but in the interest of trying to get documents that I think are going to be helpful and responsive to our subpoena, I think it might make sense to have more of a dialogue between the parties in terms of meeting out some of these differences but those as a general comment. I'm happy to get into the merits.

HEARING OFFICER MOLS: Proceed.

MR. PORZIO: So I'm going to point by point the first point refers to the fact that the subpoena that we filed was filed by e-mail on the 19th at 10:12 p.m.

And while that's accurate and I think I believe Petitioner's counsel indicated that she agreed to take service via e-mail, I'm not sure why that's listed as one of the reasons to revoke the subpoena as No. 1. So I'm not clear about that. I see nothing in the rules that prohibits a subpoena from being served that way and at that time given an agreement by the parties, which the union has already indicated that there was such an agreement.

In terms of No. 2, the Union claims that our subpoena is over broad, unduly burdensome and beyond the scope of the subpoena and the Union claims that searching for the documents that we request would take a good deal of time and require a recess from the hearing to allow counsel for the Union to review such documents.

We would be willing to discuss with the Union if they needed additional time to try to gather and identify these documents. We would be happy to discuss that with them and with the regional director and the hearing officer to discuss what makes sense because some of these documents that we have requested are the types of documents that we have requested we believe are very relevant and necessary for our ability to put on a full and complete record in this case.

I would also like to point out that the Union's subpoena that it filed on us similarly will require to tremendous amount of -- to put in the Union's word -- a good deal of time to prepare a response and identify the documents and that's something we is certainly believe to undertake as identified in my opening comments. We already found 200-plus pages of documents that we are willing to produce and we have done that in good faith and we would ask that the Union similarly, you know, spend some time to try to identify these documents for us.

I would like to note that while the documents that we have on hand that are relevant and necessary for our ability to put five-day clock on our ability to file a petition to revoke has not yet run, in the spirit of cooperation in helping to have this hearing proceed as expeditiously as possible, we're going to produce those documents in advance of that. I'm not saying that there aren't going to be things that we're going to limit in our petition to revoke. But in terms of the documents that we have on hand that are relevant and responsive for the reasons I mentioned earlier, we are happy to produce those and will do later today, probably very shortly.

Second, this is the first time, certainly in my experience and my colleagues as well, where an employer served a subpoena and it was met with a petition to revoke on the next day as compared to the typical practice which is for the parties to discuss, you know, ways to certainly identify the issues that the opposing side has with our subpoena and that we can try to work out some kind of stipulation or understanding in terms of limiting the scope or certainly types of documents that the union wants to identify for protection. That hasn't happened yet. We're happy to respond to the petition to revoke but in the
Number 3 says any documents that relate
to whether petition for individuals are employees
under the act and forth most part, those documents
are within the possession and control of the
employer. Even based on the Union's own wording of
its response to No. 3, for the most part, documents
are within the control. It implies that there are
documents that are not within the control and
possession of the employer, and I would assume are
in the possession and control of the Union and this
is an example of the type of documents that we
would want to see prior to completing a record.

Number 4, any documents that relate to
whether the petition for individuals are students,
are claiming those documents would be in the
possession and control of the Employer and there is
no dispute that the petition for individuals are
students.

And maybe this will be a good
opportunity to clarify our request. We understand
that there is no dispute that these individuals in
the petition for unit are students. What we're
looking for are documents that would indicate that
they are students to the exclusion of being
employees as to the petitioner seems to indicate or
seems to argue that they are not only students but
also employees. We're looking for documents that
indicate that they are students and not employees.

Number 5, the Union claims that we're
requesting documents relating to their organizing
campaign and that are protected. Again, as you can
see and what's been marked in I believe entered
into evidence as employer Exhibit 21, which is our
subpoena. In the prefatory comments before we go
through our enumerated list and definition and
instruction, we specifically say we're not looking
for documents covered by the attorney-client
privilege or the attorney-client work product rule.
We are merely looking for documents that tend to
show communication that the Union had with -- with
petition for students that don't go to the
identity.

As you can see in the subpoena, it says
not including authorization cards. We're not
interested in the identity of the students. We
want to make that very clear. We are looking for
documents that relate to the Union's organizing
activities, not on an individual basis but in
general.

Number six discusses again documents
that are -- the Union claims are based on privilege
protecting the Union's communication with its
supporters and discusses that. And I just want to
point out that while it's true that we're trying to
kind of thread the needle here in terms of not
asking for information that may involve protective
conservative activity, we're trying to get at
communications. The Union's subpoena put us in a
similar situation where we are between a rock and
hard place trying to comply with the National Labor
Relations Act and trying to comply with another
federal statute, FERPA. And we're doing our best
to try to harmonize the two statutes to the
greatest extent possible to produce documents that
are responsive to the subpoena and wouldn't
otherwise violate FERPA and we're also willing to
to entertain or engage in interactive dialogue with
the Petitioner's counsel to identify ways in which
if there is no way to do that, ways in which we can
redact certain documents or give them to them
without violating FERPA otherwise. And we would
ask that the Union be willing to entertain similar
creative strategies such as that to get us to
documents we are looking for without violating the
concerns that they have in terms of the identity of
these individuals.

Number seven, the employer through the
subpoena in effect seeks advanced notice of
individuals the Union may call as witnesses. And
of documents the Union may seek to introduce as
exhibits, despite the fact that there is no
provision or court rules or procedures requiring
the Union to produce such information.

So I just want to say two things on
this. And before we took a lunch break, counsel
for the Union indicated that there was -- there was
discussion of trying to get -- of us trying to get
the names of the students in advance and the Union
refused. I want to make sure that the record is
clear in terms of what we all understand was the
substance of that communication.

There was a request by the Petitioner to
get a list of the witnesses that we were willing --
that we were going to put on as witnesses. What we
said was we would be willing to share that if the
Union reciprocally was going to give us a list of
the witnesses that they were going to put on. That
offer was not accepted by the Union and, you know,
that offer still stands essentially if that's
something that the Union wants to talk about.
So I believe that the Union may be referring to one of our requests that asked for the exhibits that the Union intends to use during the hearing. We're not looking for specifically in the subpoena a list of those students or a list of those witnesses that the Union intends to call. We're looking only for the documents that it intends to introduce as exhibits.

Number eight, to the extent the subpoena asks for any affidavits, witness statements that may exist, such documents are irrelevant and there's no basis for the production of any such documents as the hearing in this case is not an adversarial investigatory proceeding.

Well, I don't disagree that this is a non-adversarial investigatory proceeding, that's not the reason why the documents we requested are not relevant.

In fact, me and some of my colleagues handled the case in Region 10 for Duke University. To all of our surprise, there were a number of affidavits that the Union submitted to the board as part of the investigation of that petition related to a specific issue, the mechanics of the election, how the election would be conducted.

We didn't find out about those documents until very, very late in the hearing after witnesses who authored those affidavits had already testified and in effect gave contradictory testimony than was in their affidavit. That document by any definition would be relevant and denying us the ability to get those documents is a denial of our due process and fundamental fairness in that we would not be able to see a document, a sworn statement that's been given to the board or any document that's been given to the board in which the regional director will rely on in terms of making his decision in this case. That's what we are asking for in our subpoena requests, 10 and 11.

And again, we're happy to discuss ways to mitigate any concerns that the Union has about this, but I can't see any good argument for claiming that these documents would not be relevant. And if there are such, we would like to hear them.

Again, number nine, many of the documents requested are exempt from disclosure as attorney-client privilege or attorney work product. As indicated in our subpoena, specifically we're not looking for attorney-client privilege documents or attorney work product. So again, just to make that clear.

Number ten, this the subpoena is over broad to the extent it seeks documents in the possession of Union members or supporters as such individuals are not agents of the Union.

I would like to point out for the record that whether or not an individual Union member or supporter is or is not an agent of the Union is not an assertion that we are willing to accept based on Petitioner's counsel say so. That's a question of fact that the regional director or hearing officer going to have to make. If that becomes an issue, there is criteria that has to be looked into and discussed on the record to determine whether or not a Union supporter is actually an agent of that union.

So with that being said, those are my general comments in response to the Union's petition to revoke.

HEARING OFFICER MOLS: Does Petitioner have anything further it wishes to state for the record on this matter?

MS. AUERBACH: No.
Employer's subpoena duces tecum, so there may be certain documents, there may be several documents that would be relevant to these proceedings that fall within the purview -- within the umbrella, I guess, that as is stated in the subpoena that I'm going to grant the petition to revoke at this time.

The way the subpoena is phrased with basically every item requested is very, very broad to all documents, basically, each of the items requested. I mean, the Employer is certainly free to submit another subpoena duces tecum to request such items as may well fall under these items but specifically delineate what documents you are requesting and, you know, and the Petitioner can respond at the time.


MR. PORZIO: Is it the Hearing Officer's ruling that each and every item, all 11, in our subpoena has been -- you are granting the Petitioner to revoke on all 11?

HEARING OFFICER MOLS: Yes.

MR. PORZIO: Thank you.

MS. AUERBACH: I have a request that as...
WHEREUPON, the witness was duly sworn.

HEARING OFFICER MOLS: Please state and spell your name for the record.

THE WITNESS: Anne Walters Robertson, A-n-n-e, W-a-l-t-e-r-s, R-o-b-e-r-t-s-o-n.

ANNE WALTERS ROBERTSON, called as a witness herein, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. PEARLMAN:

Q. Good afternoon, Dr. Robertson. For whom are you currently employed?

A. The University of Chicago.

Q. When did you begin working at the University of Chicago?


Q. What is your current job title?

A. Claire Dux Swift Distinguished Service Professor of Music in the college, Dean of the Humanities Division.

Q. Have you been the Dean of the Humanities Division the entire time that you have been employed by the University of Chicago?

A. No, I have not.

Q. For how long have you been the Dean of Humanities?

A. Since 1, April.

Q. Of what year?

A. 2017.

Q. And before that time, did you have a position at the University of Chicago?

A. Yes. I was interim dean beginning on 1, July 2016.

Q. Have you held any other administrative positions at the University of Chicago?

A. Yes, I have.

Q. And what position?

A. I have been Chair of the Music Department several times from 1992 until ’98; again, in winter of 2008; and once again in 2014 to 2016. I was also Deputy Provost from 2001 to 2004.

Q. Have you maintained a faculty appointment throughout the time that you have worked for the University of Chicago?

A. Yes, I have.

Q. And what department?

A. In the music department.

Q. Do you hold a special professorial title?

A. Yes, I do.

VERITEXT NATIONAL COURT REPORTING COMPANY
1250 EYE STREET - SUITE 350 - WASHINGTN DC 20005 -- 888-777-6690
Q. Did you work anywhere prior to coming to the University of Chicago?
A. Yes. I had a one-year position as instructor at the University of Houston in 1976 to '77.

Q. Okay. Let shift gears for a moment and talk about some of your current responsibilities. Can you please describe what is the graduate humanities division?
A. The humanities division is one of the four main divisions of the university. It houses 15 departments and three master's programs. It serves to -- for the teaching and research of humanity subjects at the university.

Q. When I say humanities, what does that mean?
A. The humanities is the study of ourselves as humans and of the interaction of humans in the world through such subjects as the literatures, foreign languages and their literatures, music and art, philosophy, linguistics and the like.

Q. Dr. Robertson, what are your responsibilities as Dean of Humanities?
A. As dean, I'm the executive officer of the humanities division and the representative of the faculty. And with respect to education, I propose plans to the faculty and I help enact plans that the faculty propose to me.

Q. Dr. Robertson, in that capacity, do you make any recommendations regarding the hire for promotions or tenure of faculty?
A. Yes, I do. All recommendations for hiring promotion and tenure of faculty go through me, and I recommend or not to the provost of the university.

Q. Do you make recommendations regarding the admission and the graduation of graduate students?
A. No. The faculty does that. And the Dean of Students enacts that under my supervision, of course.

Q. Approximately, how many grad students are there in the humanities?
A. Approximately 1,000.

Q. I'm going to hand you a document for identification purposes marked as Employer Exhibit 22.

BY MR. PEARLMAN:
Q. I would like to walk through Employer 22 with you. Can you tell us what are the departments that fall within the humanities division?
A. There are 15. They are Art History, Cinema and Media Studies, Classics, Comparative Literature, East Asian Languages and Civilizations, English Language and Literature, Germanic Studies, Linguistics, Music, Near Eastern Languages and Civilizations, Philosophy, Romance Languages and Literatures, Slavic Languages and Literatures, and Visual Arts.

Q. Do you see to the bottom right of the chart where it says "committees"?
A. Yes.
Q. Please explain what is that a reference to?
A. Our committees are centers of activity in the subjects that you see here, Creative Writing and Theatre and Performance Studies. They function as it were sort of like incipients of departments.

The Visual Arts department that you see at the bottom of the center of the page was until recently a committee and so was Cinema and Media Studies.

Q. Now I would like to turn your attention to the left most column on that same page. Do you
see where it says Office of the Dean?
A. Yes.

Q. Do you see the name Martina Munsters?
A. Yes.

Q. Can you please tell us who is Martina Munsters?
A. Martina Munsters is the Associate Dean and Dean of Students in the Humanities Division.

Q. And what's her role in that capacity?
A. She is in charge of all graduate student affairs, including admission, matriculation, keeping up with progress, steady progress, helping the students do that and graduation of students.

Q. Does the Humanities Division offer PhDs?
A. Yes, it does.

Q. How many PhD programs does the Humanities Division have?
A. It has 14. All of those that you see in the center of the page except for the Visual Arts.

Q. Does the Humanities Division offer master's programs?
A. Yes, it does.

Q. How many master's programs have the Humanities Division?
A. There are three. The three that you see under Divisional MA programs plus the Visual Arts, which is an MFA program, a Master of Fine Arts.

Q. Would you approximate how many masters students?
A. I think there be about 150.

Q. How was the size of the incoming PhD class each year decided in the Humanities Division?
A. Through the funding that's available.

Q. Do humanities PhD students receive a financial package?
A. Yes.

Q. What is it comprised of?
A. It's comprised of a tuition remission, an offer of health insurance for up to seven years and a stipend which is for up to five years.

Q. Dr. Robertson, are there any differences between funding for masters students and funding for PhD students?
A. Yes.

Q. What are those?
A. Some masters students have no tuition remission at all. None of them have stipends and they also don't have access to the health insurance program. Other masters students have partial tuition, one year of tuition in a two-year program, for example. So it varies but it's different from the PhD program.

Q. Are you familiar with the GAI fund?
A. Yes.

Q. Do you know what GAI stands for?
A. Yes. It stands for Graduate Aide Initiative.

Q. What is it?
A. This was a program that was founded by the university in 2007 to bring an equal funding package for all of our PhD students.

Q. What doctoral graduates students receive under the GAI?
A. They receive tuition remission for five years. They receive a stipend for five years, and they receive health insurance.

Q. Is there a range in terms of the amount of the stipend received?
A. Yes, there is.

Q. And what is that range?
A. From -- I believe the lowest stipend is 24,000 for the year and the highest may be 31, I think.

Q. Dr. Robertson, can you provide an example of the department that offers the highest end of the stipend range.
A. Yes. I believe the English language and literature offers the higher end stipend range.

Q. Do you recall the number that that department offers?
A. I want to say 31,000.

(WHEREUPON, a certain document was marked Employer Exhibit No. 23, for identification.)

BY MR. PEARLMAN:
Q. I'll hand you a document that will mark for identification purpose as Employer Exhibit 23. Dr. Robertson, do you recognize this document?
A. Yes, I do.

Q. Are you familiar with this document?
A. Yes.

Q. What is this document?
A. This document is a grid that shows in the first under the heading in the first band the standard stipend of 24,000 and also the five
GAI teaching points. That is fairly standard across the division of the humanities.

Q. Do you know who created this document?
A. Yes. It was created by Martina Munsters, the Dean of Students.

Q. This a true and correct copy of that document?
A. Yes, it is.

MR. PEARLMAN: Madam Hearing Officer, I move to admit this document.
MS. AUERBACH: May I have voir dire?
HEARING OFFICER MOLS: Yes.

VOIR DIRE EXAMINATION

BY MS. AUERBACH:
Q. Was this document created in preparation for this hearing or is it a document maintained in the course of business?
A. No. I believe I have seen this before. I have seen it in the past.
Q. Do you know for what purpose it was created?
A. I believe it was created just as a reference to show the -- to show the differences in the stipend amount and how they are accounted for.
Q. Do you know when it was created?
A. I don't. I'm sorry.
Q. Do you know whether it's accurate?
HEARING OFFICER MOLS: I think she testified to that.
MS. AUERBACH: I have no objection.
HEARING OFFICER MOLS: Employer No. 23 is received.
(WHEREUPON, said document, previously marked Employer Exhibit No. 23, for identification, was offered and received in evidence.)

BY MR. PEARLMAN:
Q. Let's look at graduate students studying the classics as an example. Do you see where there is a column entitled, Cohorts by Year in the Program.
A. Yes.
Q. What does that mean?
A. Well, that is showing beyond the first band beyond the standard band that sometimes, although not in the case of the classics, the stipend differs. What does differ in the classics band is the number of GAI teaching points that were required. And years one and two refers to the fact that students currently in years one and two receive a stipend of $25,000 are required to fulfill eight GAI teaching points. Whereas students in years three through five receive $25,000. And when they came in in years one and two were required to fulfill 10 GAI teaching points.
Q. If you look at the academic year column, what do graduate students who are studying classics receive?
A. $25,000.
Q. Do they receive a summer stipend?
A. Yes, they do.
Q. How much?
A. $3,000.
Q. And for how long?
A. For four years, not five.
Q. What is a summer stipend?
A. A summer stipend is an amount that we set aside for students to help them to go to Europe, for example, and work in an archive or perhaps to travel to an archive within the United States or perhaps just to be able to sit and write or study and not have to work as hard.
Q. How does a student qualify for a summer stipend?
A. They -- it's part of their total package. So simply by being admitted as Ph.D. graduate students they qualify.
Q. Can you tell us what the total anticipated stipend is for a graduate student of the humanities for over five years?
A. That would be five times 24,000 plus 5, so 120,000. I'm sorry. I'm not including the summer. So 120 plus 4 times 3 is 12. So 132,000.
Q. How did you calculate that?
A. Five times 24,000, plus 4 times 3,000, and I hope I did that correctly.
Q. Do you know what the tuition was for the 2016-2017 academic year for a graduate student of the humanities?
A. Yeah, not to the penny but I think it's 53,000 and change.
Q. So I apologize but I'll ask you to do a little bit more math here since you have that facility.
So over five years, what's the total cost of tuition that the university is providing the graduate student of humanities?
A. About 265,000.
Q. Are you approximating?
A. Well, I mean -- I think that's correct.

265,000. What I don't know is that 53,000. I don't know the change bit there.

Q. Last math question there for you. So if you combine the total anticipated stipend and the tuition, how much money does the university invest in the graduate student education?
A. Almost 400 thousand.

Q. If you're combining the total anticipated stipend and the tuition, how much money does the university invest in the graduate student education?
A. Almost 400 thousand.

Q. Last math question there for you. So if you combine the total anticipated stipend and the tuition, how much money does the university invest in the graduate student education?
A. Almost 400 thousand.

Q. Are humanities Ph.D. students required to obtain certain teaching experience during their educational program?
A. Yes, they are.

Q. What is the requirement?
A. The requirement varies from one department to another but the standard requirement is a combination of TA shifts and one or more lectureships, which are then sort of counted as points, these GAI points, that you see on the chart.

Q. Why does the Humanities Division require teaching experience as part of the Ph.D. program?
A. Because we're turning out professors and professors both do research and teach, and we have to teach them both how to do research and how to teach.

Q. Now, Dr. Robertson, you made a reference to a points system. Is there a point system for required teaching experience?
A. Yes.

Q. How does it work?
A. For TA or CA experiences, the student receives one point. For lectureship experience, lecturer experiences, the students receive two points.

Q. You used the term "CA." What does that mean?
A. Course assistant. It's synonymous, at least in my vocabulary, with teaching assistant. We use that interchangeably at the university, so CA and TA are the same.

Q. How many points does a humanities graduate student need to graduate?
A. Well, there are different numbers depending upon which department you are graduating a minimum of five.

Q. Are PhD students discouraged from teaching beyond those five points?
A. Yes, they are.

Q. Can you please identify some programs that require more than five teaching points?
A. Yes. The Germanics department, for example, requires 12 GAI teaching points.

Q. What about Slavics?
A. Yes, 12 as well.

Q. Classics?
A. Yes, 8. Romance languages, 8.

Q. So I'm going to put up a demonstrative chart. We have been using, and I'm going to point you over to where it says Humanities Division, and I'm going to ask you to indicate whether or not the entries that you see are true and correct.

Then the next column will ask whether or not there is a teaching requirement.
A. Yes.

Q. And then there is a question is teaching an academic requirement. And then there is a column that says, Recommended years to fulfill teaching requirement.
A. Do you see all of that?

Q. Did I read that correctly?
A. Yes.

HEARING OFFICER MOLS: Just to be clear for the record, the employer is referring to a representation of some of the information contained within Employer Exhibit 15. The section we are currently looking at is that section that deals with the Humanities Division.

You may continue.

MR. PEARLMAN: Thank you, Madam Hearing Officer.

BY MR. PEARLMAN:
Q. The first column in the first row says, Divisional Teaching Requirement, correct?
A. Yes.

Q. How many GAI teaching points are needed?
A. A minimum of 5 and a maximum of 12.

Q. For this row for --
A. Which row were you referring to?
Q. I'm referring to the row above.
A. Divisional Teaching Requirement, 5.

Q. And do you see next to that there is a question of whether or not teaching is an academic requirement for the divisional teaching requirement?
A. Yes.
Q. It says yes there?
A. It does.
Q. Is that accurate?
A. Yes, it is.
Q. And for recommended years to fulfill teaching requirement it says years 3 through 5; is that accurate?
A. Yes.
Q. Let's take the next row.
Art History, that's what it says there in the next row in the table, correct?
A. Uh-huh.
Q. And it asks whether or not there is a teaching requirement and it indicates five GAI teaching points are required, correct?
A. Yes.
Q. And there is a question is teaching an academic requirement?
A. And it is.
Q. And it says years three through five in response to the question of the recommended years to fulfill a teaching requirement, correct?
A. Yes, three and five.
Q. Pardon me. You are correct. It says and three and five. Is that accurate.
A. Yes, it is.
Q. Next row.
HEARING OFFICER MOLS: Could we go about this in a quicker way?
MR. PEARLMAN: I can suggest one to you or I'm open to any suggestions but what I would ask Dr. Robertson to do is to review the remainder of the chart limited to the entries for the Humanities Division and tell us whether or not the entries that are included on that chart are accurate.
A. Yes they are accurate.
Q. You will also notice that there is a second page.
A. Yeah.
Q. There is a reference to South Asian Languages and Civilizations and there's related entries on that row. Are those entries true and correct?
A. Yes, they are.
Q. They are accurate?
A. Yes.
Q. Why do some of the programs require more teaching points than others?
A. You know, the programs that require more and three and five. Is that accurate.
A. Yes, I have.
Q. What is this document?
A. It's a document that gives details about each of the possible teaching assignments that PhD students in the humanities might have.
Q. Is this a true and correct copy of this document?
A. Yes.
MR. PEARLMAN: I would move this into evidence, Madam Hearing Officer.
HEARING OFFICER MOLS: I believe this is a duplicate of Petitioner Exhibit 10.
MS. AUERBACH: Correct.
HEARING OFFICER MOLS: Any objections?
MS. AUERBACH: No, I mean, because they are duplicate but I don't have an objection.
HEARING OFFICER MOLS: So Employer Exhibit 24 is received.
(WHEREUPON, said document, previously marked Employer Exhibit No. 24, for identification, was offered and received in evidence.)
BY MR. PEARLMAN:
Q. So what are the different type of teachings that are available to the humanities?
A. Course assistants, language assistants, studio assistants, lecturers, preceptors and preceptors in the master of arts program in the humanities.

Q. Did you tell us before exactly what a course assistant is?
A. No, I don’t think I have.
Q. And what is that?
A. A course assistant is a graduate student who works under the direct supervision of a professor who’s teaching a course. That course assistant under the professor’s direction will assist in all aspects of the course such as trying to create the syllabus, helping to advise students, meeting with students.

Often course assistants teach discussion sections, which is a small subset of the entire class. They may help the professor with grading and reading.

Q. You mentioned language assistant. The question is: What is a language assistant?
A. You know, I can only read from this. I’m not very familiar with what the language assistants but they assist in the teaching of languages.

Q. What is a lecturer?
A. A lecturer is a graduate student who teaches a course entirely on his or her own from beginning to end.

Q. What is a preceptor?
A. A preceptor is someone who helps with specific aspects of courses such as a B.A. thesis, writing that kind of thing. It’s a little more specialized kind of course assistant.

Q. Why does the division allow graduate students to serve as lecturers?
A. They do.
Q. Do they create the curriculum?
A. Yes. They hold office hours.
Q. Do they learn how to run small group discussions?
A. Yes, they do.
Q. What’s a lectureship?
A. A lectureship is a -- what we call more colloquially a standalone course. It’s an opportunity for a graduate student to teach his or her own course from beginning to end. Performing all of the functions that a professor would perform, creating the syllabus, creating paper topics, creating exams, meeting with students, all of those functions.

Q. Do they create the curriculum?
A. They do.
Q. So they hold office hours?
A. Yes. They hold office hours.
Q. Why does the division allow graduate students to serve as lecturers?
A. Because they need to know how to teach in order to become professors themselves to give them practice and instruction in learning how to teach for when they go out and become professors themselves.

Q. Is there a typical schedule of a students teaching experience in order to earn the five points?
A. Yes, yes, somewhat. Typically, the student begins teaching in the third year with some exceptions in some of the foreign languages where they can begin as early as the second year. They complete teaching points in years three, four and five.

Q. Are different teaching points obtained based on different positions?
Q. For whose benefit are graduate students taught how to grade papers?
A. They are taught for their benefit so they can become professors.
Q. Could they get a job without this skill?
A. No.
Q. How do teaching assistants learn how to lead small group discussions?
A. In a similar fashion. The teaching assistants would be told by the professor and/or actually sit in on one of the discussion sections of the professor and see how the discussion flows.

Another route is that the professor sometimes will say, here are the things I want you -- in particular if there are multiple TAs -- here are things I want you to cover this week in discussion section.

The professor will talk about the list of things and then the TA or CA will take note on that, ask questions on that and then be able to hopefully to conduct their discussion section competently.

Q. For whose benefit are graduate students taught how to lead small group discussions?
A. For the benefit of the graduate student so they can become professors who can lead discussion sections.

Q. How do teaching assistants learn what to do during office hours?
A. They are taught by the professor. If a student comes to see you, you may want to talk about this, that or the other. So the professor will give examples of the kind of things students may come to talk to the professor about. It's even possible that a TA would be in a session when a professor is talking to a student. So once again, by example and by discussion beforehand.

Q. For whose benefit is a TA, a graduate student teacher, taught how to hold office hours?
A. For the benefit of the graduate student so that they can effectively hold office hours when they are employed as professor.
Q. Are graduate students compensated for the required the teaching assistantship?
A. No.
Q. Is it part of their educational experience?
A. Yes, it is.
Q. So is the funding package that you mentioned earlier compensation?
A. No, it is not.
Q. Does the Humanities Division limit the hours that students are permitted to TA every week?
A. Yes.
Q. Why?
A. Because the ultimate goal is for the student to finish their degree and the degree includes writing and completing a battery of course work and then researching and writing a very involved dissertation, which is the equivalent of a book.
Q. So when these limits are imposed, do you consider what's sometimes referred to colloquially as tying to a degree?
A. Yes, we do.
Q. What is tying to a degree?
A. "Tying to a degree" is an expectation that graduate students will complete their degrees within a reasonable amount of time. That can vary anywhere from five or six years to eight -- or seven or eight years is considered a reasonable time to degree.
Q. And what is the limit on the number of hours for a graduate student?
A. The number of hours of serving as a TA or teaching in a capacity or working --
Q. Yes.
A. Teaching, that is. Twenty hours a week.
Q. Can graduate students seek permission to waive this?
A. Yes.
Q. How would they do so?
A. They would speak with Martina Munsters, the Dean of Students.

MR. PEARLMAN: I'd like to hand you a document that we'll mark for identification purposes as Employer Exhibit 25.

(WHEREUPON, a certain document was marked Employer Exhibit No. 25, for identification.)

BY MR. PEARLMAN:
Q. So Dr. Robertson, let's look at a few examples here how many hours a week would a student act as a course assistant?
A. Eleven.
Q. As a lecturer?
A. Thirteen.
Q. Could you tell us why there are more hours a week approved for a lectureship than for a teaching assistant teachership?
A. Yes, because a lecturer designs, develops and carries out the course from beginning until end by herself. Whereas a course assistant is working closely with a professor but doesn't have ultimate responsibility for all aspects of the course.

Q. Dr. Robertson, is there any limitation on the types of courses that humanities graduate students are matched to TA?
A. Yes. Students are matched to courses in which they have expertise.
Q. So would that be writing program the within the division of humanities?
A. That's right.
Q. Do some departments within the division impose stricter guidelines than others?
A. I would certainly say that the language departments would impose very, very strict guidelines because obviously one who is seeking to be a TA in Germanic studies needs to be virtually fluent in German.
Q. Who ultimately determines what teaching appointments count towards teaching points?
A. The departments recommend that but the Dean of Students would be the one that has to approve because she has a kind of a sense across the division of these matters.

Q. So Dr. Robertson, how often does a PhD graduate student have a TA opportunity outside of their own department but still within the
A. I can't think of any examples. I mean, the only thing hypothetically I would say is if someone fluent in German and say in Philosophy were asked for some reason to teach first year German, maybe there weren't enough lecturers that year and could go through the training, I could see that happening but I honestly know of no examples of that. It's very, very rare if at all.

Q. Why does the rule limiting where a student can earn or obtain teaching points exist?

A. In order to assure that the student is learning to teach in the field in which they are training and to compliment the training, the research training that they are doing.

Q. Who does that benefit?

MS. AUERBACH: Objection. This has all been asked and answered.

MR. PEARLMAN: That question hasn't.

HEARING OFFICER MOLS: You are referring to -- what were you referring back to?

MR. PEARLMAN: Why -- the question relates to the last question which is why the rule limiting where a student can earn teaching points exist and the question is who does that benefit.

A. I can't think of any examples. I mean, where there was just no improvement but in any case, we work with them until they get it.

Q. Would the students stipend be impacted?

A. No.

Q. Can the department deny a PhD degree to a PhD student because he or she doesn't fulfill his or her TA requirement?

A. Yes. The PhD receiving a PhD is contingent on fulfilling the minimum number of teaching requirements.

Q. Have you ever seen that happen where the PhD degree was denied because someone didn't -- someone being a graduate student didn't fulfill their TA requirement?

A. No, never.

Q. Can a student lose his or her stipend based upon performance as a TA?

A. No.

Q. Why not?

A. Well, a stipend is a guaranteed package that one receives when one is admitted to the program. It's not connected to performance and teaching.

Q. Does humanities provide an orientation or other introductory training to a PhD students where a student can earn teaching points exist and the question is who does that benefit.

Administerial objections just serves to prolong this hearing. That question hasn't been asked.

BY THE WITNESS:

A. It's for the benefit of the student who's building a portfolio and research and teaching in a specific area.

BY MR. PEARLMAN:

Q. How does the Humanities Division monitor the hours that a student spends TAing?

A. The students are required to record their time and they record it on an online system.

Q. Do you know what the name of the online system is?

A. I believe it's called Workday.

Q. And who is responsible for monitoring this for the Division of Humanities?

A. The Dean of Students, Martina Munsters.

Q. Dr. Robertson, do you regularly teach courses that have TAs?

A. I do.

Q. Can you please provide an example?

A. Yes. Until this year when I became dean, I taught every year, have been on the faculty music 121, which is a course in music history for non-majors. It's a large lecture course and I typically have three or four TAs in that class.

Q. What happens if a student TA's performance is poor during a given term?

A. I work with them to make it better.

Q. Now if it's not your class but another class, who would work with the graduate student?

A. If it's a TAship, it would be the professor of record or the instructor of record for that class is responsible to make certain that the TAs are mentored adequately.

Q. How common is it for a TA to demonstrate poor performance?

A. Very rare. We admit really superb graduate students and they tend to be very good both at their research and in trying to learn to be teachers.

Q. If a TA is performing poorly will any additional training be conducted?

A. Yes, it will be.

Q. If the performance does not improve, will the TA be removed from the position?

A. No. We -- I have never seen an instance
Q. Can you describe what mentoring you give to TAs?
A. I do.
Q. Do you provide mentoring to TAs?
A. I do.
Q. Can you please describe what mentoring you give to TAs?
lecturer is doing a good job.

With the TAs in that course, I described to a TA to give one standalone lecture and before 25
24
23
22
21
20
29
19
18
17
16
15
14
13
12
11
10
9
8
7
6
5
4
3
2
1

already the kind of mentorship that the professor will give -- the professor of record will give TAs.

But in this case now, the professor is sort of the supervisor of the whole Music 101 course sequence

will also advise those TAs.

Q. How much interaction do you have with your TAs?

A. Abundant interaction, a lot.

Q. Now when you made reference to lecturers, you are talking about grad school lecturers, correct?

A. Yes, I am.

Q. Why do you have so much interaction with your TAs?

A. Because I want them to become excellent teachers. I want to be able when I write recommendations for them when they are in their final year in trying to get a job I want to be able to say with great specificity that this student is a success as teacher.

One thing I forgot to mention is that in my classes at least every time with TAs, I allow them each to give one standalone lecture and before that lecture we prepare extensively. I sometimes let them do a dry run for me. Then as they are giving the lecture, I'm sitting there taking notes. I tuck those notes away so when four or five years later when that student comes to me, I can really speak to how they were as a teacher when I'm writing a letter of recommendation. Sometimes I write -- I still recall the lecture on J.S. Box Organ Feud that this student gave and you can talk about it with some specificity.

So those notes help me not only on the spot when I can speak to the student right after and say, well, this really worked and this didn't work so well but they serve as reminder later on.

HEARING OFFICER MOLS: Just a quick clarification. When you say you allow them to teach one lecture is that per quarter?

THE WITNESS: Yes.

HEARING OFFICER MOLS: For the term that they are your TA?

THE WITNESS: That's right.

HEARING OFFICER MOLS: Thank you.

BY MR. PEARLMAN,

Q. Dr. Robertson, does the mentoring of a TA differ from that of a graduate student lecturer?

A. Yes, in that the mentoring of a TA is very, very close, as I've described in all aspects of the course. A lecturer presumably has served as a TA two or three times and by this time has a pretty good sense of what to do. So I would say the mentoring is a little lighter. It's a little less rigid. We try to give our graduate student lecturers abundant room to vary from what might be the standard syllabus that is handed down from a course to give them a little room to try to put in some of their own ideas.

Q. Are graduate student lecturers provided with any resources?

A. Yes. With past syllabi, past paper topics, past exams. The textbook that might have been used historically with the class. Sometimes that textbook and indeed might be mandated for that particular class but sometimes the grad student lecturer is allowed to choose that book.

Q. With respect to graduate student lecturers is the performance ever observed or monitored?

A. Yes, it is. At least once and almost always twice per quarter, a faculty member will sit in on a graduate lecture class that they are teaching and provide feedback.

Some departments, I think, actually have a form that's then deposited in the music department. As I said, I take abundant notes -- usually, it's the front and back of two pages -- and then I file it away myself.

Q. How is the workload of faculty affected by the use of a TA in a course?

A. Well, I think I work more when I have TAs.

Q. Why is that?

A. Because I spend a lot of time mentoring them and helping them to become good teachers.

MR. PEARLMAN: I'm going to hand you a document that we'll mark for identification purposes as Employer Exhibit 26. (WHEREUPON, a certain document was marked Employer Exhibit No. 26, for identification.)

BY MR. PEARLMAN:

Q. Please take a moment to review that document, Dr. Robertson. Do you recognize this document?

A. Yes, I do.

Q. Are you familiar with it?
Q. What is this document?
A. It's a document that discusses the training and mentoring of graduate student teachers at the university in the Humanities Division.
Q. Is this a true and correct copy of this document?
A. Yes.
MR. PEARLMAN: I would move to admit Employer Exhibit 26.
MS. AUERBACH: May I voir dire?
HEARING OFFICER MOLS: Yes.
VOIR DIRE EXAMINATION
BY MS. AUERBACH:
Q. So what position did you hold at the time this was distributed?
A. I was a faculty member in the music department.
Q. Did you receive this document?
A. I saw it at the time, yes. It was sent out to all of the faculty. It was distributed to all of the faculty by the chairs.
Q. And on the third page it says appended documents. Are those documents that were appended to the original document when you saw it?
A. I'm foggy on that. It says they were, so I assume they were but I don't really remember them in particular.
MS. AUERBACH: Well, I object on the basis it doesn't appear to be a complete document because it says there were appended documents.
MR. PEARLMAN: Nothing changes the substance of the document itself and I don't think that's prejudicial to counsel.
HEARING OFFICER MOLS: Objection overruled. Employer Exhibit 26 is received. (WHEREUPON, said document, previously marked Employer Exhibit No. 26, for identification, was offered and received in evidence.)
BY MR. PEARLMAN:
Q. Why was this letter sent?
A. This letter was sent in order to provide some best practices for those who are both teaching and those -- graduate students who are teaching and for those faculty mentoring those who are teaching.
Q. Do you see on page 2, Dr. Robertson, a document refers to the training of grad students?
A. Yes.
any of these workshops?

THE WITNESS: I did, yes.

HEARING OFFICER MOLS: Thank you.

BY MR. PEARLMAN:

Q. What are pedagogy courses?

A. This is a more formalized thing. In some departments, for example, romance languages and literature does, and I think classics does as well. I'm sorry. I'm not an expert on that.

Q. When do PhD students typically take pedagogical courses?

A. I know in romance languages the fall of the second year is when they typically do it. Then they take the course and then having taken that course it's required they must then -- then they go on to teach after that. So perhaps in the winter of the year they can teach as early as the winter of year two but they must have had a pedagogical course first.

Q. Am I understanding you to say that you have to take a pedagogy course first as a graduate student before you teach a pedagogy course?

A. Before you teach a course, before you teach a language course,

Q. What topics are taught in the pedagogy courses?

A. I believe -- of course it's not something that happens in my department, but I have recently spoken to the chair of romance languages about this. It has to do with learning how to --


MR. PEARLMAN: Can she complete her answer?

THE WITNESS: As Dean I have talked with the chair of the romance languages department about this. So maybe I can speak in my capacity as Dean.

BY MR. PEARLMAN:

Q. Please.

teachers they can be and learning to teach is something they need to learn.

Q. How is a graduate student TA evaluated throughout the term?

A. A graduate student is evaluated by the instructor of record who is keeping tabs on how they are doing.

HEARING OFFICER MOLS: Before we move onto the next question, have you ever conducted a pedagogy course?

THE WITNESS: No, not a formal pedagogy course.

HEARING OFFICER MOLS: No? Thank you.

BY MR. PEARLMAN:

Q. Thank you.

With respect to evaluations, is any input sought from the grad student teaching the course in evaluating the grad student TA?

A. Sorry.

Q. Let me correct that question. There was an error in that question.

For the students who are taught, do they evaluate the TA?

A. Yes, they do. The university has a system of online evaluations. The bulk of that
Q. Aside from teaching courses in their specific area of study, where else can graduate students teach TAs? Teach courses? 2. A. The only other place would be in the writing program, which needs a lot of instructors. 3. Q. Do they also teach in the core? 4. A. And the core, yes. Yes. 5. Q. What is the core? 6. A. The core is a set of courses or set of sequences or courses that provide general knowledge and loads of inquiry for all of the subjects of the biological sciences, the social sciences, physical sciences, and of course the humanities. 7. Q. Tell us what you mean, please, when you say the term "core sequence"? 8. A. A core sequence is more than one course in the same subject. So mine, Music 121 course, goes up to 1750, the year 1750. It's followed by the second half of the core sequence, Music 122, which extends from 1750 to the present. 9. Q. What graduate students are permitted to teach in the humanities core? 10. A. Well, all graduate students could potentially teach in the core but they are assigned according to their field, to their specialization.

Q. Now does departmental mentoring differ from mentoring that's provided in the core specifically? 1. A. Yes. It's even more rigorous in the core in that for each core sequence, there is a faculty supervisor who meets with graduate TAs and lecturers on a weekly basis, I believe it is, to discuss very broadly the aims of the entire core and to make sure that everyone is on the same page and moving in the right direction for that core sequence. 2. Q. Are the core sequences the same syllabus for all of the courses? 3. A. There certainly are standard syllabi. I do believe they are updated. We certainly update our Music 101, which is a core course from time to time but there are absolutely no standards. 4. Q. So in the core how often do teachers meet up to discuss the teaching that will occur in the following week? 5. A. I believe it's once a week. 6. Q. And who attends those weekly meetings? 7. A. The head of the core sequence. That would be a professor and all of the lecturers who are lecturing in that core and also the TAs who were assisting the professors. 8. Q. Is there any teaching of TAs and graduate students that occurs during those weekly meetings? 9. A. There certainly is mentoring of the type that I have described before in exchange of information about best practices, that kind of thing. 10. Q. Is there a core sequence coordinator or chair? 11. A. Yes. That's a faculty member. 12. Q. What does that faculty member do in that role? 13. A. He or she would mentor both the lecturers and the TAs who are involved in that core sequence to again insure a kind of uniformity of experience for both the graduate students and for the undergraduate students to maintain a kind of harmony of that core sequence. 14. Q. Does a graduate student need to attend a course of the CCT in order to teach in the core? 15. A. Yes, I believe that's correct, but I'm not absolutely sure about that. I'm sorry. I can't be absolutely certain on that. 16. Q. Do PhD students receive a benefit by...
being a TA?
  A. Oh, yeah, they do.
  Q. What's that?
  A. Well, again, it's part of their training
  toward being a future professor is that they both
  learn how to become the best researcher they can be
  and the best teacher, whether it be a core course
  or any other kind of course.
  Q. Dr. Robertson, are you familiar with the
  process by way PhD students are matched with
  particular courses?
  A. Yes, I am.
  Q. And what is that matching process?
  A. Yes. Okay. First off, in sort of late
  February, early March, a call for graduate student
  applications will go out and grad students are
  asked to send their CV so that the faculty will
  know what courses they have taught in the past and
  also to express a preference for a course that they
  might like to teach.

  Then the very beginning of the spring
  quarter an administrator will put that information
  together with the teaching needs for the upcoming
  year in a particular department. So that kind of a
  grid is produced. It might start in the left-hand
  column with the names of the graduate students.
  The next column would be what year they are in.
  The next column might be the number of GAI points
  they have had fulfilled already or the number that
  they still need to fulfill, one of the other.

  The next would be the courses that that
  person has taught in the past and then next might
  be a kind of a digest of the cover letter that the
  graduate student would have sent by saying would
  like to teach course X, course Y.

  And then that information is distributed
  to the faculty who sit around the table in one
  meeting all together and make matches according to
  the various parameters in the columns.

  Q. With the explanation that you just gave,
  are you speaking in general about the humanities?
  A. I'm speaking from my experience in the
  music department, but I do believe that it's
  similar elsewhere. I can't state unequivocally
  that there is not some variation perhaps in a
  smaller department, for example, one might not need
  such quite an elaborate system. It may be evident
  in the surface but I think there is very careful of
  matching with students with their abilities, the
  number of GAI points they still have to gather and
  the available teaching.

  Q. Just to be clear, you said the number --
  you consider the number of GAI points they have to
  gather.

  So does that mean you take a look at how
  many GAI points a graduate student has and how many
  they need and you give that consideration?
  A. Yes. How many GAI points are remaining
  for them to fulfill their requirements -- their
  required number.

  HEARING OFFICER MOLS: Just before the next
  question.

  You had mentioned that there was a sort
  of matching meeting that faculty attend to make
  these types of decisions with the example of the
  music department. Who all would attend that
  meeting?

  THE WITNESS: Every person on the faculty
  would be there.

  HEARING OFFICER MOLS: Okay. Thank you.

  THE WITNESS: Unless they are on leave and out
  of the country. Sometimes they Skype in too.

  HEARING OFFICER MOLS: Would that include the
  graduate students or no?

  THE WITNESS: No. Only the faculty make those
  decisions.

  HEARING OFFICER MOLS: Thank you.

  THE WITNESS: But the graduate students have
  expressed their preference in the cover letter that
  they send, so we take that into account.

  HEARING OFFICER MOLS: Thank you.

  BY MR. PEARLMAN:

  Q. Did you say that graduate students
  themselves make requests for certain teaching
  experiences?

  A. They say this is what I would like to
  teach. They do make a request.

  Q. Have you heard the term non-laboratory
  RA used?

  A. Yes.

  Q. And what is that?

  A. Well, that would be -- that might be
  something like when I finish a book that I'm
  writing, I would hire a research assistant to help
  me create the index for the book.

  Q. Are non-laboratory RAs furthering their
  own education through their work?

  A. Yes, they are because they are looking
  over my shoulder as I'm finishing my book. So
  hopefully something -- they are learning something
Q. What is a workshop coordinator?
A. A workshop coordinator is a graduate student who serves as the administrator for one or more of -- for a workshop in the humanities division and they are quite a few I want to say, maybe 30 workshops across the Humanities Division, maybe a little more.

Q. Are you aware of the counsel for advanced studies?
A. Yes. That's an office in the Provost office which has a budget that it allocates to workshops across the Humanities Division, and -- sorry across the university actually.

Q. And do workshop coordinators assist in the council for advanced studies?
A. Do they -- I don't believe they have -- that there are graduate students sitting on the council of advanced studies but I could be wrong.

Q. My question was not clear enough. Do they assist with respect to the council for advanced studies?
A. Oh, does the council of advanced studies itself have coordinators, graduate student coordinators? Not to my knowledge.

Q. What do workshop coordinators do?
A. Workshop coordinators issue the invitations for speakers for the workshops. They perform. They gather -- they serve as sort of social chairs for the workshops. That is they see to it that food and drink are there to the extent that these are provided. They make sure that the room is set up properly with the proper audiovisual equipment, et cetera.

Q. Do workshop coordinators receive academic credit for their work?
A. No, they don't.

Q. Are they doing this workshop coordinator -- pardon me. Let me ask you a better question.
A. Yes. The workshops are funded and emanate out of the council of advanced studies.

Q. So getting back to my question that preceded that: Is being a workshop coordinator an academic requirement?
A. No, it's not a requirement.

Q. Do workshop coordinators get a stipend?
A. Yes, they do.

Q. Is this part of a funding package?
A. No, it is not.

Q. Let's talk about a masters student for a moment.
A. Do masters students teach?
Q. No, they don't.
A. Is there any academic requirement for masters students to teach?
Q. No.
A. Do masters students take the CCT Chicago Center for Teaching course?
Q. No.

MR. PEARLMAN: May I have a moment, Madam Hearing Officer?
HEARING OFFICER MOLS: Yes.
MR. PEARLMAN: I'll tender the witness and request that we allow her to take a two-minute break.

HEARING OFFICER MOLS: Off the record.
WHEREUPON, a break was taken.

HEARING OFFICER MOLS: On the record.
Petitioner can proceed with her questions for the witness.

MS. AUERBACH: Thank you.

Q. Dr. Robertson, you said that you described the financial package that PhD students received and that package is explained to them at the time they are offered admission to a PhD program in the Division of Humanities?
A. They receive a letter, yes.

Q. They receive an admission letter and the admission letter comes from an explanation of the financial package being offered?
A. I don't know that but I'm willing to take your word for it.

Q. You don't know whether that's true or not?
A. I don't.

Q. So what's the basis for your knowledge of what package they do receive?
A. Because I was in on discussions about the GAI. I have been helped create it, in fact, when I was in the provost office.

MS. AUERBACH: I'm showing you a document marked as Petitioner Exhibit 13.
WHEREUPON, a certain document was...
marked Petitioner Exhibit No. 13, for identification.)

BY MS. AUERBACH:

Q. Are you familiar with this form?
A. I haven't seen it before.

Q. So let's talk about the terms that you testified that the GAI started, I think you said, in 2007?
A. I believe that's correct.

Q. So this is dated in 2014. It's a financial aid statement in the Division of Humanities.
Does that look like an accurate description of a package, the four bullet points set there under University of Chicago fellowship for five years?
A. Yes.

Q. So that fellowship includes full tuition and then the academic year support beyond tuition -- that fellowship includes full tuition, academic year beyond tuition up to four summer stipends and university insurance.
A. Yes.

Q. And then in the second bullet point where it talks about the academic year support beyond tuition being either a stipend or a combination of stipend and teaching remuneration?
A. Yes, I see that.

Q. Has that been in effect since 2007?
A. I believe so.

Q. So when a graduate student in the Division of Humanities is teaching, is it accurate that the stipend may be reduced and the graduate student is paid separately as compensation for the teaching?
A. No.

MR. PEARLMAN: Objection. Calls for a legal conclusion and vague.

HEARING OFFICER MOLS: Maybe just are the payments separate? Do you know the stipend versus the money for the teaching?
THE WITNESS: I believe that the amount of money given for teaching is sort of set apart in relief from the stipend package. It's part of the stipend package I believe because of the necessity according to tax laws, but I'm not a -- I'm not a tax attorney.

BY MS. AUERBACH:

Q. When you say set apart, it's paid out separately?
A. Yes.

Q. And you talked about the graduate students who are teaching using a program called Workday?
A. I believe that's the name of the software.

Q. And that's a software system that is run by the human resources office of the university?
MR. PEARLMAN: Foundation.

MS. AUERBACH: I'm asking if she knows.

BY THE WITNESS:

A. I don't know who runs it.

MR. PEARLMAN: I agree with that but the document doesn't have foundation.

HEARING OFFICER MOLS: The substance you can continue, Ms. Auerbach.

BY MS. AUERBACH:

Q. Do you know whether people who are not graduate students who are employed by the university use that Workday system to input their hours?
A. Yes, I believe they do.

Q. And do you know what employees do that?
A. I can't name -- I think I have heard the staff talk about it before, so I assume that members of the staff use it.

HEARING OFFICER MOLS: Do you know if the...
faculty uses the software?

THE WITNESS: No.

Q. Do you know if faculty uses separate software or is there compensation?

THE WITNESS: You mean for our compensation?

HEARING OFFICER MOLS: Yes.

THE WITNESS: I don't think it's a separate software. I guess I'm thinking simply about the fact that most of us would have automatic deposits.

HEARING OFFICER MOLS: A set salary?

THE WITNESS: Right.

Q. So as a faculty member, you don't have to input your hours?

A. No. That's correct. That's what I mean.

Q. So the Workday system is used for people who have to input how many hours they devote to certain tasks?

A. I suppose. I honestly do not know the rules of who uses Workday and who doesn't.

Q. Do you know if it's a payroll system?

MR. PEARLMAN: Objection. Foundation.

MS. AUERBACH: I'm asking if she knows.

THE WITNESS: I have heard of Workday. I know it's a software. I guess I'm thinking simply about the fact that most of us would have automatic deposits. I don't really know anything beyond that.

Q. Are you familiar with these types of letters?

MS. AUERBACH: Well, right now I'm asking the rule that answers your question, Petitioner counsel, or not. You can clarify if need be.

WHEREUPON, a certain document was marked Petitioner Exhibit No. 14, for identification.

Q. I'm going to show you what's marked as Petitioner Exhibit 14.

MR. PEARLMAN: Objection. Argumentative.

BY MS. AUERBACH:

Are you familiar with this type of document?

MR. PEARLMAN: Objection. Vague and foundation. It's either are you familiar with this document or this type of document.

MS. AUERBACH: Well, right now I'm asking the type. This states that it's a renewal letter for somebody already enrolled as a graduate student.

Q. Are you familiar with these types of letters?

A. I have never seen this document before. I don't know that students receive sort of followups upon being determined to be making satisfactory progress.

Q. And so do graduate students normally receive these letters year to year confirming that they are continuing in their division with their financial package?

MR. PEARLMAN: Objection. This is not establishing foundation. It's unduly vague. The question is do they receive these types of letters. It's too vague. It's too vague to establish any similar. It's too vague to establish any
HEARING OFFICER MOLS: She has testified not testifying, she has not seen this particular document. She has testified that she knows that students typically receive these types of documents. So I think along those lines, counsel can ask her question.

THE WITNESS: Can you repeat the question?

BY MS. AUERBACH:

Q. Do graduate students in humanities receive letters similar to this each year confirming that they are continuing due to making satisfactory progress and continuing their financial aid package?

A. Yes. I believe that students do receive continuation letters. The content of the letter I'm not familiar with. This is the first time I'm seeing this one.

Q. So you don't know whether those letters set forth the financial aid terms of their continuing --

A. I don't know that.

Q. And do you know whether it's true that the one of the conditions of continuing in a PhD program in the Division of Humanities is -- and continuing to receive their financial aid award is satisfactory performance of their teaching responsibilities?

A. I'm familiar with -- well, I'm familiar with the term satisfactory. That the student is making satisfactory progress. What that entails -- the subcategories of what that entails, I'm not familiar about.

Q. Who would be familiar with that?

A. The Dean of Students.

Q. And who is that?

A. Martina Munsters.
A. Not very actually -- no, not vary.
Q. So the ones you have seen are the ones from the music department?
A. That's correct.
Q. Have you seen them for any other departments?
A. I have seen them for a couple of other departments, yeah, just in passing.
Q. So how does the one in the music department, what does it say, to the best of your recollection?
A. It's not as detailed as this. It talks about the course the graduate student is going to teach in the following year. It doesn't -- it doesn't have anything like the last paragraph on page 1, for example, which seems to anticipate difficulties. This is just much, much more detailed.
Q. So the ones in the music department today inform the graduate student what position they are going to be assigned to whether it's teaching assistant or lecturer?
A. Yes, that's correct. And then the other information would be included in an e-mail to all graduate students about to teach in the -- you know, in the following year.
Q. Okay. Well, let's first start with the appointment letter.
So it includes what position they are going to be given?
A. Yes.
Q. And then it tells them what course they are going to be --
A. No. It tells them what course they are --
MR. PEARLMAN: Objection. What's this in reference to?
MS. AUERBACH: What the practice is in the music department.
BY THE WITNESS:
A. It tells them what course they are going to be TAs or teaching as a lecturer in the following year.
BY MS. AUERBACH:
Q. Does it tell them anything else? Does it tell them the description of the position or just that they are a TA or lecturing and what the course is?
A. No. It refers them to the faculty mentor for that course. It encourages the students to collect syllabi over the summer. These are sent out, you know, this is very late usually in the spring of the following year. It encourages students to collect syllabi, to meet with the faculty mentor for that course and to begin to plan for the course for the next year.
Q. And then you said there is then a general e-mail sent out. Who sends that out?
A. The director -- let's see that would be the director of undergraduate studies in the music department.
Q. And that's sent out to all of the graduate students who will have a teaching assignment?
A. Yeah, that's right.
Q. What is related in that e-mail?
A. It sends them particularly if it's their first time to teach to send them to the CCT workshop to inform them about pedagogy brown bag lunches and pedagogy opportunities within the music department.
Q. Does it give them any information about how to go about being put on the university's payroll so they get the pay component?
A. It says -- I think -- it encourages them to speak to the main administrator of the music department who helps them with that.
Q. Who helps them with the payroll?
A. That's right. Well, with receiving the money for the course.
Q. And in the music department, is there a standard dollar amount assigned to the position of TA?
A. Yes.
Q. What is that?
A. Okay. I hope I'm right about this. I'm sorry. I'm just a little rusty on it. I think it's 3,000 for the TA.
Q. And is there a standard dollar amount assigned for a position as lecturer?
A. I believe it's 5,000.
Q. And are those two amounts standard across humanities or is that just in the music department?
A. For those two positions that you mentioned, I believe that's standard across the Humanities Division. I don't deal with this. It's the responsibility of Martina Munsters.
Q. Okay. You said the system is used interchangeably with the teaching assistant. So...
the course assistant position is assigned an amount of $3,000?

A. Yes. Those terms are interchangeable, course assistant, teaching assistant.

Q. So the dollar amount for that course is the same?

A. Yes.

Q. And so the course assistant or teaching assistant receives $3,000 through the university payroll system minus taxes?

MR. PEARLMAN: Objection. Asked and answered.

HEARING OFFICER MOLS: So just in the future let me rule on the objection first.

THE WITNESS: Sorry about that.

HEARING OFFICER MOLS: The money that the foundation and asked and answered.

MR. PEARLMAN: The objection is there is no foundation and asked and answered.

MS. AUERBACH: The question wasn't asked. The amount assigned --

HEARING OFFICER MOLS: If you can repeat the question again.

MS. AUERBACH: Well, I asked so a teaching --

a graduate student assigned as a teaching assistant receives 3,000 for being a teaching assistant in a course through the university payroll.

MR. PEARLMAN: Foundation.

HEARING OFFICER MOLS: Do you know how that money is paid out?

THE WITNESS: I believe they received $3,000. I cannot say how they get it.

BY MS. AUERBACH:

Q. And a graduate student who is a lecturer in a course receives $5,000 for being a lecturer in that course?

A. Yes. That's correct.

BY MS. AUERBACH:

Q. And that amount is received from the university, correct?

MR. PEARLMAN: Foundation and from the university, overly broad and unduly vague.

HEARING OFFICER MOLS: The money that the lecturers are paid for the time that they spend lecturing, do you know if that money comes from any source outside of the university?

THE WITNESS: I don't believe it comes from -- it's part of their stipend package.

HEARING OFFICER MOLS: Do you know how that money is paid?

THE WITNESS: No, I don't.

BY MS. AUERBACH:

Q. You said that graduate students are discouraged from teaching beyond their point requirements. However, some graduate students do teach beyond their point requirements?

A. Yes.

Q. If a graduate student teaches beyond the point requirements as a lecturer, does that graduate student receive $5,000 for that lecture?

A. I don't know because I know at a certain point it goes to 6,000. I'm sorry. I just cannot say the way that happens.

Q. A grad student who teaches beyond the point requirement is compensated for that teaching beyond the guaranteed stipend?

MR. PEARLMAN: Object to the use of the word compensated.

HEARING OFFICER MOLS: Noted. You can answer the question, Dr. Robertson.

THE WITNESS: Could you ask it one more time?

BY MS. AUERBACH:

Q. Is a graduate student who lectures who is appointed to the be a lecturer in a class compensated for that lectureship beyond the amount of their guaranteed funding stipend?

A. No. It's part -- sorry, did you say someone beyond the fifth year?
that class.

MR. PEARLMAN: Objection.

BY MS. AUERBACH:

Q. And to the best of your knowledge that amount is either 5,000 or 6,000?

A. That's correct.

Q. Do any graduate students hold teaching assistant positions beyond their minimum points in five years or only lectureships?

A. It's rare because it's like going backwards but sometimes it does happen.

Q. And in that case is the graduate student who holds a teaching assistant position beyond the minimum points and beyond five years compensated separately for that teaching assignment beyond their guaranteed funding?

MR. PEARLMAN: Object to the word "compensated."

HEARING OFFICER MOLS: You can answer, Dr. Robertson.

BY THE WITNESS:

A. They do receive money for that service.

Q. And is that amount 3,000 or is it more?

A. It stays at 3,000.

Q. And does a graduate student who holds a lectureship -- a graduate student who's beyond the five points and behind the five years and lectures in a class perform the same duties as a graduate student who has not yet gone minimum points in five years who's lecturing the same source?

A. Yes.

Q. And does a graduate student who holds a teaching assignment -- teaching assistant position who's beyond the minimum points and beyond the five years carry out the same responsibilities as a teaching assistant who has not yet fulfilled the point requirements and is not yet past five years?

A. Yes.

MR. PEARLMAN: Madam Hearing Examiner, may we take a break. She has been on cross for about an hour or so.

HEARING OFFICER MOLS: How much more do you have?

MS. AUERBACH: I still have more. I mean, more than five minutes.

HEARING OFFICER MOLS: Do you need a break?

THE WITNESS: I don't feel like I do. I'm okay.

HEARING OFFICER MOLS: Direct was longer than this.

If you are -- if you need a break, feel free to say so.

THE WITNESS: Well, maybe it would be good just to stretch.

HEARING OFFICER MOLS: Okay. Two or three minutes.

Off the record.

(WHEREUPON, a break was taken.)

HEARING OFFICER MOLS: On the record.

BY MS. AUERBACH:

Q. You talked about teaching a music class that has a number of TAs in it. Is it possible to teach that class without any teaching assistants?

A. It would be possible, yes.

Q. And has that course ever been taught without teaching assistants?

A. No, not since I have been at the university.

Q. And you said that the teaching assistants -- that the class meets Monday and Wednesday. Mondays and Wednesdays are lectures and Fridays are small discussion groups?

A. Yes.

Q. Do you also hold a discussion group?

A. I do.

Q. And so you hold one and then the grad students hold one also?

A. Right. Right.

Q. So when you have a meeting to discuss with them what's going to occur at the discussion group, you want to make everyone is on the same page and covers the material in all of the discussion groups?

A. That's right.

Q. And that's partly so that the undergraduates taking the course all acquire the same material?

A. Exactly, right.

Q. Are the graduate students who conduct those sections convey the same material that you convey -- to students that you convey in your profession to hold?

A. Not exactly. I allow quite a bit of freedom in terms of how the material is conveyed. My aim is to be sure we're on the same page for an upcoming exam. But in terms of how they convey and in fact we talk amongst ourselves about best practices for conveying material.
Q. I wasn't so much asking how you convey it but they are expected to convey the same material that you are conveying?
A. The same basic material, yes.
Q. And those discussion groups benefit you as a professor because you are able to have a number of discussion groups for the class; is that correct?
A. You said benefits me?
Q. Yes.
A. Would you say that once again?
Q. Having graduate students handle the discussion groups benefits you as a professor because you are able to teach that class in a number of small section of discussion groups?
A. No, not necessarily because I could teach all of the discussion groups myself just at different times.
Q. Have you ever done that?
A. No.
Q. Are you aware of any large lecture classes where the professor handles small discussion groups?
A. Have I? Yeah, on occasion.
Q. It's not --

A. It's not typical though.
Q. More typical of the graduate students?
A. That's correct because we're trying to teach graduate student how to teach.
Q. When you talk about helping graduate students learn how to grade, the graduate students doing a good job of grading is important for the undergraduates in the class, correct?
A. It's important for the graduate students, first and foremost, to grade the papers and that's a byproduct that I think the undergraduates benefit from that having a trained TA.
Q. So if the TAs did not do a good job grading, then the undergraduates would have inconsistent or inappropriate grades being given to them, correct?
A. Well, if the TAs did a poor job grading, I would be working with them to make that better but it wouldn't have happened that way because I always check the TA's grading before we hand the papers back. And often if someone is a little harsh of a grader, than we make the correction before the paper goes back.
Q. But having the graduate student do a
<table>
<thead>
<tr>
<th>Page 569</th>
<th>Page 571</th>
</tr>
</thead>
<tbody>
<tr>
<td>students for teaching is given to them in the quarter that they teach. That's as far as I can explain it, to my knowledge.</td>
<td>same function for the undergraduates who come to see them that you perform for them?</td>
</tr>
<tr>
<td>BY MS. AUERBACH:</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>Q. With respect to Employer Exhibit 25, which lists positions a graduate student can hold and then approved hours per week, what does the term &quot;approved hours per week&quot; mean?</td>
<td>Q. You talked about Music 101 and you said that about five or six sections of that class are taught in a year.</td>
</tr>
<tr>
<td>A. The number of hours that the Dean of Students has approved is appropriate for that position.</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>Q. And does the graduate student then keep track of those hours in the workday system?</td>
<td>Q. The same syllabus is used for the sections of class?</td>
</tr>
<tr>
<td>A. I really not familiar with how the grad student does that.</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>Q. And are those hours -- the amount of hours that the graduate student is expected to devote to fulfilling each of those assignments?</td>
<td>Q. So each lecturer can choose the syllabus?</td>
</tr>
<tr>
<td>A. I believe it's the expectation. It's the estimation of how much time that that particular teaching experience should take.</td>
<td>A. Each lecturer can develop and work on his or her syllabus but there is a model syllabi given over the summer so each person can develop it his or herself.</td>
</tr>
<tr>
<td>Q. If a graduate student does not do a good job in a teaching assignment, does that performance affect future teaching assignments?</td>
<td>Q. And do the graduate students who are lecturers in those sections carry out the same responsibilities to the undergraduates that the faculty member is teaching sections of the same class to undergraduates?</td>
</tr>
<tr>
<td>A. We work with the graduate student to make sure that they will do better in the next teaching assignment. When we make the assignments for the following year, we might look for the performance in the past assignments and say it wouldn't hurt for this person to be a TA one more time before going onto a lectureship, something like that.</td>
<td>A. Yes, they do.</td>
</tr>
<tr>
<td>Q. You talked about teaching assistants holding office hours in the course where you have multiple graduate students as TAs. Do you also hold office hours?</td>
<td>Q. One of the missions of the college is to provide a high quality education to undergraduates, correct?</td>
</tr>
<tr>
<td>A. Yes, I do.</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>Q. Is it up to the undergraduate whether to go to one of the TAs or go to you?</td>
<td>Q. And having TAs and lecturers with good training to teach benefits the undergraduates, correct?</td>
</tr>
<tr>
<td>A. I always have an open policy that the undergraduates can come to any of us but typically they tend to bond with the person who is teaching their discussion section, but it's not always -- it's sometimes we spread the office hours over the week so they are at convenient times for the students and I often see students who are not in my section just because that's a convenient time for them to come in.</td>
<td>MR. PEARLMAN: Objection. Asked and answered.</td>
</tr>
<tr>
<td>Q. The graduate students who are TAs holding office hours are expected to perform the</td>
<td>HEARING OFFICER MOLS: This was. I apologize.</td>
</tr>
<tr>
<td>BY MS. AUERBACH:</td>
<td>I feel like a lot of things are getting asked and in very similar ways and we're getting different types of answers, depending on the context of when the question is asked.</td>
</tr>
<tr>
<td>Q. Having TAs and lecturers with good training to teach them benefits the undergraduates, correct?</td>
<td>So I'm going to allow the question at this time. So can you repeat the question, Counsel?</td>
</tr>
<tr>
<td>A. It benefits the TAs, first and foremost. If the TAs are very good lecturers, then they benefit the undergraduates.</td>
<td></td>
</tr>
<tr>
<td>Q. How many graduate students are there in the department of music?</td>
<td></td>
</tr>
<tr>
<td>A. In all five years plus the people beyond</td>
<td></td>
</tr>
</tbody>
</table>
I'm thinking about 80.

Q. And do you know approximately what percentage of graduate students go beyond their five years before they obtain their degrees?

A. Before they have?

Q. Obtained their degrees.

A. I would say the average time to degree in music right now is seven to eight years.

Q. You said that graduate student lecturers are provided resources, including past syllabi, paper topics and textbooks used in the past. Are those resources also provided to faculty members who are new to teaching a class?

A. Yes. Typically, faculty will just come into the university or are just teaching a class for the first time will ask someone who has taught the class before that they'd love to see their syllabus.

Q. Are workshops offered in all of the departments of humanities?

A. Workshops are cross-department entities. They bring together -- for example, I'm a medievalist, and I'm a member of the medieval workshop. So it brings together the medievalists across the faculty and students across the university.

Q. I'm not talking about the CAS workshops. I'm talking about the workshops -- you identified this memo.

A. Oh, I'm sorry.

Q. Employer Exhibit 26, the 2011 memo.

A. Right.

Q. You discussed workshops, these types of training workshops.

A. Right.

Q. Are those offered in all of the departments in humanities?

A. I have to say that I don't know that for a fact. I know they are offered in many departments. I hear about them.

A. And are they optional or required?

Q. Well, they are optional but they are yet required that the students -- a student would be asked why they weren't attending if they didn't attend. But if someone has, you know, an emergency or something, it's okay.

Q. And you said that the foreign languages and classics have pedagogy courses. Do you know if any of the other classes have pedagogy courses?
A. Mostly the preponderance is an hourly rate. Occasionally, a job type of thing.
Q. And that payment is given to the research assistant by the university?
A. That would come out of the -- in the Division of Humanities. That would come out of the humanities professor's research account.
Q. Is the paycheck issued by the university?
A. I assume so.
Q. So in the example you gave when you used a research assistant, what did the research assistant do?
A. I have had the research assistant help me index a book, and I also had a research assistant set musical examples with me. I'm not familiar with music writing computer software and our composers are very familiar.
Q. And so in those cases did you tell the research assistant what you wanted them to do?
A. I did. And then they would give me a draft, and I would look at it and give it back to them and make corrections. So it's a back-and-forth process.
Q. And did what they do help you?
A. Yes. Well, maybe but that would be poor help run the discussions by asking questions of the speaker? OK, then a graduate student who is working in your -- near an area then that happenedstance, which is to say that if a speaker is invited, then a graduate student who is working in the same area or near -- near an area then that speaker would most likely be chosen to provide an initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the initial response that would kick off the discussion. That might or might not be the
workshop coordinator. Again, this is part of the training to help students do things in their area and conversing with invited speakers is a very important thing to learn how to do.

Q. You are saying being a workshop coordinator?

A. No. I'm saying that interaction that I just described with appointing someone to be the first responder is who might or might not be the coordinator.

Q. And the workshop coordinators receive a stipend for coordinating the workshop?

A. They receive payment. I don't know what to call it but they receive payment.

Q. And do you know how much that is?

A. No, I don't. I'm sorry.

Q. Are the workshop coordinators all graduate students?

A. Yes. There is a faculty director or sometimes two faculty co-directors and a coordinator -- sometimes two coordinators, two co-coordinators, I believe, who are graduate students.

Q. So each workshop has either one coordinator and or two co-coordinators and they are all graduate students?

A. Yes.

Q. Do some master students teach classes?

MR. PEARLMAN: Objection. Asked answered.

BY MS. AUERBACH:

Q. Okay. I'll go on.

Have you had any masters students teach classes in the music department?

MR. PEARLMAN: Objection. Asked and answered.

BY MS. AUERBACH:

Q. Okay. I'll go on.

MR. PEARLMAN: I apologize. I didn't hear the very end.

BY MS. AUERBACH:

Q. If you look at Employer 26, the third page where it mentions appended documents, do you know what was in the outline of TA responsibilities document?

A. I don't remember it. I just don't.

MS. AUERBACH: That's all I have.

HEARING OFFICER MOLS: Okay. I have one or two questions.

With regards to the evaluation of forms completed by undergraduates students for the instructors of record and for the TAs, do you know how these evaluation forms are maintained by the university?

MR. PEARLMAN: I apologize. I didn't hear the very end.

HEARING OFFICER MOLS: Do you know how these evaluation forms are maintained by the university?

THE WITNESS: I do not know beyond the fact that they are available online and they go back quite a ways. As the person responsible for hiring or for promoting people, my office is looking them up quite often and one can go back several years.

HEARING OFFICER MOLS: So when you say they are available online, do you mean publicly available?

THE WITNESS: No.

HEARING OFFICER MOLS: Can you elaborate?

THE WITNESS: Well, you have to log in to get to the teaching evaluation, and I don't know the extent to which they are available in the university community. Certainly, all of the faculty have access. But, for example, I don't have access to the law school teaching evaluation, so it may be within the division. I just don't know.

HEARING OFFICER MOLS: Okay.

I know you did testify about the approximate number of graduate student enrollment in the music program. Do you know how many undergraduate enrollments there are?

THE WITNESS: Enrollments in classes?

HEARING OFFICER MOLS: In the major.

THE WITNESS: How many majors we have active majors at any given time?

HEARING OFFICER MOLS: Mm-hmm.

THE WITNESS: I believe about 30.

HEARING OFFICER MOLS: And I know you had testified about the course that is designated for
non-majors.
THE WITNESS: Yes.
HEARING OFFICER MOLS: In a given quarter, do
you know approximately how many undergraduate
enrollments there would be in that course?
THE WITNESS: In that course that I talked
about?
HEARING OFFICER MOLS: Mm-hmm.
THE WITNESS: Yes, about 75. The course I
teach is taught in the winter quarter but it's the
first of the half of a two-part sequence and those
75 will go right on into the spring quarter.
HEARING OFFICER MOLS: I believe that's all of
my questions.
Counsel, would you like redirect?
MR. PEARLMAN: If we could take a very quick
break. I don't have a very lengthy redirect.
(WHEREUPON, a break was taken.)
HEARING OFFICER MOLS: On the record.
MR. PEARLMAN: I want to apologize by taking
more time but because we took that extra time we
determined that we have no questions on redirect.
HEARING OFFICER MOLS: Okay.
Any further questions for the witness
then? Okay. Dr. Robertson, you are excused.

Okay. So as mentioned earlier, I told
the parties I was going to let you know my decision
concerning the Petitioner's request to shorten the
deadline for filing a petition to revoke.
I did consider it but the petition
request is denied. The deadline will remain at the
standard five days.
MR. PORZIO: Thank you.
HEARING OFFICER MOLS: So it's now almost 10
until 5:00. I believe it may be an appropriate
time to adjourn for the day.
There is no objection?
MR. PEARLMAN: No objection.
HEARING OFFICER MOLS: All right. So off the
record.
Just to state very quickly on the record
that we will resume proceedings tomorrow morning at
9:00 a.m.
Have a good evening everybody.
(Whereupon, the hearing concluded at 4:50 p.m.)

CERTIFICATION
This is to certify that the attached
proceedings before the National Labor Relations
Board (NLRB), Region 13, in the matter of
UNIVERSITY OF CHICAGO and GRADUATE STUDENTS UNITED
Case 13-RC-198325, at Chicago, Illinois, on May 22,
2017, was held according to the record, and that
this is the original, complete, and true and
accurate transcript that has been given compared to
the recording, at the hearing, that the exhibits
are complete and no exhibits received in evidence
or in the rejected exhibit files are missing.

CARIANN WAGNER, CSR
Licence 084-003836

VERITEXT NATIONAL COURT REPORTING COMPANY
1250 EYE STREET - SUITE 350 - WASHINGTON DC 20005 -- 888-777-6690