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

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BEFORE THE NATIONAL LABOR RELATIONS BOARD

REGION 13

UNIVERSITY OF CHICAGO   
Employer   
and

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.
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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.
HEARING OFFICER MOLS: Well, my memory is not perfect. But Counsel, if you can clarify.
Do you have the question?
MR. PEARLMAN: I didn't ask that question and I didn't use those words.
MS. AUERBACH: Well, it was something along those lines.
HEARING OFFICER MOLS: I still think it would be good for the record an understanding of what that might mean.
You can answer, Dr. Wild.

BY THE WITNESS:
A. Well, I have to speculate because I'm not sure, but I would imagine that it means that students are put into a teaching situation where they're alone responsible for a class without adequate preparation.

BY MS. AUERBACH:
Q. And would it be a good -- do you view it as a good idea to do that, to thrust students without preparation?
A. No.
Q. And why not?
A. Well, it's, you know, one of the principles of pedagogy is to scaffold, i.e., to
make sure that a particular task is manageable both
on the student side and both on the teacher side,
in this case the teachers are also students
learning to teach. And so you wouldn't want them
just to simply throw in -- throw them into a
situation that they are inadequately prepared to
succeed in.

Q. If graduate students are sent into teach
without training, would it adversely affect the
quality of the education that the undergraduates
receive?

A. Yes.

MR. PEARLMAN: Objection. Incomplete
hypothetical and goes beyond the scope of direct.

MS. AUERBACH: It's a fact finding hearing.

MR. PEARLMAN: It's still an incomplete
hypothetical.

HEARING OFFICER MOLS: Just flush it out a
little more.

MS. AUERBACH: Well, do you want me to reask
that question. I was going to do follow-up
questions.

HEARING OFFICER MOLS: That will sufficient.

BY MS. AUERBACH:

Q. Is it an important mission of the
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. Well, I would say that in their case it's expected. We don't keep -- we don't keep track -- I don't keep attendance for graduate students and lectures. It's expected.

BY MS. AUERBACH:

Q. Are they still permitted to teach the courses if they fail to attend that training?

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. Is that a yes?
A. That's correct.
Q. And videotaping them is also a resource offered but not required?
A. That's part of the consultation.
Q. That's also part of the consultation?
A. Yes.
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: Go ahead.

BY THE WITNESS:

A. With that caveat that I'm, you know, that we have 15 departments. The humanities division has more departments than any other division in the university. So I don't know the details of every. I can say with confidence that the majority of the departments have pedagogy programs.

BY MS. AUERBACH:

Q. Do you know which of those are mandatory and which are offered by voluntary?
A. As far as I know, all of them are mandatory.

Q. Do you know how long they are?
A. Well, that I don't know in full detail. Some of them are shorter. Some of them are longer. Language departments tend to be longer.

Q. Do teaching assistants and course assistants in lecture classes conduct discussion sections?
A. Yes.

Q. And how often do they conduct those discussion sections?
A. Usually weekly.

Q. For how long?
A. For the whole duration of the quarter.

Q. And about how long does each discussion last?
A. An hour, hour and a half to two hours.

Q. And you talked about teaching a course with teaching assistants in a large lecture class. Are there always teaching assistants handling key question sections in the humanities division?

MR. PEARLMAN: Foundation.

You can answer to the extent you know.
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
performs?

A. I would have to speculate.

Q. Well, you said you have taught such courses?

A. Yes, but I happen to -- I haven't done the discussion section. The only discussion sections that I have done were conducted in German and were special -- were a very different format because they were for those undergraduate who could speak enough German to do a discussion section in German.

Q. Was that at the University of Chicago or another school?

A. That was at the University of Chicago and at another school.

Q. Do teaching assistants and core assistant students grade papers and exams?

A. Yes.

Q. Do faculty members benefit from having a teaching assistant or a course assistant help them with a lecture?

A. Well, there is -- you know, there is -- obviously there is a mutual benefit. But as I indicated on Friday, you know, there is also considerable work involved in having to set up a
course of that framework. That also has to do with
the fact that graduate students have to be
mentored.

Q. What is the benefit from having the
graduate student help?
A. The benefit is that we couldn't run a
lecture course and handle the kind of -- you know,
you couldn't have 50 students in the course in that
format because then you wouldn't be able to do the
discussion sections. And so, you know, the course
format as such is involves that kind of setup.

Q. So running a large lecture class depends
on having graduate students handle the sections?
A. It doesn't, per se, depend on it but the
combination of having a lecture class and
discussion sections, that's certainly depends on
having discussion sections and then having some
TAs, you know, whether those TAs are graduate
students or others that's another question. But
that setup requires teaching assistants.

Q. And in the humanities division, does
anyone other than a graduate student function as
the TA in that setup?
A. On occasion.

Q. And who would that be?
A. So as far as I know, some -- or on occasion, as I said, one or the other departments has hired or has appointed TAs from the outside and then biological sciences, for instance, has undergraduates who serve as TAs.

Q. When you say TAs from outside, outside of where?

A. Outside of the university that are not graduate students at the university.

Q. And in humanities have you ever used undergraduates?

A. We have not.

Q. Are the graduate students -- you said they handle teaching responsibilities in years two, three and five in your department, correct?

A. That's correct.

Q. So during those years is their stipend reduced and are they separately compensated for the teaching responsibilities?

MR. PEARLMAN: Objection. Compound.

HEARING OFFICER MOLS: Split it into two.

BY MS. AUERBACH:

Q. Do you know whether the graduate students during their first five years during the years they are teaching years two, three and five
1 have their stipends reduced?
2   A. I don't know the details of it. I know
3 that sounds strange that I appoint but that's
4 handled by the division. So I don't know the
5 details of how that works.
6   Q. Who would know that better?
7   A. The Dean of Students in the humanities
8 section.
9   Q. Do you know whether the graduate
10 students who are appointed as teaching assistants
11 or other teaching positions in the humanities
12 division received a separate compensation for those
13 teaching responsibilities?
14 MR. PEARLMAN: Object to the word
15 "compensation." He can answer.
16 HEARING OFFICER MOLS: Answer the question.
17 BY THE WITNESS:
18   A. I'm not -- I don't know what you mean
19 with separate. They get a GAI stipend package.
20 Are you asking whether they get a
21 separate compensation in addition to the GAI
22 stipend package?
23 BY MS. AUERBACH:
24   Q. Not necessarily in addition, just
25 separate. Like there is an amount allotted for
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.

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.

I'm only familiar with documents like these.

Q. And if you look at Petitioner Exhibits 4, 5 and 6, they are all similar documents and they
all have stationery with your name and are put out with your name, correct?

A. Well, 5 and 6 isn't with my name. It's with my predecessor.

Q. That's correct. So 5 and 6, Thomas Christensen. He was your predecessor?

A. Correct.

Q. So with respect to 3 and 4, is the format of the letter sent or given to graduate students who are appointed to a position as lecturer in the humanities division?

MR. PEARLMAN: Objection. Vague.

HEARING OFFICER MOLS: You can answer the question.

BY THE WITNESS:

A. I don't understand the question.

HEARING OFFICER MOLS: Let me make sure I understand.

Are these an accurate representation of the types of letters issued to Ph.D. students when they are offered the position of lecturer?

BY THE WITNESS:

A. I believe so.

BY MS. AUERBACH:

Q. And do you review these before they are
sent out?

MR. PEARLMAN: Objection. When we say "these," are you talking about 3 and 4?

MS. AUERBACH: I'm talking -- he's just testified he's seen this type of appointment letter. I'm asking generally, do you see these before they go out.

MR. PEARLMAN: I object. I don't know which exhibit you're referring to.

HEARING OFFICER MOLS: She said, in general, these type of appointment letter.

I had asked him if this was an accurate representation of the type of appointment letters that go out and he said he believes they are. And Ms. Auerbach was asking that type of letter to which he just testified is typically reviewed by him before they are sent out.

Is that accurate, Ms. Auerbach?

MS. AUERBACH: Yes.

MR. PEARLMAN: I don't want to belabor it. I'll let him answer but I don't know if type is a reference to the type in Exhibit 3 or if we're talking about each of these documents.

HEARING OFFICER MOLS: I believe we are talking about Exhibits 3 and 4; is that correct?
MS. AUERBACH: Correct.

THE WITNESS: You can answer, Dr. Wild.

BY THE WITNESS:

A. I was involved in developing the template. The template then was vetted by the provost's office and legal counsel, and I do not review every single one. My administrative assistant does that.

So does that answer your question?

BY MS. AUERBACH:

Q. So when you say the "template," so looking at Petitioner Exhibit 3, was there a template specifically for this course number or for a certain type of course?

A. This is for a graduate student lecturer who is serving as a standalone lecturer or teaching a standalone course as a lecturer.

Q. And what I'm trying to find out is how many different templates did you approve? Was it one type of template for a different lecturer or is there one for each department, one for each course?

A. There is one -- I'm going to be honest, I don't know for sure because, again, we have a high volume and we have -- my administrative assistant and a whole range of other people do
this.

So it's my understanding it's a type of role that they are serving, i.e., either lecturer, teaching assistant, preceptor.

Q. Does the template that you approve include the salary?

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. 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
small group discussions; is that correct?

A. Yes.

Q. Is that accurate?

A. Yes.

Q. And does it benefit the undergraduates if the TA is expected to lead those discussions?

A. Yes.

(WHEREUPON, a certain document was marked Petitioner Exhibit No. 7, for identification.)

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. Does this document accurately set out the undergraduate courses offered in German?

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 --
but, again, I'm not the person who oversees that, so I don't know it from year to year, from quarter to quarter who teaches it. It's my understanding that can vary who teaches those courses. All of the other courses are generally taught by graduate students.

Q. So except for the last two reading German for research purposes, other than those two, the rest of the courses listed here are taught by graduate students?

A. Yes.

Q. And are they taught only by graduate students?

A. They are taught -- no, not exclusively because we also have a full-time lector. We have some part-time lecturers. But all of these can be taught by graduate students, i.e., every time they are offered or taught by grad students, all of them can be taught by graduate students because these make up the progression that I spoke with on Friday.

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
at it often -- but these are the kind of things where if you are not looking for them, you don't necessarily pay attention.

Q. And some of the intermediate -- or elementary, intermediate and third year German are taught by grad students who are beyond their fifth year?

A. Yes.

Q. And if a grad student is teaching one of those classes beyond the fifth year, is that graduate student expected to carry out the same responsibilities as the graduate student who is not beyond the fifth year that's teaching the class?

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.

So it's to say on the one hand it's harder when you teach for the first time but also more help is given, so to say. So if we have a full-time lecturer, we don't provide the same type of scaffolding for a full-time lecturer.

Q. But if a graduate student, say, teaches
third year German in the fifth year of graduate school and teaches that same class in the sixth year, the graduate student who's a lecturer for those classes is expected to devote the same number of hours to class time, office hours, preparing for the class, grading exams, correct?

A. Correct.

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

A. Correct.

Q. I wasn't clear what you were saying. 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 GAI points, the funding comes from the college?
A. It comes out of the college's budget.
Q. But in both cases the graduate student is receiving funding from the university?
A. Yes.
Q. Do you know whether graduate students also teach classes as lecturers in other languages offered in the humanities department?
A. I'm sorry?
Q. Do you know where the graduate students also teach other classes in other languages offered in the humanities department?
A. Yes.
Q. So do graduate students teach --
A. Do you mean our graduate students? In the German department teach other courses?
Q. No. Do graduate students in the humanities department or in other divisions of the university teach beginning and intermediate Spanish?
A. Well, graduate students in the romance language department, I assume -- again, I don't know in detail their progression -- will teach. Then if they are in the Spanish section of the romance language department, then they would be
teaching Spanish.

Q. And the same would be true for graduate
students in French or Italian. They were graduate
students. In those subjects they would be teaching
-- they teach undergraduate courses in those
languages?

A. They teach exactly in the languages of
their specialization.

Q. Do you know if they have similar
responsibilities to the graduate student teaching
in the Germanic language department?

A. Yes. I'm sorry. I didn't quite answer
your question. I believe so.

Q. You believe that they do have similar
responsibilities?

A. Yes.

Q. And you said that a lecturer is
responsible for most aspects of the class but does
not always design the syllabus. When a graduate
student who is serving as a lecturer does not
design the syllabus, who does design it?

A. Well, again that's a broad question and
there is a variety of cases on -- if I use Germanic
studies, you know, the syllabus is something that
gets handed down from year to year. Kathy Baumann
oversees 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 mechanism in place that they are not, to simply say, here, design your own syllabus. But there is 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
director of German programs and the coordinators of each year because it would be then up to the coordinator of elementary Spanish, for instance, to coordinate. I don't know what they were doing -- they have, you know, those individual cases.

Q. You said that lecturers in the fifth year have a designated salary amount of 5,000 and after that 6,000.

Do you know what the designated salary amount is for teaching assistants?

MR. PEARLMAN: Just so the record is clear, I have a standing objection to "salary."

HEARING OFFICER MOLS: You can answer the question.

BY THE WITNESS:

A. 3,000 and 3,600 for past --

BY MS. AUERBACH:

Q. For teaching assistant?

A. Yes, for past GAI.

Q. So 3,000 for someone who has not met the GAI requirements and 3,600 for someone who has achieved the GAI requirements?

A. That's correct.

Q. Do you know what salary is assigned to a preceptor?
A. For three quarters, because preceptors are assigned for three quarters. I think it's 7,500.

Q. Does that change depending on whether the person hasn't finished their GAI requirements or not?

A. I would imagine but I don't know what the amount is.

Q. How about a language assistant?

A. Again, same. I think it's -- for language assistant I think it's 1,500 but I don't know whether it varies. Language assistant is something, as I said, that is not quite as common, so I don't -- yeah.

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
1 observes the graduate student teaching a course?
2      A. I would have to speculate but I would
3 assume so.
4      Q. Have you had occasion to do that?
5      A. Yes.
6      Q. Were you looking for the same thing?
7      A. I evaluate the performance of the
8 instructors and if that's -- if you think that's
9 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. How about the position of lector at the writing program, do you know if that's held only by graduate students?

A. I don't know.

Q. You said that writing interns were rare
in your department.

Do other departments in the humanities division have graduate students who work as writing interns?

A. Yes.

Q. Do other departments in the humanities division have graduate students who work as writing lectors?

A. I don't know for sure. I assume so.

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?
A. Yes.

Q. Does the 20-hour work requirement referred to in that document apply to the hours that a teaching assistant is fulfilling the responsibilities of the teaching assistant?

A. Yes.

Q. So those hours count towards that 20-hour work limit?

MR. PEARLMAN: Object to the use of the word "work," and we would like to keep that as a standing objection.

HEARING OFFICER MOLS: Noted for the record. You can answer the question, Dr. Wild.

THE WITNESS: Yes.

BY MS. AUERBACH:

Q. And the hours that a graduate student who is assigned as a lecturer is spending devoting to those lecturer responsibilities count toward the 20-hour work limit in that policy?

A. Yes.

Q. And is that a policy that applies to all students at the university?

A. Well, to all students with full-time registration status.

Q. And that policy is in the student
A. Well, if you say so. It says on the top of the page. I wouldn't have known but yes.

Q. But you are familiar with the policy?

A. I'm familiar with the policy, yes.

Q. Are you also familiar with the university Title 9 policy?

MR. PEARLMAN: Object on relevance again.

HEARING OFFICER MOLS: What's the --

MS. AUERBACH: Well, the Title 9 policy lists mandatory reporters and it lists teaching assistants.

MR. PEARLMAN: Foundation.

MS. AUERBACH: Right now --

HEARING OFFICER MOLS: Let's just see if he is familiar with the policy.

You can answer, Dr. Wild.

THE WITNESS: I'm familiar that a Title 9 policy exists, and I'm familiar with one or the other aspect of it, but I'm not familiar, you know, in great detail with the Title 9 policy.

BY MS. AUERBACH:

Q. Do you know whether there are certain positions that are considered mandatory reporters under this policy?
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
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
1 from last year, et cetera.
2      Q.    And how about department handbooks for
3 other departments in the humanities division that
4 are posted on the university's website, are you
5 familiar with those?
6      A.    No.
7      Q.    Who would be familiar with all of the
8 web pages and handbooks for the various
9 departments?
10      A.    I'm not -- I can't be sure. Again, we
11 are very decentralized. Individual departments
12 would be the ones that know these departmental
13 handbooks.
14                (WHEREUPON, a certain document was
15 marked Petitioner Exhibit No. 10, for identification.)
16 BY MS. AUERBACH:
17      Q.    I've handed you what's been marked a
18 Petitioner 10, which is from a University's
19 Division of Humanities Ph.D. student teaching web
20 page.
21      Q.    Does that document set forth accurate
22 summaries of the descriptions of the positions set
23 out there, course assistants, language
24 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.
Q. And how is the language assistant description not accurate?

A. It's my understanding that they don't -- that they usually don't meet in group drills and not for 10 hours a week and also not for four hours per week in homework checking.

They really perform an ancillary role, to give them additional opportunities to practice the language orally.

Q. When you say to give "them" --

A. As far as undergraduate students, language learners. So it requires very little preparation, and it requires basically that they are there for a certain amount of time each week but nowhere close to what is listed here.

(WHEREUPON, a certain document was marked Petitioner Exhibit No. 11, for identification.)

BY MS. AUERBACH:

Q. I've handed you a document marked as Petition Exhibit 11, which is from the university web page for division of the humanities student employment.

Would you take a look at that?

Does that document accurately summarize
the review of the student employment rules in the division?

A. I think so, yes.

MS. AUERBACH: I move to introduce Petitioner Exhibit No. 2.

MR. PEARLMAN: We have no objection.

HEARING OFFICER MOLS: Petition Exhibit 2 is received.

(WHEREUPON, said document, previously marked Petitioner Exhibit No. 2, for identification, was offered and received in evidence.)


MR. PEARLMAN: No objection.

HEARING OFFICER MOLS: Petitioner Exhibit 3 and 4 are received.

(WHEREUPON, said document, previously marked Petitioner Exhibit Nos. 3 and 4, for identification, was offered and received in evidence.)

MS. AUERBACH: I move to Petitioner 5 and 6.

MR. PEARLMAN: Object on foundation grounds.

HEARING OFFICER MOLS: So I'm going to receive
Petitioner's Exhibits 5 and 6 but give them the appropriate weight at the time of decision as these were not issued by Dr. Wild but by his predecessor.

But, again, Petitioner's 5 and 6 are received and given appropriate weight at the time of decision.

(WHEREUPON, said document, previously marked Petitioner Exhibit 5 and 6, for identification, were offered and received in evidence.)

MR. PEARLMAN: I would just note for the record that the witness testified that he didn't know whether or not they were, in fact, issued by his predecessor, just that it appeared from the face --

HEARING OFFICER MOLS: With a signature.

Noted. Thank you.

MS. AUERBACH: And I would introduce Petitioner's Exhibits 7, 8, 9, 10 and 11.

MR. PEARLMAN: No objection.

HEARING OFFICER MOLS: To any of the exhibits?

MR. PEARLMAN: Seven through 11, correct.

HEARING OFFICER MOLS: Then Petitioner's Exhibits 7, 8, 9, 10 and 11 are received in evidence.
(WHEREUPON, said documents,
previously marked Petitioner Exhibit
Nos. 7 through 11, for
identification, were offered and
received in evidence.)

MS. AUERBACH: Those are all of the questions we have.

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

HEARING OFFICER MOLS: Sure. Off the record.

(WHEREUPON, discussion was had off the record.)

HEARING OFFICER MOLS: On the record.

Dr. Wild, before redirect, I just have a few questions for you.

Does the CCT offer credit bearing courses?

THE WITNESS: I'm not 100 percent sure. I think so, but that's --

HEARING OFFICER MOLS: Okay. But are some of the resources that they offer noncredit bearing, would that be accurate?

THE WITNESS: Yes.

HEARING OFFICER MOLS: So again, I know we speak a lot in hypotheticals but in this question I
want to know from your personal experience.

Have you ever heard of a graduate student being denied a GAI point?

THE WITNESS: Well, I know from a single case and that was my own student who basically just froze up and we really mentored and tried to do everything. And at some point we just simply concluded that the student wasn't, you know -- it didn't make sense to have a student in the classroom.

Now I'm going to be honest, I'm not sure which point he was, so I don't know whether he was actually denied a GAI point or not because, again, this is something as an advisor I'm not engaged in. It's on the back end in the humanities division.

But what happened in that case is that we just -- there was just no nothing that we could do. And in that case the student successfully completed his dissertation and got his confidence back. In fact, when I was already master and he taught in the humanities core and did a wonderful job. I observed him myself. So at that point he was just -- it just didn't make sense for him to continue to teach.

HEARING OFFICER MOLS: So he successfully
1 taught at a later point in time?

2 THE WITNESS: Yes.

3 HEARING OFFICER MOLS: And this was at the
4 University of Chicago?

5 THE WITNESS: Yes.

6 HEARING OFFICER MOLS: So I know you had
7 testified on Friday generally about the sort of
8 appointment process of assigning instructors to
9 various courses and how, you know, instructors may
10 have a setting in the number of TAs that they need
11 for a course.

12 Has there ever been an incident where an
13 instructor has denied a TA, said no thank you.
14 THE WITNESS: The instructor has? I can't
15 say.

16 HEARING OFFICER MOLS: Okay.

17 THE WITNESS: I can't say because I don't need
18 to tell you that might actually happen before it
19 even gets to the point. It's not like we have an
20 automatic mechanism where each course gets
21 automatically assigned a TA. It depends always on
22 the recommendation of the department. So if that
23 recommendation isn't initiated. I wouldn't see
24 that.

25 HEARING OFFICER MOLS: Okay. So you had also
testified about, you know, each of the departments annually prepares an instructional budget which may take into account both faculty and graduate students.

Are there any specific set of numbers or quotas of number of grad students that are expect to teach within a particular quarter or academic year?

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

HEARING OFFICER MOLS: Then -- so again, as far as -- you know, speaking with regards to the process for which it's determined, you know, which TAs are at the point in their education where they are able to teach a course, you had testified that something that is taken into account is the state of their research and how far along they are in their dissertation.

Are you personally aware of any incidence where a TA has been denied -- or a graduate student has been denied a TA position or lecturer position because their dissertation was not far enough along?

THE WITNESS: Again, as master I don't see that because it doesn't come into the master's office when that decision is made, so I'm not aware
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, you know,
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. Well, the primary purpose --

MS. AUERBACH: I believe this was already testified to, your Honor.

HEARING OFFICER MOLS: He already testified about the benefit of teaching them, how to teach. I don't know if he specifically covered the question of the benefit of the undergraduates directly.

You can answer directly as to the benefit to the undergraduates.

BY MR. PEARLMAN:

Q. Is that the primary purpose?

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 not 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.

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
instructional format that is defining of the University of Chicago.

And so we feel that, you know, that some 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.

HEARING OFFICER MOLS: Thank you.

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., lecturers, 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?

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

BY MR. PEARLMAN:

Q. Assuming that the faculty member teaches the student how to grade for whose benefit is that?

A. 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's workload?

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

MR. PEARLMAN: The question on cross-examination was what impact does this have on the faculty, the work involved in the course.
format. It's a corollary to that question.

MS. AUERBACH: But it's all stuff that was covered on direct.

HEARING OFFICER MOLS: Can you repeat your question, counsel?

BY MR. PEARLMAN:

Q. What effect does the faculty member teaching the TA how to grade have on the faculty member?

On cross-examination it was asked whether or not that benefited the faculty member.

HEARING OFFICER MOLS: But I believe 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 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 had lead an
effective discussion group?

MS. AUERBACH: Objection to the line of
question. I mean, I think these questions go to
the issue is 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
and it's irrelevant.

MR. PEARLMAN: There is a new question on cross-examination. He hasn't been given a chance to give a full answer. I know counsel might be afraid of his answer but he should be given the opportunity to give his full answer.

MS. AUERBACH: Counsel is not afraid of the answer. Counsel is just concerned that this hearing is very lengthy.

MR. PEARLMAN: Well, objecting to every single question is going to make it twice as long.

HEARING OFFICER MOLS: What was the question again?

BY MR. PEARLMAN:

Q. What is the primary purpose of trying to teach TAs to lead effective discussions?

HEARING OFFICER MOLS: Let me ask this just broadly. This might get to -- if we need more specifics, we can get into it. I don't know that we will.

For all of the oversight that faculty and core advisors have over grad students, whether they be instructors of record or any of the other litany of positions that we have listed here today, is the primary goal in this oversight, we'll call
it, would it be -- I'm trying to cut to the heart
of it by saving some time.

The problem I have with some of this
line of questioning is a lot of it is very opinion
based as opposed to the facts.

Counsel, is there another way you can
perhaps phrase your question to limit it to
Dr. Wild's personal experience instead of just --
we're talking a lot in hypotheticals and I have
done it myself kind of the limit we're under. But
I would really -- I'm most concerned with the
personal experience of the witnesses.

Could you perhaps rephrase your question
in such a way to limit it to Dr. Wild's personal
experience.

MR. PEARLMAN: I would like to know Dr. Wild's
your personal experience with respect to imposing
these -- with respect to these teaching
requirements.

Why does he want these teaching
requirements to exist? What's his primary purpose
of having these teaching assignments?

HEARING OFFICER MOLS: You can answer,

Dr. Wild.

BY THE WITNESS:
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.

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?

A. Excuse me?

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
entering 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 thirddhand. 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.

A. Excuse me. Can you repeat that?

Q. Why is feedback solicited with respect to the teaching performance of both faculty and 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 and mentors the graduate student and then they
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 while employed by the university?

A. I'm afraid I'm not quite sure that I understand the question.

Q. The words "employed by the university," do you have an understanding of what that means?
A. Yes.
Q. Okay.

HEARING OFFICER MOLS: What is your understanding?
THE WITNESS: What is the understanding?
Well, that graduate students or students are appointed within the university and perform certain, you know, roles for the university.

BY MR. PEARLMAN:
Q. When a graduate student is covered -- I'm sorry. When a graduate student is teaching for the university, they are covered by specific graduate student policies and not human resources policies, correct?
A. Yes, that's what I understand.
Q. Do you know who would administers those policies, Dr. Wild?
A. For teaching? That falls to me.

HEARING OFFICER MOLS: Thank you.

BY MR. PEARLMAN:
Q. Let's talk for a moment about --
A. I'm sorry. And the provost's office, there are two separate processes.
Q. I want to turn for a moment to a question that Madam Hearing Officer was asking you
about an occasion where a student froze up --

A. Mm-hmm.

Q. -- to use your words and they performed poorly.

Is that the only occasion that you can think of where a graduate student performed poorly as a TA?

A. Well, that's my only experience in 20 years of teaching.

Q. Are you familiar with other experiences in the humanities that are the same as that?

A. No I'm not familiar.

Q. Dr. Wild, I would like to turn your attention to Petitioners Exhibits 3 and 4.

Do you have that handy, sir?

A. Yes.

Q. Okay. The word salary is used at the top paragraph. Did you select that word for inclusion in this letter?

A. Not that I remember.

Q. Okay. Do you believe that the payment that's made to the graduate student is, in fact, salary such that they are an employee?

MS. AUERBACH: Objection.

HEARING OFFICER MOLS: That's his opinion. He
is not a legal labor expert.

MR. PEARLMAN: Okay. I just want the question to be there on the record. I understand your position, Madam Hearing Officer.

HEARING OFFICER MOLS: Okay.

BY MR. PEARLMAN:

Q. The same question with respect to offer of employment under eligibility, did you select those words?

A. Not that I can remember.

MR. PEARLMAN: And I understand your position on this.

BY MR. PEARLMAN:

Q. Do you believe that offer of employment accurately characterizes the nature of the relationship between the graduate student and the university?

MS. AUERBACH: Objection.

BY MR. PEARLMAN:

Q. With respect to their teaching?

MS. AUERBACH: Objection.

HEARING OFFICER MOLS: Objection is sustained.

MR. PEARLMAN: I just want to establish my record and make an offer of proof that Dr. Wild would have testified that the answer is no that
this is not a salary. That these folks who are TAs
 teaching receive -- and, likewise I would make an
 offer of proof that Dr. Wild would have testified
 that the terms offer of employment do not
 accurately characterize the nature of the
 relationship between the graduate student and the
 university. They are students and that's the
 academic nature of the relationship. It's not an
 economic relationship which distinguishes that from
 employment.

 HEARING OFFICER MOLS: Okay. I mean, he has
 already testified he didn't -- he doesn't recall
 selecting those terms. So if he doesn't recall
 that, then I'm not going to permit his testimony
 further about what they may or may not mean about
 the relationship. I believe we have sufficient
 other evidence in the record concerning how he
 views the relationship between the graduate
 students and the university.

 MR. PEARLMAN: Thank you. I understand your
 position.

 HEARING OFFICER MOLS: Okay. Any further
 questions?

 MR. PEARLMAN: No, Madam Hearing Examiner.

 I apologize. I just want to make sure
that the record is clear with respect to
Petitioner's Exhibits 5 and 6.

BY MR. PEARLMAN:

Q. So if you, Dr. Wild, please turn to
those exhibits, do you personally know whether or
not the documents that you see as Petitioner's 5
and 6 are used at present?

A. I'm fairly confident that they are not
but I can't be 100 percent sure.

MR. PEARLMAN: Thank you. That's my last
question.

HEARING OFFICER MOLS: Does Petitioner have
further questions for the witness?

MS. AUERBACH: Yes.

RECROSS EXAMINATION

BY MS. AUERBACH:

Q. Would you knowingly send poor teachers
in to teach undergraduate classes?

A. No.

Q. Why not?

MR. PEARLMAN: Objection. Hypothetical.

HEARING OFFICER MOLS: We have kind of been
dealing largely in hypotheticals, though. I don't
care for it. It seems to be the limits we're
operating under, the limits of the knowledge of the
witness. So can you maybe find a better way to get
at it?

BY MS. AUERBACH:

Q. Have you knowingly sent poor teachers in
to teach undergraduate classes?
A. No.
Q. Why not?

MR. PEARLMAN: Objection. This has already
been covered on direct and cross.

MS. AUERBACH: Well, it was asked again on
redirect over objection.

HEARING OFFICER MOLS: So.

MR. PEARLMAN: I would say it also is an
incomplete hypothetical. It assumes that -- there
is a foundational issue as well. I think she needs
to establish that's reality.

HEARING OFFICER MOLS: I think we have covered
that, you know, the goal of the university is to
offer high quality education, not only to the
graduate students but to the undergraduate
students.

Dr. Wild, if you were to knowingly send
a poor quality teacher to teach undergraduate
students, which you have testified you have not
done, do you believe that would be counter to the
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?

MR. PEARLMAN: Objection. Mischaracterizes
the document. Is she asking him to say that's
what's typed in the document? The document speaks
for itself.

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,
1 really implements that policy.
2 So I don't -- I only -- or we only see
3 the effects of that policy but we are not the
4 implementation.
5 Q. Who implements the parts about the human
6 resource policies --
7 MR. PEARLMAN: Foundation.
8 BY MS. AUERBACH:
9 Q. -- if you know?
10 A. Again, I'm on the academic arm, not on
11 the human resources arm. That's a totally separate
12 process.
13 MS. AUERBACH: That's all have I.
14 HEARING OFFICER MOLS: Any further questions?
15 MR. PEARLMAN: No, Madam Hearing Examiner.
16 HEARING OFFICER MOLS: Dr. Wild, you are
17 excused.
18 Off the record.
19 (WHEREUPON, discussion was had off
20 the record.)
21 HEARING OFFICER MOLS: On the record.
22 Before we proceeded with the
23 cross-examination of Dr. Wild, Petitioner raised an
24 issue concerning a petition to revoke; is that
25 correct?
MS. AUERBACH: Yes.

I don't know if you want to read it and discuss it later. If so, I'm ready to discuss it now. I also had another issue I wanted to raise.

HEARING OFFICER MOLS: So obviously I'm going to review the document.

Just briefly state your position for the record concerning the petition to revoke.

MS. AUERBACH: So the subpoena duces tecum attached to the petition to revoke was served on the Union late Friday night. We did accept service by e-mail and it was served at 10:12 p.m., Friday night.

It's very broad and burdensome. And some of the materials are irrelevant, such as documents asking to show that the petition for graduate students are students. That's not in dispute.

Many of the documents are invasive of the -- they ask for documents related to the Union's organizing, which is not relevant to the determination of whether the petition for individuals are employees. And it would be take a great deal of time to try to find all of the documents that may relate to these, which would
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 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.)
(WHEREUPON, a certain document was marked Employer Exhibit No. 21, for identification.)

(WHEREUPON, a certain document was marked Petitioner Exhibit No. 12, for identification.)

HEARING OFFICER MOLS: On the record.

So prior to our brief recess, the petitioner submitted a petition to revoke subpoena duces tecum that had been served on them by the Employer.

So before I enter these into the record, if the Employer would like to state its position on the petition to revoke.

MR. PORZIO: Just a few general remarks before I get into the actual merits of the petition to revoke.

As indicated off the record to Petitioner's counsel, momentarily we will have a 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 the university also on Friday requesting documents.

I would like to note that while the
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
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.
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, they 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 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 is 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.
HEARING OFFICER MOLS: Okay. So before I give my ruling, I'm going to move to receive Employer Exhibit 21, which is the subpoena duces tecum and Petitioner Exhibit 12 which is the petition to revoke subpoena.

Any objections?

MS. AUERBACH: No.

MR. PORZIO: No.

HEARING OFFICER MOLS: Employer 21 and Petitioner 12 are received.

(WHEREUPON, said document, previously marked Employer Exhibit No. 21, for identification, was offered and received in evidence.)

(WHEREUPON, said document, previously marked Petitioner Exhibit No. 12, for identification, was offered and received in evidence.)

MR. PORZIO: Not to interrupt your process but as indicated, we have the documents that we had promised and, in fact, it's 424 pages.

So let the record reflect I'm going to hand the documents to the Petitioner.

MS. AUERBACH: Thank you.

HEARING OFFICER MOLS: So upon reviewing the
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: Can I ask a clarifying question?

HEARING OFFICER MOLS: Yes. Absolutely.

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
counsel for Employer stated, the Union during a break at the hearing on Friday served a petition on the Employer for counsel's accepting service. And I understand under the Board's rules there is a five-day period to revoke. However, also the procedures provide that the Hearing Officer when a subpoena is served during the hearing can also shorten that time limit. For the purpose of trying to get through this hearing and that time limit, I'm going to request that the Hearing Officer shorten the time period for the petition to revoke because the Employer is saying they are going to finish their case possibly by end of the day Thursday. So if they don't file a petition to revoke until after that, it's going to delay finishing the hearing.

MR. PORZIO: Can I make a comment? So the university strenuously objects to shortening our statutory required time period in which to file the petition to revoke. I also would like to point out for the record that the petition in this case was filed originally on May 8th. It's now the 22nd. As Petitioner's counsel correctly indicated, we were not given a copy of the subpoena until Friday during the hearing, which I believe
was the 19th. The fact that the Petitioner's
counsel now seeks to limit our five days in which
to fully respond and get a petition to revoke based
on the Union's decision not to file the subpoena at
a time closer to when the petition was filed, I
don't think that should be made our burden to try
to comply with this any quicker than we have under
the statute.

HEARING OFFICER MOLS: Okay.

MS. AUERBACH: I want to note that the reason
the subpoena was served when it was because until
the first day of hearing it was not known whether
the region was going to allow the Employer to
present evidence going to the issues the main issue
in the case whether the petition for individuals
are employees. So the Union requested the subpoena
after that ruling was made that the Employer would
be permitted to put on evidence for the issues
raised in its offer of proof.

MR. PORZIO: May I just respond to that? So
while we appreciate the Petitioner's counsel not
asking us to do the work in advance in the event we
didn't get a hearing, that was really the Union
that assumed the risk that the Regional Director
would grant a hearing in this case.
Now to ask us to expedite our going out
to the departments to get this information, which
as you've heard from several witnesses already,
it's very decentralized. There is not one
repository that we can go to and say, Here is the
subpoena. Please give us everything that we're
looking for and take it out in one stack. This
requires a tremendous amount of time and effort on
our part trying to identify the right people to go
get these documents from and then going to get
them.

So we have already worked in earnest all
weekend to try to gather some of these documents.
To require us to work any faster and limit that
five days I think is unreasonable.

HEARING OFFICER MOLS: I'll take your request
under consideration. I'll give you a ruling before
we adjourn for the day.

For now we'll proceed with the next
witness.

MR. PORZIO: Sure.

HEARING OFFICER MOLS: The Employer calls its
next witness.

MR. PEARLMAN: The University of Chicago calls
Anne Robertson as its next witness.
(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.
Q. And what is that?
A. I'm the Claire Dux Swift Distinguished Service Professor in music and in the college.
Q. What is that distinction?
A. The Claire Dux Swift part is an honorific title. It's an endowed chair and the distinguished service professor reflects my service at the university.
Q. Dr. Robertson, have you held any volunteer positions outside of the University of Chicago?
A. Yes, I have.
Q. And what are those?
A. Positions with the American Musicological Society. I served as president of that society from 2011 to 2012; and I also served in several other positions, most notably as cochair of the OPUS Campaign of the AMS from 2005 to 2009.
Q. Were you involved in any fellowship campaigns?
A. Yes, I was. Cochair -- I was cochair of OPUS, which was the fundraiser for the 75th anniversary of the AMS. OPUS is an acronym. It
stands for Opening Pathways to Unlimited Scholarship.

Q. And what's its purpose?
A. It was to raise money for the 75th anniversary, money for fellowships for student fellowships for publication and operating expenses.

Q. I heard you mention AMS on a couple of occasions. Can you tell us, Dr. Robertson, what that means?
A. The American Musicological Society.

Q. And what is that? What its function?
A. That is a learned society that promotes the study of music through teaching, learning and research.

Q. Have you held any other external positions?
A. No.

Q. Please tell us, Dr. Robertson, what is your educational background?
A. I have a bachelor of music and a master of music degree in 1974 and 1976 from the University of Houston.

I have a master of music degree from Rice University, and I have a master of arts and Ph.D. from Yale University, 1984 for the Ph.D.
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.

(WHEREUPON, a certain document was marked Employer Exhibit No. 22, for identification.)

BY MR. PEARLMAN:

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

HEARING OFFICER MOLS: Is this the same as Employer 3? I apologize. Never mind.

BY MR. PEARLMAN:

Q. Dr. Rob, do you recognize this document?
A. Yes.

Q. What is this document?
A. An organizational chart on page 1 and on page 2 similarly an organizational chart for the humanities division.

Q. Is this document a true and correct copy of that organizational chart?
A. It is.

MR. PEARLMAN: I move to admit Employer Exhibit 22.

MS. AUERBACH: No objection.

HEARING OFFICER MOLS: Employer Exhibit 22 is received.

(WHEREUPON, said document, previously marked Employer Exhibit No. 22, for identification, was offered and received in evidence.)

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, South Asian 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. I should also say that we have the Theatre and Performance Studies has just begun to offer joint PhDs with one or more of the other departments that offer PhDs on their own.

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

Q. How many?

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 package, 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.

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 -- 125,000 less 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.

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

You will see that there is various columns. Left it says, Schools Divisions Department. Programs Studied within the Proposed Bargaining Unit.

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.

Do you see all of that?

A. Yes.
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
are all foreign language programs and the students in those programs in order to get their PhDs and be competitive on the job market need to be able to teach several different levels of the language. So it's up to three or four different levels.

So we had to ask them to teach more GAI points in order to give them the kind of experience that they need in order to be competitive.

Q. How does a humanities graduate student satisfy these required teaching points?

A. They are -- they begin as teaching assistance or course assistance and then move onto lecturer type of assignments.

MR. PEARLMAN: Employer Exhibit 24.

(WHEREUPON, a certain document was marked Employer Exhibit No. 24, for identification.)

BY MR. PEARLMAN:

Q. Please take a moment to review that document.

A. Yes, I reviewed it.

Q. Dr. Robertson, are you familiar with this document?

A. Yes, I am.

Q. Have you seen this document before?
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.

HEARING OFFICER MOLS: Can we -- this term has been brought up a few times. I want a little clarity for the record.

What is a B.A. thesis?

THE WITNESS: It's an optional final capstone paper that our undergraduates are encouraged to write but don't have to and they generally start it at the beginning of the fourth year and it culminates into completion in the spring quarter in the graduation quarter typically.

HEARING OFFICER MOLS: Thank you.

BY MR. PEARLMAN:

Q. Dr. Robertson, what is a preceptor in MAPH?
A. A preceptor is the same as the other preceptor but working specifically for the program
the master of arts program in the humanities.

Q. What is a teaching assistant?
A. A teaching assistant is the same as a course assistant.

Q. So what do they do?
A. The teaching assistant assists under the direction of a faculty member who's the instructor of record of a course, and the teaching assistant will assist in all aspects of the course preparation, including syllabus making, meeting with students, helping to grade papers, help to create exams, help to go create paper topics, all of this under the supervision of and tutelage of the professor.

Q. Do they learn how to hold office hours?
A. Yes, they do.

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?
A. Yes, they are.

Q. How many points are obtained when the student is a TA?

MS. AUERBACH: Objection. This has already asked and answered.

HEARING OFFICER MOLS: As far as the specific?

MS. AUERBACH: Requirements for teaching.

She has testified teaching assistant is one and lecturer two. It's already been testified to.

HEARING OFFICER MOLS: Let's just deal with is it accurate that teaching assistants receive one point and lectureships receive two points.

THE WITNESS: Yes. Teaching assistant or course assistants receive one point. Lecturers, two points.

HEARING OFFICER MOLS: Thank you.

BY MR. PEARLMAN:

Q. How about a lector?

A. One point.

Q. Why does a lectureship receive two points?

A. Because the graduate student is performing all of the functions of a professor in that setting, creating the syllabus, holding office hours, creating exams, creating paper topics,
1 really running and designing the course from
2 beginning until end.
3        Q. Does the Humanities Division track the
4 obtaining of these points?
5        A. Yes, it does.
6        Q. How so?
7        A. The Dean of Students keeps that -- those
8 records.
9        Q. And remind us who is the Dean of
10 Students?
11        A. Martina Munsters.
12        Q. How did TAs learn to grade papers?
13        A. They learn by working with -- as a TA
14 under the tutelage of a professor, the professor in
15 the course. The professor would -- will sit down
16 with the TA or TAs and the course and say, well,
17 here is the exam. Here is the answer I'm looking
18 for on question No. 1. You can vary -- the answer
19 can vary between these parameters. So they go
20 through each of the questions or each of the
21 questions that's likely to be problematic and the
22 TAs are able to ask questions back and forth with
23 the professor so that they have a good sense of how
24 to mark the paper.
25        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. Please take a moment to familiarize yourself with it. Do you know who created it?
A. Yes.
Q. Do you know who created it?
A. Yes. Martina Munsters, the Dean of Students.
Q. What is that document?
A. It's a document that shows for each position that a graduate student might hold how many hours per week are approved to spend on that
position.

MR. PEARLMAN: I would move to admit Employer Exhibit 25.

MS. AUERBACH: No objection.

HEARING OFFICER MOLS: Employer Exhibit 25 is received.

(WHEREUPON, said document, previously marked Employer Exhibit No. 25, for identification, was offered and received in evidence.)

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
1 course.
2 Q. Dr. Robertson, is there any limitation
3 on the types of courses that humanities graduate
4 students are matched to TA?
5 A. Yes. Students are matched to courses in
6 which they have expertise.
7 Q. So would that be writing program the
8 within the division of humanities?
9 A. That's right.
10 Q. Do some departments within the division
11 impose stricter guidelines than others?
12 A. I would certainly say that the language
13 departments would impose very, very strict
14 guidelines because obviously one who is seeking to
15 be a TA in Germanic studies needs to be virtually
16 fluent in German.
17 Q. Who ultimately determines what teaching
18 appointments count towards teaching points?
19 A. The departments recommend that but the
20 Dean of Students would be the one that has to
21 approve because she has a kind of a sense across
22 the division of these matters.
23 Q. So Dr. Robertson, how often does a PhD
24 graduate student have a TA opportunity outside of
25 their own department but still within the
1 Humanities Division?

2 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.

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

4 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.

5 Q. Who does that benefit?

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

7 MR. PEARLMAN: That question hasn't.

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

9 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.
Administerial objections just serves to prolong this hearing. That question hasn't been asked.

HEARING OFFICER MOLS: Overruled.

You can answer.

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
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
before they begin their teaching assistantship?

A. Yes. It does.

Q. Can you describe it?

A. I believe it's a -- a two-day program and the graduate student would take it typically at the beginning of year three if they were going to begin to TA for the first time in that year.

And it's a program in which sort of the basics of teaching are explained and some models and best practices are described and chances for interaction with teachers who come in to speak and to say here is a some best practices and the grad students get to ask questions in that setting.

Q. Who puts on this orientation?

A. I believe the Chicago Center for Teaching, CCT.

Q. Are you aware of any of additional training that's available to graduate students before they begin TAing?

A. Yes, I am. I can't speak for every single department but I know that departments have orientations towards teaching of various kind. I know in my own department, for example, when students begin to teach, they have an orientation into the course that they are going to teach.
Q. Do individual departments ever provide training?
A. Yes, they do.
Q. Why?
A. Because the kind of courses that are taught in the individual departments are very individual. So one might learn at the Chicago Center for Teaching is a kind of more -- it's a broader kind of thing whereas you might want to teach the specifics of the subject, particularly, let's say in a subject like music where note reading is or isn't required for this or that course in a very specific kind of music oriented or music department oriented orientation.
Q. Aside from this training separately, did TAs receive mentoring during their TAships?
A. Yes, they do.
Q. Who mentors the graduate student throughout the term?
A. The professor of record in that course in which the TA is working.
Q. Do you provide mentoring to TAs?
A. I do.
Q. Can you please describe what mentoring you give to TAs?
A. This music 121 that I mentioned that uses multiple TAs, we meet every Wednesday right after class for the specific purpose of discussing what has happened on Monday and Wednesday so far. We're particularly looking toward Friday, the day in which we have discussion sections. And each of the graduate students is responsible for a discussion section.

So I want to talk with them about what the readings are going to be for Friday, what points they should try to get across, what things to downplay and then as papers and exams come up, we -- I ask the TAs to provide questions that I then can vet for the exams, provide paper topics that I also vet for the papers.

And after those exercises have been completed, we sit down before the grading begins and talk about how to grade an exam, how to grade a paper, what things to look for.

I also work with the student on holding office hours. The graduate students are required to hold a one-hour office hour per week. We talk about the etiquette of those situations and how students -- the graduate students should advise and what kind of topics to emphasize, what it types of
things to steer away from that kind of thing.

We talk about the beginning of the course. We would have, of course, talk about the syllabus. I might have received some input from the students about the syllabus but we go over the entire syllabus week by week and talk about what's going to be accomplished in the syllabus each week.

Q. Does the music department itself have a mentorship program?

A. Yes, they do.

Q. Can you please describe that program?

A. In a way there are several because there are several core courses taught by the music department. So for Music 101, the introduction to music, there will be five or six sections taught every year and the faculty member that is teaching that course that year becomes the de facto head of that course and meets with students several times a quarter to discuss progress and you know how is the syllabus going, are you having any problems that kind of thing. So very close mentorship.

Also, that professor will sit in on the courses that are being taught by -- the sections of that course that are being taught by lecturers because the professor wants to be sure that the
1 lecturer is doing a good job.
2 With the TAs in that course, I described
3 already the kind of mentorship that the professor
4 will give -- the professor of record will give TAs.
5 But in this case now, the professor is sort of the
6 supervisor of the whole Music 101 course sequence
7 will also advise those TAs.
8 Q. How much interaction do you have with
9 your TAs?
10 A. Abundant interaction, a lot.
11 Q. Now when you made reference to
12 lecturers, you are talking about grad school
13 lecturers, correct?
14 A. Yes, I am.
15 Q. Why do you have so much interaction with
16 your TAs?
17 A. Because I want them to become excellent
18 teachers. I want to be able when I write
19 recommendations for them when they are in their
20 final year in trying to get a job I want to be able
21 to say with great specificity that this student is
22 a success as teacher.
23 One thing I forgot to mention is that in
24 my classes at least every time with TAs, I allow
25 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?
A. I am.

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.
Q. When the document mentions colloquial or workshops, what's that a reference to?

A. Right. This is a better written out explanation of something that I talked about earlier. The idea that departments will have individual kind of training for their graduate students. In the music department, for example, they were called Brown Bag Lunch Workshops. And students who were teaching would meet, I think, every other week, if I'm not mistaken, just to talk about, in general, how their teaching was going, what things worked in the classroom, what things were not working and the idea being through back-and-forth discussion those who were having problems could learn from those who were doing things well for whom things were working.

Q. Okay. So with respect to these workshops, approximately how long did they last?

A. An hour and a half.

Q. Did they cover any particular topics that you are aware of?

A. I remember seeing posters for the brown bag lunch or the pedagogy lunch will happen on this day. I don't remember seeing things for each one, but there could be.
Q. Did workshops involve things such as syllabus preparation?
A. Absolutely.
Q. Course etiquette?
A. Yes.
Q. Assignments and grading?
A. Yes, exam preparation, paper topic choice, meeting with students and office hours.
Q. Who teaches these workshops?
A. One faculty member would be assigned to do that each year.
Q. And what's the purpose of these workshops?
A. Again, to have them freewheeling kind of forum for students be able to perfect and hone their teaching skills outside of the classroom as well as the kind of experience that they get inside of the classroom.
Q. Do you see right below colloquia there is a reference to pedagogy courses?

HEARING OFFICER MOLS: Before we move on, Dr. Robertson, have you ever conducted any of these colloquia workshops?
THE WITNESS: No.
HEARING OFFICER MOLS: Have you ever attended
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 literatures requires an actual course, an actual credit course, for their graduate students before they teach, say, French for the first time because it's felt and I think it's probably true that the teaching of foreign languages requires extra skills that one should have from day one and be able to do from day one such as drilling, how to drill in the classroom on forms and vocabulary and pronunciation.

Q. What departments in the humanities offer these courses?

A. I'm definitely aware that romance languages and literature does. I believe dramatic studies 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 onto 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, yes.

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.
A. Because I was interested to know what goes on in those courses. And drilling -- I'm sorry, teaching students how to drill -- let's say, in the classics departments, the forms of the Latin language, it's a declined language. These are different kinds of skills. They are almost one-on-one types of skills rather than something that you teach to a large number of students. So those particular one-on-one skills I know form the backbone of the pedagogy courses.

Q. Do they provide content-specific training for the given discipline?

A. Yes, they do.

Q. The document then goes on to discuss mentoring and evaluation. How does the Humanities Division mentor its graduate students teaching assistants?

A. In each department -- if we are talking about TAs in each department, the professor of record, the instructor of record in a course mentors the TAs for that course.

Q. Why are PhDs required to take pedagogy courses?

A. Because they have to learn how to teach in the best possible -- they need to be the best
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
evaluating the professor and the course content itself. But a substantial -- or not insubstantial portion is dedicated to the TAs. So the undergraduate students have an opportunity to speak about the TAs in their evaluation.

Q. Are any records kept regarding evaluations of the graduate student TA's performance?

A. Yes, they are online.

Q. Why are the records kept?

A. Well, the records are kept -- in the evaluation of professors, you will remember that the form evaluates both professors and graduate students. But in evaluation of professors of promotion and tenure, teaching is taken into account. With respect to the TAs, one -- when -- when we are making future assignments for TAs, departments will go back and look at those evaluations just to see how the student did. Are they ready?

Let's say they have TA'd two courses. Are they ready now for a standalone lectureship or might they benefit from one more TA-ship before going onto a lectureship and evaluations are useful in providing that information.
Q. Aside from teaching courses in their specific area of study, where else can graduate student TAs teach courses?
A. The only other place would be in the writing program, which needs a lot of instructors.
Q. Do they also teach in the core?
A. And the core, yes. Yes.
Q. What is the core?
A. The core is a set of courses or set of sequences of 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.
Q. Tell us what you mean, please, when you say the term "core sequence"?
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.
Q. What graduate students are permitted to teach in the humanities core?
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?

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.

Q. Are the core sequences the same syllabus for all of the courses?

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.

Q. So in the core how often do teachers meet up to discuss the teaching that will occur in the following week?

A. I believe it's once a week.

Q. And who attends those weekly meetings?

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.

Q. Is there any teaching of TAs and graduate students that occurs during those weekly meetings?
A. There certainly is mentoring of the type that I have described before in exchange of information about best practices, that kind of thing.

Q. Is there a core sequence coordinator or chair?
A. Yes. That's a faculty member.

Q. What does that faculty member do in that role?
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.

Q. Does a graduate student need to attend a course of the CCT in order to teach in the core?
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.

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
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
from the process that I'm going through.

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.

Do workshop coordinators do they do this under or assisting the council for advanced studies?

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.

Do masters students teach?
A. No, they don't.

Q. Is there any academic requirement for masters students to teach?
A. No.

Q. Do masters students take the CCT Chicago Center for Teaching course?
A. No, they don't.

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.
CROSS EXAMINATION

BY MS. AUERBACH:

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 so where this part in parens in the second bullet point says either stipend or combination of stipend and teaching remuneration, that teaching remuneration is paid on separate checks?

A. It is but do -- I do object to the word remuneration.

Q. But I'm reading the document.

MR. PEARLMAN: There is no foundation for the document.

MS. AUERBACH: Well, she testified that this is accurate.

MR. PEARLMAN: She testified she's never seen the document before.

HEARING OFFICER MOLS: She testified that the four bullet points were accurate.

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

MS. AUERBACH: Yeah, but I followed up on the contents of the documents.

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

BY MS. AUERBACH:

Q. And the part that the grad students are
paid separately for the teaching there are tax
withholdings from those payments?
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.
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
1 faculty uses the software?

2 THE WITNESS: No.

3 HEARING OFFICER MOLS: Do you know if faculty uses separate software or is there compensation?

4 THE WITNESS: You mean for our compensation?

5 HEARING OFFICER MOLS: Yes.

6 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.

7 HEARING OFFICER MOLS: A set salary?

8 THE WITNESS: Right.

9 BY MS. AUERBACH:

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

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

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

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

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

15 MR. PEARLMAN: Objection.

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

17 MR. PEARLMAN: That's not my objection. My
objection is payroll system is vague. You may want
to explain to her what you mean by that.

BY MS. AUERBACH:

Q. Is it a system used for tracking hours
for purposes of payroll?

MR. PEARLMAN: Objection. Foundation.

MS. AUERBACH: She testified about using the
system so I'm crossing on it.

HEARING OFFICER MOLS: If you know or do you
know?

THE WITNESS: I have heard of Workday. I know
that people input hours there. I don't really know
anything beyond that.

BY MS. AUERBACH:

Q. You testified that graduate students are
not compensated for fulfilling their teaching.
However, they are required to teach as a condition
of receiving their funding, their five-year
funding, correct?

A. They are required to teach as a
condition of receiving their PhD.

Q. And they are also required to teach as a
part of their financial package?

A. Yes, that is part -- it's part of the
program that they are engaged in. The funding is
given as the student is admitted on his or her merits.

Q. Right. I understand that, but it's a condition of receiving the funding that they fulfill the teaching requirement, correct?


HEARING OFFICER MOLS: So just to be clear for the record -- teaching -- so you had said that the stipend is part of their admission, correct -- or part of what is offered to the graduate students whenever they are admitted to the university.

THE WITNESS: Yes.

HEARING OFFICER MOLS: And you had testified that obtaining the GAI points via some form of teaching is part of that requirement?

THE WITNESS: Requirement, yes.

HEARING OFFICER MOLS: And so I don't know if 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.)

BY MS. AUERBACH:

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

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.

BY MS. AUERBACH:

Q. Are you familiar with these types of letters?

A. I have never seen this document before but I do 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 did they receive this letter or something similar? It's too vague to establish any
authentication.

MS. AUERBACH: That's fine.

BY MS. AUERBACH:

Q. Do graduate students in the Humanities Division receive a letter similar to this each year confirming that they are continuing in the division and with their financial aid package?

MR. PEARLMAN: Same objection. It's not establishing authentication of the document. I don't know what type of document it's referring to. It's a hypothetical and vague as to this document that apparently counsel is referring to.

MS. AUERBACH: I'm talking about a continuation.

HEARING OFFICER MOLS: She has testified -- she testified 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 year to 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.
Q. Is she the one who sends out -- is she the only one that sends out these letters currently?
A. I believe they come from her office. Joyce Kiesler (phonetic) works for her.
Q. What is Joyce Kiesler's position?
A. I'm sorry. I can't tell you. She is in Martina's shop though.
Q. Who currently sends out the letters from the Department of Humanities?
A. Martina Munsters.
Q. You talked about the process whereby departments determine what a teaching assignment graduate students will receive. And after those decisions are made, is it true that the graduate students receive appointment letters informing them of what teaching assignment they are being appointed to?
A. Yes.

(WHEREUPON, a certain document was marked Petitioner Exhibit No. 15, for identification.)

BY MS. AUERBACH:
Q. I've handed you a document marked as Petitioner Exhibit 15.
MR. PEARLMAN: I want to lodge a standing objection. There is continuous reference to teaching assignments, but it's not clear what type of assignment that means, which I think that degree of precision is important. Is it a teaching assignment or a TA assignment?

MS. AUERBACH: Well, she on direct a number of times was asked questions regarding teaching, teaching requirements, teaching beyond five points. So that term was used on direct examination.

HEARING OFFICER MOLS: I mean, I have no objection to the term continuing to be used but, Counsel, make sure when the witness is answering perhaps clarify questions whether or not it's referring to the teaching requirement in broad strokes or to teaching assistantships or lecturerships, more of the specific positions.

BY MS. AUERBACH:

Q. Are you familiar with this document?

A. No, I'm not.

Q. Have you seen some other appointment letters?

A. Yes, I have.

Q. And is this similar to the other ones you have seen?
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
1 know, in the following year.
2
3 Q. Okay. Well, let's first start with the appointment letter.
4
5 So it includes what position they are going to be given?
6
7 A. Yes.
8
9 Q. And then it tells them what course they are going to be --
10
11 A. No. It tells them what course they are --
12
13 MR. PEARLMAN: Objection. What's this in reference to?
14
15 MS. AUERBACH: What the practice is in the music department.
16
17 BY THE WITNESS:
18 A. It tells them what course they are going to be TAs or teaching as a lecturer in the following year.
19
20 BY MS. AUERBACH:
21
22 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?
23
24 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.

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 is 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 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?
Q. Beyond the five points?
A. Yes. That would be beyond --
Q. If five point is the requirement for that person?
A. If the person is beyond the fifth year, then they would receive money beyond the stipend package.
Q. Okay. So if a graduate student is both beyond the point requirement and beyond the fifth year, then they are compensated either whatever the amount is for the lectureship. You thought it was 5 or 6,000 beyond any other guaranteed funding?
MR. PEARLMAN: Objection. Asked and answered and object to the use of the word "compensated."
HEARING OFFICER MOLS: Just for clarity because I think the answer has kind of danced around in a few different spots, you can answer. Ask the question again.
BY MS. AUERBACH:
Q. Is a graduate student who lectures in a class as a lecturer who is beyond the minimum -- the minimum points required and beyond the fifth year compensated financially for that last year -- beyond any other their guaranteed fund minimum?
A. Yes. They receive money for teaching
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 lecturerships?
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.

BY MS. AUERBACH:

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
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
good job of grading helps insure that the
undergraduates receive appropriate grades?

A.    It helps them learn how to be good
teachers and as a side effect of that is the
students are helped.

Q.    You were asked if there -- you said
there is a limit on the number of hours that
graduate students can handle teaching assignments
of 20 hours per week?

A.    Yes.

Q.    And that hours requirement applies
across the university to all full-time students; is
that correct?

MR. PEARLMAN:   Objection. Overly broad.

Vague. All full-time grad students?

BY MS. AUERBACH:

Q.    Do you know whether 20-hours a week
requirement is a limit on how many hours all
full-time students at the university can work?

A.    I don't know that.

Q.    You said that graduate students can
obtain a waiver of that 20-hour a week limit per
Martina Munsters. Under what circumstances is that
requirement waived?

A.    If for some reason a student -- it's
1 best for the graduate student to teach, say, more
2 than one course in -- a TA for more than one course
3 in one quarter and then not do one course the
4 second of the two courses in another quarter for
5 whatever reason, that would be an opportunity for
6 Martina to weigh in but she would only allow it if
7 the student were making absolutely satisfactory
8 progress in the writing of the dissertation.
9 She applies a little bit of flexibility
10 in that way but only if there's satisfactory
11 progress to a degree is being maintained.
12 Q. And is it true that if a graduate
13 student takes on extra teaching in one quarter and
14 less in the following quarter, that that graduate
15 student is compensated extra for the teaching of
16 the quarter where extra teaching is done and then
17 receives less funding in the other quarter where no
18 teaching is done?
19 MR. PEARLMAN: Objection to the use of the
20 word "compensation" and misleading.
21 HEARING OFFICER MOLS: Noted.
22 You can answer, Dr. Robertson. Do you
23 know if funding was adjusted?
24 THE WITNESS: Well, let's see. Is the funding
25 adjusted? I believe that the money given to
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.

BY MS. AUERBACH:

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 "approved hours per week" mean?

A. The number of hours that the Dean of Students has approved is appropriate for that position.

Q. And does the graduate student then keep track of those hours in the workday system?

A. I really not familiar with how the grad student does that.

Q. And are those hours -- the amount of hours that the graduate student is expected to devote to fulfilling each of these assignments?

A. I believe it's the expectation. It's the estimation of how much time that that particular teaching experience should take.

Q. If a graduate student does not do a good job in a teaching assignment, does that performance affect future teaching assignments?

A. We work with the graduate student to
1 make sure that they will do better in the next
2 teaching assignment.
3
4 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.
5
6 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?
7 A. Yes, I do.
8
9 Q. Is it up to the undergraduate whether to go to one of the TAs or go to you?
10 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.
11
12 Q. The graduate students who are TAs holding office hours are expected to perform the
same function for the undergraduates who come to see them that you perform for them?

A. Yes.

Q. You talked about Music 101 and you said that about five or six sections of that class are taught in a year.

Are those sections taught by a combination of faculty and graduate students?

A. Yes.

Q. The same syllabus is used for the sections of class?

A. No.

Q. So each lecturer can choose the syllabus?

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.

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?

A. Yes, they do.

Q. One of the missions of the college is to
provide a high quality education to undergraduates, correct?
A. Yes.

And having TAs and lecturers with good training to teach benefits the undergraduates, correct?

MR. PEARLMAN: Objection. Asked and answered.

HEARING OFFICER MOLS: This was. I apologize.

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.

So I'm going to allow the question at this time. So can you repeat the question, Counsel?

BY MS. AUERBACH:

Q. Having TAs and lecturers with good training to teach them benefits the undergraduates, correct?
A. It benefits the TAs, first and foremost.
If the TAs are very good lecturers, then they benefit the undergraduates.

Q. How many graduate students are there in the department of music?
A. In all five years plus the people beyond
1 I'm thinking about 80.
2    Q. And do you know approximately what
3 percentage of graduate students go beyond their
4 five years before they obtain their degrees?
5    A. Before they have?
6    Q. Obtained their degrees.
7    A. I would say the average time to degree
8 in music right now is seven to eight years.
9    Q. You said that graduate student lecturers
10 are provided resources, including past syllabi,
11 paper topics and textbooks used in the past.
12 Are those resources also provided to
13 faculty members who are new to teaching a class?
14    A. Yes. Typically, faculty will just come
15 into the university or are just teaching a class
16 for the first time will ask someone who has taught
17 the class before that they'd love to see their
18 syllabus.
19    Q. Are workshops offered in all of the
20 departments of humanities?
21    A. Workshops are cross-department entities.
22 They bring together -- for example, I'm a
23 medievalist, and I'm a member of the medieval
24 workshop. So it brings together the medievalists
25 across the faculty and students across the
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.

Q. And are they optional or required?

A. 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?
1    A.    I can't say for sure.
2    Q.    You said that the writing program needs lots of instructors. Why is that?
3    A.    Because every undergraduate student has some room for improvement in writing and we believe very strongly that learning writing as an undergraduate is a prime goal.
4    Q.    Are the instructors in the writing program primarily graduate students?
5    A.    I don't know.
6    Q.    Does being a writing intern or a writing lecturer in the writing program count towards the GAI points that a graduate student gets?
7    A.    Yes, they can.
8            You know I wanted to go back on that. I'm not sure on that. I want to revise that.
9    Q.    You said that in the core classes the faculty supervisor for each sequence meets with the teaching assistants and the faculty lecturers. Are there also graduate student lecturers?
10   A.    Yes.
11   Q.    So the faculty supervisor meets with the teaching assistants, faculty lecturers and graduate student lecturers?
A. I know they meet -- I thought I said the graduate student lectures and the TAs. I'm not certain that every faculty member teaching in the sequence comes every week but they certainly would be encouraged to.

Q. And is one of the purposes of those weekly meetings to make sure that -- that there is some consistency across the different sections?

A. That's right. That's what the common core is. It's a common core of knowledge.

Q. And in those the graduate students who are lecturers in the core classes are expected to follow a standard syllabus for the class?

A. My impression is that the syllabi are much more standardized in the core, the core.

Q. And so in those classes a lecturer who's a graduate student would be following the same syllabus as a faculty member who's teaching the same course?

A. I believe that's true.

Q. When you talked about the meetings that are held to determine teaching assignments for the upcoming year, you said that teaching needs are discussed. How are teaching needs determined?

A. Because of past years of teaching, we
I have a sense of how many sections of Music 101 we need, how many of 102, what requirements are needed, what courses are needed for the required courses for the major in the following year. It's a major part of planning for the curriculum for the coming year and we do that based on past experience.

Q. So that's based on past experience with how many undergraduate majors there are and what courses they have been enrolling in and what courses they need to take to fulfill their requirements?

A. That's correct.

Q. You were asked some questions about a non-lab research assignment assistant is paid on an hourly basis?

A. Yes.

Q. And that hourly pay is --

A. I should revise that. It's possible that a research assistant would be paid for a job. I sometimes hire a composer to set musical examples for me, and we agree that I will pay them $100 for it or whatever.

Q. So the research assistant is either paid by the job or paid hourly?
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. It did help me. It also helped them learn how to incorporate musical examples into a book. I was writing a book. They haven't written a book yet, so they are learning that process. We are required to send camera ready examples to publishers.

Q. And you had the research assistant create an index. This was an index of topics in the book?

A. Yes. Well, I'm sorry. Let me revise that. The only time I used a research assistant in the index was to create and go through the book -- again, I'm a medievalist. I pulled out the manuscript -- the index of manuscript. So we'd go through the book and find every mention of a manuscript and put it into a separate index.

I myself create the index because I feel I know content of the book better than anyone else. And then had that same research assistant to help me proofread that, which is why I confused the two.

Q. Then with respect to the workshops that are funded by CAS, are those workshops primarily in the Humanities Division?

A. No. They also exist in social sciences and some of our workshops are cross-divisional too.
Q. What are some examples of the workshops?
A. Yes.

Q. What are some of the ones that you have attended?
A. The medieval studies workshop, which is cross-divisional. It has historians and history and social sciences in the university.

Q. And the workshop coordinator in addition to doing the responsibilities you testified to also reads the materials that are going to be discussed at the workshop?
A. Not necessarily. They are not required to. Everyone is encouraged to and then the coordinator has no greater obligation than anyone else.

Q. Do some of the workshop coordinators help run the discussions by asking questions of the speaker?
A. Well, maybe but that would be poor happenstance, 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
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.

MS. AUERBACH: I don't remember her being asked that.

MR. PEARLMAN: She has been asked if masters students teach and she said no.

HEARING OFFICER MOLS: The original question was you don't recall the context of the time, so I don't see the harm in having her personal experience. We have the broad strokes answer.

Have you --

THE WITNESS: No.

BY MS. AUERBACH:

Q. So you are saying no masters students teach at all in the Humanities Division?

MR. PEARLMAN: Asked and answered.

HEARING OFFICER MOLS: That one was answered.
BY MS. AUERBACK:

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
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