

# United States Senate

WASHINGTON, DC 20510

January 15, 2020

Roxanne Rothschild  
Executive Secretary  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

RE: Comment on Notice of Proposed Rulemaking, RIN 3142-AA15, Jurisdiction—  
Nonemployee Status of University and College Students Working in Connection With Their  
Studies.

Dear Ms. Rothschild:

We write to request the National Labor Relations Board (NLRB) withdraw the Notice of Proposed Rulemaking Jurisdiction—Nonemployee Status of University and College Students Working in Connection With Their Studies (NPRM).<sup>1</sup> The NLRB's proposal to deny students in higher education their rights under the National Labor Relations Act (NLRA or Act) will harm working students, many of whom already struggle to attend class, maintain a job, and pay for the extraordinary costs of higher education.

The NLRA is a powerful source of rights and protections for workers. The Act's guaranteed protections include the right to join together to choose labor union representation, protest racism and sexism in the workplace, demand fair wages, secure better working conditions, and advocate for expanded access to child care. By proposing students at private colleges and universities cannot qualify as employees, the NLRB's rule would strip both undergraduate and graduate students of these fundamental rights. Not only does this proposal run afoul of Congressional intent, there is also no legitimate policy justification for excluding student employees from the Act's protections.

The NLRB is charged with upholding the rights of workers. We therefore urge the NLRB to carry out that duty and withdraw this NPRM.

Sincerely,



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PATTY MURRAY  
Ranking Member, Senate Committee on  
Health, Education, Labor & Pensions



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TAMMY BALDWIN  
United States Senator

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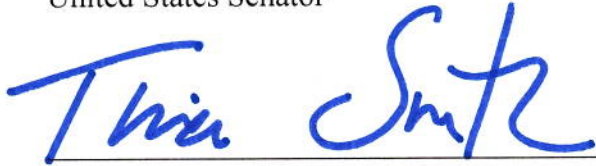
<sup>1</sup> Jurisdiction—Nonemployee Status of University and College Students Working in Connection With Their Studies, 84 Fed. Reg. 49691 (proposed Sept. 23, 2019) (to be codified at 29 C.F.R. pt. 103).



BERNARD SANDERS  
United States Senator



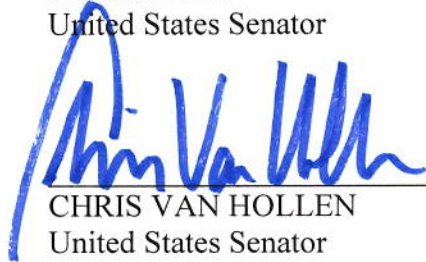
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United States Senator



TINA SMITH  
United States Senator



SHERROD BROWN  
United States Senator



CHRIS VAN HOLLEN  
United States Senator



EDWARD J. MARKEY  
United States Senator



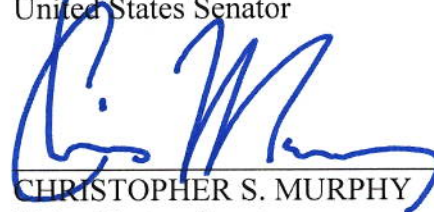
KAMALA D. HARRIS  
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