

ARTICLE \_\_

Non-Resident and Non-Citizen Graduate Worker Rights and Protections

**Section 1.** The University recognizes that the right to join a union is irrespective of a GW's immigration or documentation status. The parties to this Agreement pledge themselves to a cooperative effort on the topic of GWs with international immigration status founded upon good faith communication and discussion of problems, solutions, and prevention. The Union-Management Committee shall discuss general matters relating to GWs with international immigration status in the workplace but not matters specific to an individual GW.

Should any change in laws or regulations relevant to GWs with international immigration status or this Article occur, including but not limited to repeal of Deferred Action on Childhood Arrivals (DACA) program, rescinding of Temporary Protected Status (TPS), travel bans, or any other change in immigration law or regulations, or a court ruling that sets forth any new interpretation pertaining to these procedures occur, then, at the union's request, the University and Union management Committee shall meet to determine whether any adjustments to these procedures are necessary to comply with the new legal requirements.

**Section 2.** The University commits to the following:

- a. The University shall comply with all applicable laws, including laws regarding the protection of the privacy of all members of the WPI community.
- b. Except as required by law, legal process, or regulations governing the administration of F-1 student and J-1 exchange visitor programs, the University will not voluntarily provide any immigration or personal information about the residence or location of the GW, such as temporary or permanent home address, contact information, workplace, or work schedule to any governmental agencies without the consent of the GW.
- c. The University shall not permit any federal immigration agent ~~or a Department of Homeland Security (DHS) agent governmental agency~~ to enter WPI buildings without legal process.
- d. If representatives of the University learn that a federal immigration agent or a Department of Homeland Security (DHS) agent is seeking to interrogate, search or seize the person or property of any GW while the GW is working on the University's premises and under the University's control, then the University representative will request that the agent comply with legal requirements before they interrogate, search or seize the person or property of such GW.
- e. In the event that the University is served with a valid search or arrest warrant by DHS and that DHS agents are seeking to question a GW on University premises, the University shall request that any questioning of GWs on the University's premises occur in as private a setting as possible.
- f. The University will notify the Union within one (1) calendar day after the University learns of an immigration investigation regarding a GW.

The University reserves the right to add, delete, or modify any of these proposals at any time.

**Section 3.** If requested by a GW, the University will provide any supporting evidence or documentation regarding employment, residence, and/or enrollment, and will respect the GW's right to privacy.

**Section 4.** International Graduate Workers. Nothing in this Article shall preclude WPI [Office of International Student Life International House \(IH\)](#) from continuing to advise international GWs on visa issues as they relate to the academic and/or employment relationship with the University and maintain programming to aid international graduate workers with integration into U.S. living.

**Section 5.** Immigration Attorneys and Legal Resources. The University shall maintain a list of attorneys and agencies, including [pro](#) bono agencies, for ~~on~~ immigration questions.

**Section 6.** Work Authorization and Documentation. GWs shall cooperate with the University in completing work authorization documentation in a timely manner. No GW covered by this Agreement shall suffer any loss of seniority or compensation, due to any legal changes in the GW's name or social security number.

**Section 7.** In cases where a GW is unable to return to the United States as a result of their immigration or documentation status, and for reasons outside of their reasonable control (*e.g.*, administrative processing), the University shall undertake reasonable efforts to arrange for the GW to perform their duties outside the U.S. [for a reasonable period and when legally permissible.](#)

**Section 8.** In the event that a GW is not authorized or is no longer authorized to work in the United States of America and the GW's employment is terminated for this reason, the University agrees to meet with the Union and the GW to make reasonable efforts to re-employ the GW into their prior position or another comparable position if their previous position is unavailable. The University shall make reasonable efforts to re-employ the GW as soon as possible after that person obtains work authorization or immigration status that lawfully permits them to work as a GW.

The University shall provide any GW terminated because they are not authorized to work in the United States of America, a notice, in a form acceptable to the University and the Union, that includes a copy of this Section of the Agreement and contact information about the union. The University shall provide notice to the Union within one (1) calendar day of a GW's termination due to their work authorization status.

~~The GW shall maintain all rights, protections and benefits under this Agreement for the remainder of their appointment or until re-employed. The GW shall maintain all rights, protections and benefits under this Agreement for the remainder of their appointment or until re-employed.~~

**Commented [TL1]:** If a GW's employment is terminated, they no longer remain a member of the WPI-GWU. Provisions of the WPI-GWU collective bargaining agreement apply only to eligible members.

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