**Resolution 9: Workers’ Compensation Coverage for Graduate Students**

**WHEREAS**, Graduate students are exposed to dangerous instruments, hazardous chemicals, and/or other workplace risks every day; and

**WHEREAS**, At least one serious workplace accident occurred on the Cornell campus in the last year; and

**WHEREAS**, The frequency and severity of graduate student injuries remains unknown since no mandatory system exists for reporting graduate student injuries to Environmental Health & Safety; and

**WHEREAS**, New York state law makes clear that anyone who receives compensation from a nonprofit organization, which can include “stipends, room and board, and other 'perks' that have monetary value, must receive workers' compensation coverage, whether or not that organization considers them to be an employee (WCL §3 Group 18)"[[1]](#footnote-1); and

**WHEREAS**, Faculty members, postdoctoral scholars, lab technicians and other staff working in the same facilities and assuming similar risks as graduate students are unequivocally covered by Cornell’s Workers’ Compensation Program[[2]](#footnote-2); and

**WHEREAS**, Cornell does not currently provide Workers’ Compensation coverage to graduate students[[3]](#footnote-3); and

**WHEREAS**, Graduate students are therefore currently expected to be personally liable for the significant health, safety, and financial risks required of them as they perform their duties as researchers, teaching assistants and instructors at Cornell; therefore, be it

**RESOLVED**, The GPSA believes that Cornell University has a legal and moral obligation to insure a dependable method of providing benefits to a graduate student if they are temporarily or permanently disabled due to work-related injury or illness.

**RESOLVED**, That the GPSA calls on the University to purchase workers’ compensation insurance that covers graduate students in the event of a work-related injury or illness.

**RESOLVED**, That the GPSA asks the University clarify its policy on partial disability compensation, disability insurance, and long-term medical benefits for graduate students suffering from a work-related injury or illness.

**RESOLVED**, That the University develop a standard public university policy regarding the benefits available to graduate students in the event of an injury, so that students can make informed decisions regarding their personal risk.

**RESOLVED**, That if the University believes that it is not responsible for providing these benefits to graduate students, that it provides a detailed, public report available to all graduate and professional students explaining the University's position and referring to the specific statutory language, including Cornell policy, state and federal law, and legal precedent, that the University uses to reach this conclusion before the end of the 2013-2014 academic year.

**RESOLVED**, That this Resolution be sent to *David Skorton*, President; *Kent Hubbell*, Dean of Students; *Susan H. Murphy*, Vice President for Student and Academic Services; *Kent Fuchs*, Provost; *Barbara Knuth*, Vice Provost and Dean of the Graduate School; *Craig R. McAllister*, Director of Risk Management & Insurance; *Janet Corson-Rikert*, Executive Director of Gannett Health Services; *James J. Mingle*, University Counsel and Secretary of the Corporation; *Mary George Opperman*, Vice President for Human Resources; *Jan Allen*, Associate Dean for Academic and Student Affairs; *Janna Lamey*, Assistant Dean for Graduate Student Life; *Gina Giambattista*, Assistant Director of the Office of Assemblies; *Stewart J. Schwab*, the Allan R. Tessler Dean, Cornell Law School; *Michael Kotlikoff*, Austin O. Hooey Dean of Veterinary Medicine; *Soumitra Dutta*, Anne and Elmer Lindseth Dean of the Samuel Curtis Johnson Graduate School of Management; *Joseph Burns*, Dean of Faculty, and Robert E. Beloten, Chair New York State Workers' Compensation Board.

Respectfully submitted,

Paul Berry

GPSA Advocacy Committee

Nicole M. Baran

Counsel to the GPSA

Evan Cortens

GPSA President 2011-12

1. http://www.wcb.ny.gov/content/main/onthejob/CoverageSituations/nonprofit.jsp [↑](#footnote-ref-1)
2. https://www.hr.cornell.edu/benefits/medical\_leaves/workers\_comp.html [↑](#footnote-ref-2)
3. Meeting between GPSA Student Advocacy Committee, Gannett Health representatives, and Cornell Risk Management & Insurance on December 5, 2013. [↑](#footnote-ref-3)