



Susan Cochran
Telephone: (510) 987-0887
Email: susan.cochran@ucop.edu

Chair of the Assembly of the Academic Senate
Faculty Representative to the Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

January 13, 2023

ACADEMIC SENATE DIVISION CHAIRS
UC FACULTY

**Re: Guidance on University Service and Compensation for TAs, GSRs, and Postdoctoral/
Academic Researcher Employees**

Dear Colleagues,

Vice Provost Douglas Haynes and Associate Vice President of Employee and Labor Relations Melissa Matella today sent systemwide guidance to the campuses for upcoming pay periods regarding how employees of the striking unions are to document their service during the span of the strike. This action is required by the University to facilitate compliance with federal and governmental regulations authorizing payment of wages for services rendered to the institution. This action has also been vetted with the union representing these employees. According to the letter, any withholding of assigned duties between November 14, 2022 and December 23, 2022, the duration of the strike, is to be treated as “leave without pay.”

Student and postdoctoral employees are being asked to certify their work effort for the period of the strike and return attestation forms to department administrators. Campuses are being asked to create procedures by which these forms will be reviewed. In the case of graduate student researchers (GSRs) and postdoctoral fellows, principal investigators (PIs) should seek guidance from their department chair, unit head, or relevant administrator in their division for procedures that are being followed in their local context.

It is our understanding that the pay adjustments will occur over more than one pay cycle to reduce the impact on these employees. Where possible, represented employees may also be given opportunities to lessen the effects on their pay via additional appointments (e.g., as a reader) or increased work effort, but this depends on a number of factors including job duties and restrictions of the funding source. Faculty and PIs should work through their department or their sponsored projects offices for more specific guidance. Represented employees may also be eligible for strike pay from their union.

The letter from VP Haynes and AVP Matella also addresses eventual faculty roles in effort reporting regarding these employees. As we noted in our December 19 letter,¹ federal regulations, at a minimum, require accurate effort reporting by the UC with regard to federal grants. Grants and contracts can only be charged for work effort of UC employees that is expended and is consistent with the funding agreements. An important step in this process involves work effort certification from PIs of work performed by all individuals receiving support from the grant or contract in question. PIs should not certify these reports unless they are confident the report is accurate. To do otherwise puts both PIs and the University at risk. In the case of uncertainty, faculty should delay certifying work effort and instead discuss the matter with their department chair or unit head so that appropriate fund sources can be employed pending an accurate determination.

PIs are also advised that prior to changing, modifying, terminating, or laying off a student or postdoctoral employee, even if there is insufficient funding for retention, they must now consult with their local academic personnel or labor relations office for guidance in order to assure compliance with the new contract. This should be done before informing the employee of any change in employment status.

While some of the campuses have reported to us that student and postdoctoral employees were aware they might lose wages for the time they were withholding their labor to strike, we anticipate that some students and trainees may still be surprised. We also recognize that the VP-AVP letter may reignite concerns and stir feelings unresolved by the fall's strike agreements. As their mentors and colleagues, we have been there for our graduate students and postdocs throughout the strike; this is another step along the way where they might need support and understanding. We continue to encourage the Administration to provide clear guidance to faculty and our student and trainee employees as all of us navigate our new landscape.

Sincerely,



Susan Cochran, Chair
Academic Council



James Steintrager, Vice Chair
Academic Council

cc: Provost & Executive Vice President Newman
Vice Provost Haynes
Associate Vice President Matella
Academic Council
Senate Division Executive Directors
Executive Director Lin

¹ <https://senate.universityofcalifornia.edu/files/reports/sc-js-division-chairs-faculty-strike-guidance-3.pdf>