

From: Vice Chancellor and Dean, Claudia Mitchell-Kernan
Sent: Friday, April 03, 2009 4:30 PM
Subject: Update on Postdoctoral Scholar Negotiations

UCLA *Graduate Division*

Dear Deans, Directors, Chairs, and Faculty:

As of November 3, 2008, the University of California recognized the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) as the exclusive representative for addressing wages, hours, and other terms and conditions of employment for the following Postdoctoral Scholar title codes:

- Postdoctoral Scholar – Employee (Title Code 3252)
- Postdoctoral Scholar – Fellow (Title Code 3253)
- Postdoctoral Scholar – Paid Direct (Title Code 3254)
- Postgraduate Researcher – FY (Title Code 3240)
- Postgraduate Researcher – AY State Funds (Title Code 3243)
- Postgraduate Researcher – AY Extramural Funds (Title Code 3245)
- Visiting _____ - Postdoc (Title Code 3370)

The University and the UAW have commenced negotiations on an initial collective bargaining agreement for the postdoctoral scholars unit. Below is a short summary of negotiations currently in progress.

UPDATE ABOUT POSTDOCTORAL SCHOLAR NEGOTIATIONS – APRIL 3, 2009

SUMMARY INFORMATION

1. **Employment Practice Allegation** – the UAW has alleged that the University has not honored "a number" of Postdoctoral Scholar employment offers. The University has asked for documentation so it can investigate this serious allegation.
2. **Mentoring** – the Union has proposed that Postdoctoral Scholars have a "right" to a second mentor. The University has not made any proposal on this topic.
3. **Duties & Responsibilities** – the Union has proposed a detailed description of duties & responsibilities (with percent time required for each duty) – which may be written collaboratively between the Postdoctoral Scholar and the supervisor. The University position is that this proposal is inconsistent with the flexibility required for successful Postdoctoral Scholar training and research.
4. **Postdoctoral Scholar "positions"** – the Union has proposed that Postdoctoral Scholar positions be eligible for "job posting", and "reclassification". The University's position is that Postdoctoral Scholars are afforded research and training opportunities, and that the staff model for positions does not apply.
5. **Outside decisions about academic judgment about discipline, dismissal & performance evaluation** – the Union has proposed that all discipline and dismissal must be

grievable and arbitrable, including the supervisor's decision to dismiss for performance/research failures. The University's position is that an outside arbitrator cannot make a binding decision about academic (evaluative) judgment matters.

6. **Time Off / Time Worked** – the Union has proposed strict limits to the amount of time the University can require a Postdoctoral Scholar to work in a day, and that Postdoctoral Scholars be paid for any unused "personal time off". The University has maintained that Postdoctoral Scholars are professional exempt employees who are responsible for fulfilling research commitments, and that the current system for time off is appropriate.
7. **Job Security** – the Union has proposed that Postdoctoral Scholars be entitled to UC employment after the Postdoctoral Scholars appointment ends, and argues Postdoctoral Scholars should not be subject to layoff. The University has maintained that pre and post employment matters are not a matter for these negotiations, and that the University must be able to layoff a Postdoctoral Scholar before the end of the appointment due to a lack of funds.

Should you have any questions regarding this information or desire further clarification, please contact Director of Labor Relations Lynne Thompson, thompson@chr.ucla.edu, or Labor Relations Specialist Gloria Robledo, grobledo@chr.ucla.edu, or (310) 794-0860.

Sincerely,

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