



OFFICE OF THE PROVOST AND
EXECUTIVE VICE PRESIDENT FOR ACADEMIC AFFAIRS

OFFICE OF THE PRESIDENT
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

November 30, 2022

ACADEMIC COUNCIL CHAIR COCHRAN
EXECUTIVE VICE CHANCELLORS AND PROVOSTS

My Dear Colleagues:

Hearing the concerns from your faculty, students, parents and others, you have requested systemwide guidance regarding two main issues: 1) whether and how Senate faculty may support the United Auto Workers (UAW) strike, should they wish to do so; and 2) whether and how to maintain academic standards for student academic performance and progress. Excellent guidance already exists with respect to the former issue in an updated [November 10 letter](#) from Academic Senate Chair Susan Cochran to division chairs and with respect to the latter issue in her [November 23 letter](#) to them. I write to endorse and highlight critical elements of that guidance.

I pause to repeat the good news that the University has reached a tentative agreement with the UAW on new five-year contracts with both the Academic Researchers and Postdoctoral Scholars. We understand the concerns about the effect on grants and will work with our principal investigators in these regards. The terms of the agreements can be found in this [press release](#). Note that the UAW also represents UC Academic Student Employees (teaching assistants/readers/tutors) and Graduate Student Researchers, and contract negotiations for those groups are ongoing. Information on current University proposals to the graduate student employee groups [is also available here](#).

The continuing challenge of striking graduate student employees is not an easy one: Graduate students represent a featured facet of the faculty's lasting intellectual and creative legacy. We are committed to responsibly supporting our graduate students, who are among the world's best and brightest and whom we successfully recruited for advanced study and training so they can develop into scholars, scientists, engineers, and teachers in their own right.

Rights and Responsibilities of Senate Faculty in Relation to the UAW Strike

Faculty have both the right and the responsibility to maintain course and curricular requirements, including and most particularly those of a teaching and research character, for all students, undergraduate and graduate. It is our expectation that faculty will continue to meet those responsibilities in support of their teaching and research. These rights and responsibilities include the timely awarding and submission of grades. The proper exercise of a faculty member's professional judgments in these and all academic matters must be and will be protected. I request that the campuses communicate to my office what extra flexibilities or resources are required to support the faculty in the execution of their several responsibilities.

I make that request recognizing that the great majority of faculty wish to avoid any further educational disruptions to graduate students and undergraduate students who experienced so much of these in recent years but may need guidance, flexibility and resources in order to ensure that unnecessary disruptions do not occur. I understand and expect deans, department chairs, and faculty members' administrative units to work with faculty to ensure the continuity of education for our students. More may be needed.

I am mindful that the Faculty Code of Conduct holds faculty to the ethical principle that "(t)he pedagogical relationship between faculty member and student must be protected from influences or activities that can interfere with learning consistent with the goals and ideals of the University." There is much at stake here because the protection of the professional rights and responsibilities of faculty matters profoundly: tenure, academic freedom and the central functions of the University rest upon them. It is the responsibility of the University, and of this office in particular, to support and maintain conditions and rights undergirding the faculty's pursuit of the University's mission.

If Senate faculty choose to withhold their labor during the strike, then they should be advised that doing so means that they are choosing to withhold all of their labor, and that the University in turn may withhold their compensation. It is part of the definition of being on strike. This is true under any circumstances where duties are not performed; it is not a disciplinary action. It is also important to note that withholding labor is an "all or nothing" proposition: Senate faculty may not choose to meet some responsibilities while withholding their labor for other responsibilities. For example, under labor law a Senate faculty member may not cancel classes, decline to grade exams, or withhold grades in solidarity with the strike while continuing to fulfill other aspects of their job such as their research or service obligations. This could put the faculty member at risk of disciplinary action under the Faculty Code of Conduct.

Of course, there are avenues for Senate faculty to demonstrate their support for the strike while continuing to meet their faculty responsibilities, such as by attending demonstrations or picketing during their personal time, or by expressing their support on social media or in conversation with others.

Rights and Responsibilities of Senate Faculty in Maintaining Academic Standards for Student Academic Performance and Progress

GSRs and ASEs are our students, as are the undergraduate students who may be affected by the strike, and it is important that we continue to support them in their academic progress. This includes ensuring that they are meeting the requirements for their progress towards degrees.

The University distinguishes between activities for which academic credit is given or that are academic program requirements for students in a program, and employment activities. Workload assigned to bargaining unit members is separate from the academic requirements associated with thesis/dissertation research, and/or academic progress required by their

November 30, 2022

Page 3

program that they must fulfill as graduate students. If a student is taking a course for academic credit, it is not considered an employment activity. Faculty have the responsibility to properly assess whether their students are making sufficient academic progress, and this is true whether or not a student employee is on strike from their employment. If you or your faculty have any questions regarding this distinction, please contact your local Academic Personnel or Labor Relations office.

We are continuing to negotiate actively with the UAW with sincere hopes of reaching a resolution with our student employees. We also continue to seek engagement with a third-party mediator as a way forward and hope that the UAW will accept this. We will continue to update you as things progress. Please reach out if you have any questions. Faculty members wishing to remain informed about these negotiations are encouraged to visit <https://www.universityofcalifornia.edu/UAW>.

Sincerely,

A handwritten signature in blue ink that reads "Michael T. Brown". The signature is written in a cursive style.

Michael T. Brown, Ph.D.
Provost and
Executive Vice President for Academic Affairs

cc: President Drake
Chancellors
Academic Council Vice Chair Steintrager
Executive Vice President and Chief Operating Officer Nava
Vice President Maldonado
Vice President/Vice Provost Gullatt
Vice President Lloyd
Vice Provost Haynes
Vice President Humiston
Vice President Leasure
Associate Vice President Matella
Associate Vice Provost Lee
Executive Director Lin
Executive Director Silas
Deputy General Counsel Woodall