

## **Frequently Asked Questions: Implementation of ASE and GSR Collective Bargaining Agreements**

On December 23, 2022, the new collective bargaining agreements for Academic Student Employees and Graduate Student Researchers went into effect. In reaching these historic agreements with UAW, the University is proud that the new negotiated salary scales and wage rates will ensure that our student employees are fairly and appropriately compensated for their service to the University. The salary scale increases generally range from 6.4% to 25.1%, with higher ASE salary scales at UCB, UCLA, and UCSF. In addition, by negotiating these higher salary scales, which will subsume top-ups, there will now be uniformity and consistency in how these bargaining unit members are compensated. With these wage increases, the University is more competitive and a national leader in supporting graduate students when they are employees.

### **I. What is a “top-up”? – Definition**

A top-up (also called “top-off”) is defined as the amount of money that an ASE or GSR would receive to reach their department’s previously offered funding package ***and***, importantly, receipt of the top-up is dependent on whether the individual accepts an ASE or GSR appointment.

Top-ups are calculated by subtracting the ASE or GSR wage (annualized at a 50%-time rate) from the department’s funding amount (annual).

The difference between the two is what is considered the top-up; that is, Funding Package amount – ASE/GSR wage = Top-up.

An example of a top-up is when a department’s student funding package states the student will receive \$34,000 each year, to be provided in a combination of employment and non-employment student funding. Because the 50% employment rate for a Teaching Assistant was \$23,247, the department would provide the student a top-up of \$10,753 ( $\$34,000 - \$23,247 = \$10,753$ ) in the form of student support, contingent on them accepting the Teaching Assistant appointment. If the student rejects the Teaching Assistant appointment, they will not receive the \$10,753 either.

### **II. How will top-ups be subsumed into the ASE/GSR salary scales?**

#### **1. What happens in Spring 2023?**

In order to implement the parties’ agreement to subsume top-ups into the new higher salary scales, there is a “bridge” from where we are now to where we will end up that provides for continued top-up support to existing ASEs and GSRs as we migrate toward the new salary scales.

Departments should pay the top-up amounts that they would have paid in Spring 2023 absent any wage increases. These should be paid through the usual channels. For example, if the top-up amount that the department would have paid through the student financial systems to a GSR is \$1,850 if there were no wage increase on April 1, then that is the amount to issue through the student financial systems in Spring 2023.

**2. What happens to top-ups in Fall 2023 and beyond?**

Top-ups will be converted into wages and subsumed into the new salary scales for current members. After this one-time conversion, the agreed upon salary scales for each unit will apply going forward and top-ups will no longer exist. Maintaining the integrity of the salary scales negotiated into the collective bargaining agreement is essential to the University’s role as a steward of public funds, to maintaining the strength of graduate education at UC, and to give meaning to the salary scales and the newly created experience-based movement through the salary scales that were negotiated by both parties.

The top-ups will be included in the salary scales and will be applied consistently across student employees after October 1, 2023 (some of the top-up amounts are so large that they will not be fully subsumed into the salary scales until 10/1/24).

Effective October 1, 2023, no further top-ups should be issued through the student financial systems and instead the top-up amount should be incorporated into wages as described in FAQ II.3 below. The University will not be issuing any top-ups after this date and top-ups will no longer exist.

**3. What happens specifically on October 1, 2023?**

On October 1, 2023, all ASEs and GSRs receive a general range adjustment to their salary scales, including the implementation of experience-based minimums. In determining placement on the salary scale, an ASE or GSR’s top-up amount shall be added into their total wage rate. If the resulting dollar amount does not match a salary point, then the ASE/GSR should be moved to the next highest point. Please see the examples below:

**Example 1: GSR Top-Up Transition to On-Scale Rate on October 1, 2023**

Assumptions	October 1, 2023
<ul style="list-style-type: none"> <li>- Semester campus</li> <li>- Funding package is \$34,000/year (\$17,000/semester)</li> <li>- Admissions letter is explicit that the student must have employment to receive the full funding package, but the department will supplement the wages up to \$17,000/semester</li> <li>- Student accepts GSR position at Level 5 at 50% for Spring 2023; current wage is \$30,300, or \$15,150 for the semester</li> <li>- The top-up received for Spring 2023 is \$1,850</li> <li>- Received 7.5% general range adjustment to base wage on April 1, 2023, increasing it to \$32,907 (50% FTE) or \$16,454 for Spring 2023</li> <li>- Spring 2023 rate is \$16,454 + \$1,850 top-up = \$18,303 or \$36,607 (50% FTE)</li> </ul>	<ul style="list-style-type: none"> <li>- Must be paid at minimum of GSR Level 2 due to experience -- GSR Level 2 rate increases to \$35,014 (50%) or \$17,507 for the semester</li> <li>- However, because the Spring 2023 rate of \$36,607 is both greater than current GSR Level 2 and falls in between Level 2 and Level 3, the GSR should be placed at Level 3</li> <li>- GSR is placed at Level 3; new rate is \$37,727/year (50%) or \$18,864/semester</li> <li>- The GSR is now on-scale and the funding commitment is fully met by the GSR salary, so the top-up is fully subsumed into the salary scale.</li> </ul>

**Example 2: ASE (Teaching Assistant) Transition to On-Scale Rate – Through October 1, 2024**

Assumptions	Procedure
<ul style="list-style-type: none"> <li>- Group 2 campus; semesters</li> <li>- In first year of TA experience</li> <li>- Funding package is \$34,000/year (\$17,000/semester)</li> <li>- Admissions letter is explicit that the student must have employment to receive the full funding package, but the department will supplement the wages up to \$17,000/semester</li> <li>- Student accepts TA position at 50% for Spring 2023; current wage is \$23,246, or \$11,623 for the semester</li> <li>- The top-up for Spring 2023 is \$5,377</li> </ul>	<p><b>What happens on 4/1/23?</b></p> <ul style="list-style-type: none"> <li>- TA rate increases to \$25,000 (50%) or \$12,500 for semester</li> <li>- Apply the current top-up amount of \$5,377</li> <li>- New total wage rate starting 4/1/23 is \$17,877</li> <li>- Equivalent to \$35,754/year</li> </ul> <p><b>What happens on 10/1/23?</b></p> <ul style="list-style-type: none"> <li>- TA is eligible to move to Group 2, Level 2 (\$32,204) but the Spring 2023 wage, including the top-up, is already higher than Level 3 (\$33,170)</li> <li>- Per the agreement, the TA receives a 2% increase because they are above the salary scale</li> <li>- TA salary for AY 23-24: \$36,469</li> <li>- The funding commitment is fully met by the TA salary</li> </ul> <p><b>What happens on 10/1/24?</b></p> <ul style="list-style-type: none"> <li>- TA is eligible to move to Group 2, Level 3 (\$38,723)</li> <li>- This is 6.2% higher than the AY 23-24 rate</li> <li>- The TA is now <u>on-scale</u> at Group 2, Level 3</li> </ul>

**Example 3: GSR Transition to On-Scale Rate**

Assumptions	Procedure
<ul style="list-style-type: none"> <li>- Quarter campus</li> <li>- Funding package is \$35,000/12 months (\$8,750/quarter)</li> <li>- Department supplements the salary each quarter, contingent on employment</li> <li>- Student accepts GSR position at Level 7 at 50% for Spring 2023; current wage is \$34,246, or \$8,562 for the quarter</li> <li>- The top-up for Spring 2023 is \$188</li> </ul>	<p><b>What happens on 4/1/23?</b></p> <ul style="list-style-type: none"> <li>- GSR Level 7 becomes the new Level 4; no experience movement required</li> <li>- Salary is \$38,205 (50%) or \$9,551/quarter</li> <li>- Apply current top-up amount of \$188</li> <li>- New total wage for Spring 2023 is \$9,739</li> <li>- Equivalent to \$38,956/year</li> </ul> <p><b>What happens on 10/1/23?</b></p> <ul style="list-style-type: none"> <li>- GSR is above experience minimum, can remain at Level 4</li> <li>- Salary is \$40,651 (50%) or \$10,163/quarter</li> <li>- GSR is on-scale at Level 4 and the funding commitment is fully met by the GSR salary</li> </ul> <p><b>What happens on 10/1/24?</b></p> <ul style="list-style-type: none"> <li>- GSR is above experience minimum, can remain at Level 4</li> <li>- Salary is \$43,241 (50%) or \$10,810/quarter</li> </ul>

**Example 4: GSR Trainee Transition – Top-Up**

Assumptions	Procedure
<ul style="list-style-type: none"> <li>- Food &amp; Ag Science National Needs Fellowship (training grant)</li> <li>- Quarter campus</li> <li>- Funding Package is \$35,000 per year</li> <li>- Institutional award provides a \$24,500 stipend per year, 3 year award</li> <li>- Department supplements the salary each quarter and receiving the supplement is contingent on employment</li> <li>- Student’s first year on the award is 2022/2023</li> </ul>	<p><b>What happens on 4/1/23?</b></p> <ul style="list-style-type: none"> <li>- Nothing happens, because GSR trainees and fellows do not move onto the salary scale until 10/1/23</li> <li>- Trainee continues to receive the award stipend and the supplement payment from the department continues through 9/30/2023</li> </ul> <p><b>What happens on 10/1/23?</b></p> <ul style="list-style-type: none"> <li>- Award stipend amount remains at \$24,500 per year</li> <li>- The contract requires that the student transition to the GSR salary scale effective 10/1/23</li> <li>- Student is placed on salary point 2 on the GSR salary scale at \$35,014 (50%) due to prior experience</li> <li>- Department will provide \$10,514 in supplemental wages on top of the \$24,500 to reach salary point 2</li> </ul> <p><b>What happens on 10/1/24?</b></p> <ul style="list-style-type: none"> <li>- Award stipend amount remains at \$24,500 per year</li> <li>- Student is placed on salary point 3 on the GSR scale at \$40,130 (50%) due to prior experience</li> <li>- Department will provide \$15,630 in supplemental wages on top of the \$24,500 to reach salary point 3</li> </ul>

**Example 5: GSR Fellow Transition – NSF GRFP**

Assumptions	Procedure
<ul style="list-style-type: none"> <li>- Quarter campus</li> <li>- Fellowship provides a \$37,000 stipend per year; 3 years of support that may not be consecutive.</li> <li>- Student’s first year on the fellowship is 2022/2023</li> </ul>	<p><b>What happens on 4/1/23?</b></p> <ul style="list-style-type: none"> <li>- Nothing happens, because GSR trainees and fellows do not move onto the salary scale until 10/1/23</li> <li>- Fellow continues to receive the award stipend through 9/30/2023</li> </ul> <p><b>What happens on 10/1/23?</b></p> <ul style="list-style-type: none"> <li>- GSR is not on the NSF GRFP Fellowship and is appointed in a “regular” GSR title</li> <li>- Fellow is placed on salary point 2 on the GSR scale at \$35,014 (50%) due to prior experience</li> </ul> <p><b>What happens on 10/1/24?</b></p> <ul style="list-style-type: none"> <li>- GSR moves back onto the GRFP fellowship</li> <li>- Fellowship provides a \$37,000 stipend per year</li> <li>- Fellow is placed on salary point 3 on the GSR scale at \$40,130 (50%) due to prior experience</li> <li>- Department will provide \$3,130 in supplemental wages on top of the \$37,000 to reach salary point 3</li> </ul>

**4. For Summer 2023, what if the funding package clearly delineates summer support as separate and apart from funding during the academic year and makes acceptance of the summer funding contingent on accepting employment?**

If the summer support meets the definition of “top-up” as defined in FAQ # I above, the department should continue to provide that summer top-up support in Summer 2023. Effective October 1, 2023 and onwards, any summer top-up support should be subsumed into the salary scales.

If the summer support does not meet that definition of “top-up” because, for example, it is not tied to a GSR or ASE appointment, then it should not be subsumed into wages and should continue as a separate form of student financial support.

**III. How should a top-up be incorporated into wages when a graduate student transitions between ASE and GSR titles from Spring 2023 to Fall 2023?**

In accordance with the definition of a Top-Up (Section I above) and the reason for different and distinct salary scales (Section IV.2 below), departments should treat the total financial package number as the incoming wage rate ahead of the 10/1/23 scale adjustment and experience-based placement on the respective ASE or GSR scale. See the following examples:

**Example 1: Spring 2023 GSR to Fall 2023 ASE**

Assumptions / GSR Spring 2023	October 1, 2023 – Moves to ASE Fall 2023
<ul style="list-style-type: none"> <li>- Semester campus</li> <li>- Funding package is \$34,000/year (\$17,000/term)</li> <li>- Admissions letter is explicit that the student must have employment, but the department will supplement the wages up to \$17,000/term</li> </ul> <p><b>GSR Appointment – Spring 2023</b></p> <ul style="list-style-type: none"> <li>- Student accepts GSR position at Level 5 at 50% for Spring 2023; current wage is \$30,300, or \$15,150 for the semester</li> <li>- The top-up for Spring 2023 is \$1,850</li> <li>- Received 7.5% general range adjustment to base wage on April 1, 2023, increasing it to \$32,907 (50% FTE)</li> </ul>	<ul style="list-style-type: none"> <li>- Graduate student accepts a TA appointment in Fall 2023 (with only one semester of prior teaching experience)</li> <li>- TA is only eligible for Group 1, Level 1 (\$29,125 – 50%) but \$34,000 financial package number is already higher than Level 3 (\$30,899) and considered “above-scale.”</li> <li>- Per the agreement, the TA receives a 2% increase instead on \$34,000</li> <li>- TA salary for AY 23-24: \$34,680</li> </ul> <p><i>For future appointments as a GSR after Fall 2023, departments should follow the procedures outlined above to incorporate the Spring 2023 GSR top-up into wages (which is an increase from Spring 2023), irrespective of the ASE appointment.</i></p>

**Example 2: Spring 2023 ASE to Fall 2023 GSR**

Assumptions / ASE Spring 2023	October 1, 2023 – Moves to GSR Fall 2023
<ul style="list-style-type: none"> <li>- Group 2 campus; semesters</li> <li>- Funding package is \$34,000/year (\$17,000/term)</li> <li>- Admissions letter is explicit that the student must have employment to receive the full funding package, but the department will supplement the wages up to \$17,000/term</li> </ul> <p><b>ASE Appointment – Spring 2023</b></p> <ul style="list-style-type: none"> <li>- Student accepts TA position at 50% for Spring 2023; current wage is \$23,246, or \$11,623 for the semester</li> <li>- The top-up for Spring 2023 is \$5,377</li> <li>- Received 7.54% rate increases to \$25,000 (50% FTE) or \$12,500 for semester</li> <li>- Apply the current top-up amount of \$5,377</li> <li>- New total base wage rate starting 4/1/23 is \$35,754/year</li> </ul>	<p><b>What happens on 10/1/23?</b></p> <ul style="list-style-type: none"> <li>- Graduate student accepts a GSR appointment in Fall 2023 (no prior GSR experience)</li> <li>- GSR is only eligible for Salary Point 1 but \$34,000 financial package number is already higher than salary point 1 (\$32,495 – 50%) and falls in between points 1 and 2. The GSR should be placed at Salary Point 2 (\$35,014)</li> </ul> <p><i>For future appointments as an ASE after Fall 2023, departments should follow the procedures outlined above to incorporate the Spring 2023 ASE top-up into wages (which is an increase from Spring 2023), irrespective of the GSR appointment.</i></p>

**IV. ASEs and GSRs Salary Scales**

**1. May the ASE and GSR salary scales be treated the same?**

No, the University and the Union negotiated distinct and different salary scales with different wage rates for ASEs and GSRs. ASEs are on Tables [18](#), [19](#), and [20](#) (this includes higher salary scales for ASEs at UCB, UCLA, and UCSF beginning October 1, 2023). GSRs are on Table [22](#). Placement on the ASE and GSR salary scales, including experience-based advancement, has been newly established in the collective bargaining agreement between the University and the Union and should be adhered to.

The ASE and GSR salary scales that will go into effect on October 1, 2023, represent significant wage increases (general range adjustments ranging from 6.4% to 25.1%), in addition to contractually-mandated minimum salaries based on experience.

**2. What is the reason for different salary scales between ASEs and GSRs?**

ASEs and GSRs are in different bargaining units, performing distinct work; ASEs engage in instruction and GSRs engage in research. This is reinforced by the parties' agreement to different, experience-based salary scales within each bargaining unit. Providing the exact same pay for ASE and GSR employment creates the assumption of equivalent work, does not recognize the achievements in advancement based on experience that the parties negotiated, and renders meaningless the different and distinct salary scales the parties agreed to.

In order for a department to provide a GSR appointment and place them on the appropriate point on the GSR salary scale, they must meet the definition of GSR as defined in the collective bargaining agreement. Specifically, departments may only appoint graduate students in GSR titles if they meet the following definitions:

- Graduate Student Researcher: Graduate student who performs research as a condition of receiving financial remuneration from funding generated by the University in an academic department or research unit, provided that the graduate student is performing this funded research under the control of the University and under the specific direction of a faculty member or authorized Principal Investigator.
- “Trainee” Category of Employees: Where the graduate student meets the terms identified above and the funding source from which they receive remuneration deems that the money provided cannot be characterized as wages, the graduate student is an employee and the University will place the graduate student employee in a new “Trainee” title code that reflects that the money provided is not subject to a W-2.
- “Fellow” Category of Employees: Graduate student who (i) obtains individual fellowship(s) where receipt of the fellowship funding requires the performance of a service for the University; and (ii) performs research in an academic department or research unit, provided that the graduate student is performing this fellowship research under the control of the University and under the specific direction of a faculty member or authorized Principal Investigator.

### **3. Should GSRs and ASEs be paid their salary scale rate?**

Yes, GSRs and ASEs should be paid on-scale. Off-scale pay is not permitted.

While the collective bargaining agreement allows the University to pay above the salary scale in its discretion, outside of the process of converting top-ups into wages and thereby necessitating pay above the salary scale, departments must seek prior approval from the central office designated by the campus before moving forward with wages above the salary scale. Each campus will distribute guidance as to the appropriate office to provide the pre-approval and the process for seeking prior approval.

Those paid above the salary scale will receive a smaller increase (2%) than those who are on-scale (who will receive the general range adjustment, which is larger than 2%).

## **V. How should campuses handle prospective student financial support letters?**

### **1. How should campuses prepare admissions/student funding letters in the future?**

Student financial support letters should be separate from any employment offer letters. Corresponding templates for each type of letter (student financial support and employment offer letters) will be provided for prospective use.

## 2. What is the difference between employment and other student financial support?

Non-employment student financial support (including overall dollars in an offer package) are not “compensation, “wages”, or “salary.” Under the Recognition article in the GSR collective bargaining agreement, “non-employment student financial support” is funding, including financial aid awards, to pursue a course of study, with no or de minimis service expectation imposed by the University, and whose receipt of these funds does not require the performance of service at the direction and control of the University.

## VI. Can departments continue to provide students student financial support, including one-time funding awards?

Yes, there is a clear distinction between financial aid support for students versus wages for employment in the collective bargaining agreement:

- In the GSR Recognition article, it states that “Students who receive funding, including financial aid awards, to pursue a course of study with no or de minimis service expectation imposed by the University, and whose receipt of these funds does not require the performance of service at the direction and control of the University...” are excluded from the bargaining unit.
- In the Management and Academic Rights article for both the [ASE](#) and [GSR](#) collective bargaining agreements, it states, “The Agreement is limited to all matters within the ‘scope of representation.’ The collective bargaining agreement solely regulates the wages, hours, and terms and conditions of employment for GSRs, pursuant to HEERA. With this understanding, the University retains sole discretion and authority over issues related to academic judgment and student matters, including but not limited to: . . . financial aid, tuition and fees; financial support to students, including, but not limited to application, selection, funding, administration, usage, accountability and termination and all matters related thereto.”

It is within the University’s management and academic rights to provide graduate students with funding awards, including one-time funding, if the award is not contingent on employment with the University. Departments may, and should, continue to provide student financial support that is completely disconnected from work obligations.

## VII. How are staff expected to manage already demanding workloads while addressing these important and required processing changes and undertaking necessary training and learning opportunities to do so?

Appropriate processing of the new agreements and transitioning to these changes represent new and significant workload issues. UCOP and campus leadership recognize the significant administrative challenges surrounding the changes and transition to the new contract agreements. There are increased workload and complexities for faculty and staff. Campus and department leadership are encouraged to acknowledge difficulties and provide for flexibility, creative support mechanisms and/or additional resources to assist as possible.