



Nadine Fishel
Associate Director, Labor Relations
University of California, Office of the President

December 9, 2022

RE: Cease and desist and demand to bargain effects of UAW Strike

Dear Ms. Fishel,

UC-AFT is in receipt of an email (enclosed) from Heather Archer at UC Berkeley announcing the University's intention to offer compensation to Unit 18 members for "extra grading work at the end of the semester." UC Riverside Writing Program has announced compensation on a piece basis for grading papers. UC-AFT is aware of plans on several other campuses to offer payment to our members for struck work.

Any payment scheme, schedule or calculation for performing struck work made directly to UC-AFT members is unlawful direct dealing, and the University must cease and desist implementing any such plans and retract all related communications immediately. If the University does not withdraw these offers by the end of business Friday, December 9, UC-AFT will take whatever necessary legal action. The University must abide by the terms of the collective bargaining agreement regarding workload and compensation. UC-AFT considers any unsolicited assignment of struck work to constitute interference with our members' right to refuse struck work under HEERA.

Be advised that any communications from UC-AFT members to department chairs articulating rights under HEERA and the Unit 18 MOU were not solicitations of assignments.

In addition, UC-AFT demands to bargain over the use of student evaluations from strike impact terms in all future reappointment, excellence and merit reviews.

Sincerely,

Katie Rodger, UC-AFT 1474 President

John Branstetter, UC-AFT 1474 Vice President for Unit 18



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----- Forwarded message -----

From: **Heather Archer** <archer@berkeley.edu>

Date: Tue, Dec 6, 2022 at 12:43 PM

Subject: additional comp for Unit 18 faculty for taking on extra grading work

To: Paul Bissember <erose@ucaft.org>

Cc: Mara Otero <mara.otero@berkeley.edu>, Chinemerem Chukwu <cchukwu@berkeley.edu>, <addison_elr@berkeley.edu>, Ann Gilbert <anngilbert@berkeley.edu>

Dear Emily and ELR colleagues,

I wanted to let you know the UC Berkeley campus plans to allow academic units to pay additional compensation to Unit 18 faculty for taking on extra grading work at the end of this semester. This will be paid at an individual's hourly rate calculated as:

$\text{Annual Salary}/2 = \text{Semester Rate}$

$\text{Semester Rate}/88 \text{ (days in the fall 2022 semester)} = \text{Daily Rate}$

$\text{Daily Rate}/8 = \text{Hourly Rate}$

This is based on what UCSC did a few years ago during their wildcat strike and aligns with what some of our sister campuses are doing at the end of this term as well.

Sincerely,

Heather

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Heather Archer, Assistant Vice Provost
Academic Personnel Office