

The University and the Union agree to resolve the request for recognition petition ("Petition") filed by the Union (SF-RR-1022-H) as follows:

The parties agree that the new Graduate Student Researcher Unit ("Unit") at all University of California campuses, research programs and units, and Lawrence Berkeley National Laboratory will be defined as described in this agreement below.

I. Inclusion in the Unit - As a compromise in this matter, and without admitting that these graduate students should have previously been categorized as employees, the parties agree that **the following group of graduate students meet the definition of employee or higher education employee under HEERA §3562 (e) and will be included in the unit:**

A. Graduate Student Researcher – Category of Employees

1. Definition: 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.
2. These title and title codes will be applicable to this category of graduate student employees:
 - i. GSR-FULL FEE REM, 3282
 - ii. GSR-FULL TUIT & PARTIAL FEE REM, 3283
 - iii. GSR-NO REM, 3266
 - iv. GSR-PARTIAL FEE REM, 3276
 - v. GSR-TUIT & FEE REM, 3284
 - vi. GSR-TUIT & FEE REM-UCSD-GRP B, 3285
 - vii. GSR-TUIT & FEE REM-UCSD-GRP C, 3286
 - viii. GSR-TUIT & FEE REM-UCSD-GRP D, 3287
 - ix. GSR-TUIT & FEE REM-UCSD-GRP E, 3262
 - x. GSR-TUIT & FEE REM-UCSD-GRP F, 3263
 - xi. GSR-TUIT & FEE REM-UCSD-GRP G, 3264
3. Moving forward, the University agrees to refrain from the use of the Graduate Student Assistant Researcher title as described in APM-112-4-b-24, will no longer use the title codes GSAR-GSHIP, 3274 or GSAR-NON GSHIP, 3273, and will withdraw the GSAR salary scale (which is lower than the GSR salary scale). The 9 GSARs systemwide who are at UC Irvine will be moved to one of the GSR titles listed in this section within 90 days of this agreement.

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B. New “Trainee” Category of Employees

1. Definition: Where the graduate student meets the terms identified in Section I.A.1 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.
2. Titles and Title Codes: The University will create a set of Trainee titles and title codes for this group of employees parallel to section I.A.2 above.

C. New “Fellow” Category of Employees

1. Definition: Graduate student who (a) obtains individual fellowship(s) where receipt of the fellowship funding requires the performance of a service for the University; and (b) 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.
2. Titles and Title Codes: The University will create new “Fellow” title codes for this group of employees.

D. GSRAs at Lawrence Berkeley National Laboratory – Category of Employees

1. GSRAs will be placed into the appropriate above UC GSR title codes, or LBL will create a parallel set of title codes for GSRAs.

II. Exclusion From the Unit: Anyone not defined as employees above are excluded from the unit, including, but not limited to:

- i. All employees defined by HEERA as managerial, supervisory and/or confidential;
- ii. All employees of Lawrence Livermore National Laboratory and Los Alamos National Laboratory;
- iii. All employees in title code CWR003 – Visiting Student Res-Graduate;
- iv. All positions that are exclusively represented at the time of this petition;
- v. All staff positions covered by the University of California Office of the President Personnel Policies for Staff Members; and
- vi. 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.

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This Agreement is a full settlement of the Unit composition and the parties agree to seek recognition from PERB on this basis.

This Agreement is made on a non-precedent setting basis.

Neither party makes any admission of wrongdoing and both parties maintain that their positions in this proceeding have been made lawfully and in good faith. The University further contends that all students have been appropriately classified to date.

STUDENT RESEARCHERS UNITED/UAW:

Dated: December 7, 2021

By: Michael J. Miller
Michael Miller
UAW International Representative

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA:

Dated: 12/8/2021, 2021

By: 
Letitia Silas
Executive Director, Labor Relations