

February 2026

**Strike Resource for Instructors of Record and  
Principal Investigators Who Supervise Graduate Student Employees**

The Frequently Asked Questions (FAQ) below and the table at the end of this document were developed by Systemwide Academic Personnel and Systemwide Labor Relations, as a resource for campuses to distribute to Faculty, Instructors of Record and Principal Investigators who supervise graduate student employees, in the event of a strike by the UAW (Academic Student Employees and Graduate Student Researchers). This guidance document supersedes any prior guidance issued to faculty on striking graduate student employees. Guidance is critical so that faculty do not inadvertently violate California’s Higher Education Employer-Employee Relations Act (HEERA) or engage in conduct that would constitute interfering with the employees’ rights to engage in union activity. This guidance should be read as consistent with HEERA, applicable collective bargaining agreements and settlement agreements. In the event of a conflict, those provisions will control. This guidance may be updated from time to time in response to feedback from stakeholders, operational needs, and changes to the law.

This guidance should be shared on a need-to-know basis with the positions identified above (faculty, Principal Investigators, and Instructors of Record) and other supervisors and administrators who need the information to perform their duties. **This guidance should not be distributed to UAW-represented employees in the ASE, GSR, RPSP, or SSAP units, or posted online.**

**UAW Strike**

The UAW authorized a strike vote and the strike vote was successful. The UAW’s Executive Board now has the authority from their members to call a systemwide strike. The UAW and the University are required to complete three days of mediation before a graduate student employee strike can occur. A faculty representative will also be in attendance throughout the mediation process. After the contract expiration on February 28, 2026 and the conclusion of the three days of mediation, a strike would not be prohibited by the parties collective bargaining agreement.

The Union called a strike vote on the basis of alleged unfair labor practices committed by the University. The University strongly disagrees with UAW’s tactics. The University has consistently bargained in good faith with the Union and believes the potential strike is unnecessary and risks diverting focus from the meaningful progress being made at the bargaining table, where the parties have reached agreement on many contract articles and continue to make progress.

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**Engaging with ASEs, GSRs, and Other Striking Employees About Striking**

**1. Can we ask graduate student employees if they plan to strike, or if they are on strike?**

No, under labor laws, you are not permitted to ask graduate students if they are planning on striking or if they are on strike. However, you can inquire as to whether the employee is planning on working, or not working, on specific dates, subject to the constraints described below.

When inquiring if an employee plans to work, you should explicitly state that the employee is not required

to answer and will not face retaliation for any response. The following language illustrates what a supervisor may ask:

*"I need to ensure [research or instructional] continuity in the coming weeks. Are you planning to work on [date(s)]? You're not obligated to answer my question, and the University won't retaliate against you regardless of what you say or if you decide not to respond. If you do not respond, we will assume for planning purposes that you will not be working."*

Faculty, Instructors of Record, Principal Investigators, and those serving in supervisory roles should not survey or communicate with employees concerning their intention to participate, or not participate, in a strike. Asking employees about their intention to strike or to participate in other union activities could violate employee rights under applicable labor laws. Specifically, such questioning has been found to interfere with the right to engage in strikes by creating an *impression* of coercive surveillance or monitoring.

If the UAW members vote to authorize a strike, Instructors of Record, Principal Investigators, and those serving in other supervisory roles may ask employees if they plan to perform their work, using the language provided above. It is important to understand, however, that employees have the right to refuse to answer or may provide an answer and then change their mind. If the employee changes their plans, they are not obligated to communicate that to their supervisor. As noted above, we must avoid coercive questioning or other actions that an employee could understand to interfere with their protected activity.

**2. If the ASE or GSR decides to work during the strike, can they unilaterally determine what type of duties they want to perform during the strike?**

No, if the ASE or GSR responded affirmatively that they plan on working, they are not permitted to unilaterally determine what type of duties they want to perform. The Instructor of Record/Principal Investigator supervisor should determine the priority duties and what, if any, adjustments need to be made to the ASE's or GSR's workload. Work duties should comport with general workload expectations and the contract.

If the graduate student employee responds that they plan to work in response to the question above, the following are examples of what you may say or write to the graduate student employee:

*"Thank you for letting me know you plan on working. To ensure that we have adequate coverage for the research, my expectation is that you will perform the following [TASKS/DUTIES/EXPECTATIONS – e.g., specific experiment to run, research to produce, or hours you expect the GSR in the lab]. If you have any questions or concerns, please let me know." Or "Thank you for letting me know you plan on working. To ensure we have adequate coverage of the instructional needs of our students, my expectation is that you prioritize completing [LIST THE TASKS/DUTIES/EXPECTATIONS - e.g., grading and submitting these papers/exams, leading these discussion sections] by [INCLUDE THE DEADLINE]. If you have any questions or concerns, please let me know."*

**3. Can ASEs/GSRs unilaterally determine what type of duties they want to perform after the strike has concluded?**

No, the Instructor of Record or Principal Investigator supervisor determines the types of duties the ASE or GSR should perform after the strike has concluded.

If, and when the strike concludes, you may need to communicate your priorities for work completion to the graduate student employee, remaining mindful of the workload limitations in their collective bargaining

agreement. An example of how that may be communicated is an email stating,

*"I know that there have been some disruptions in our work so I wanted to be sure to communicate with you on what is needed to complete the work while remaining mindful of your workload limitations. If you have any concerns or anticipate that you will exceed your workload limitations, please prioritize doing [LIST TASKS/DUTIES] and please do not perform [LIST TASKS/DUTIES]. If there are other duties I have not listed that you are concerned about, please let me know and I can determine whether they should be done or not, and whether you or I should do them. If you have any questions or concerns, please let me know."*

**4. How should Instructors of Record and Principal Investigators respond if a represented employee talks about the strike with you?**

It is critical that Instructors of Record and Principal Investigators who supervise graduate student employees, even if they are not "supervisors," understand what is permissible to say and what is not permissible to say to employees, because it is unlawful to discourage or retaliate against employees if they are engaging in lawful strike activity or to engage in direct dealing with represented employees. The UAW is the exclusive representative of the graduate student employees. Conduct such as giving the "cold shoulder," discouraging participation in a strike, increasing their workload in anticipation of a strike, or changing the terms and conditions of their employment because of the strike may be perceived as retaliatory by the graduate student employee. This is true even if the employee's absence will cause disruption to the instruction or research of the institution.

Inquiries from graduate student employees about the strike, including questions regarding union membership, union activities, and strike-related activities, should be redirected to UAW representatives or the Public Employment Relations Board (PERB). However, nothing prevents you from engaging in normal conversations with graduate student employees concerning subjects not related to union membership, union activities, or strike activities. Such subjects include academic progress.

An example of how you can respond is to say, "Because the UAW is your exclusive representative, you should be reaching out to your UAW representative for any information about the strike. If you would prefer to reach out directly to the Public Employment Relations Board, you can do that as well. I am unable to discuss these matters with you but please know that I care about your success and hope that you can get the answers you seek from the UAW or PERB."

**5. Should Instructors of Record and Principal Investigators, including Department Chairs, meet with striking employees to hear their concerns and try to resolve them?**

No, this would be considered "direct dealing" with represented employees. Labor laws prohibit employers or their representatives from bypassing an exclusive representative to deal directly with employees to effect a change in the terms and conditions of employment. Only the Labor Relations team of the Office of the President may meet with the Union to address concerns and resolve disputes related to the systemwide strike. Information about direct dealing and other frequently asked questions about union representation at UC can be found on [UCNet](#).

**6. What about the other UAW units that may be striking - Am I impacted as an Instructor of Record or Principal Investigator?**

Yes, the following titles are in the staff Research and Public Service Professionals Unit (RPSP) that the UAW also represents and several of them are funded off federal grants or state contracts. They administer contracts and grants operations.

**RSCH DATA ANL** – Research Data Analyst  
**PROJECT POLICY ANL** – Project Policy Analyst  
**PUBL ADMSTN ANL** – Public Administration Analyst  
**CMPTL AND DATA SCI RSCH SPEC** – Computational and Data Science Research Specialist  
**AEROSPACE ENGR** – Aerospace Engineer  
**GEOGRAPHIC INFO SYS PROGR** – Geographic Information Systems Programmer  
**CLIN RSCH ANL** – Clinical Research Analyst  
**BIOINFORMATICS PROGR** – Bioinformatics Programmer  
**ACAD PRG MGT OFCR** – Academic Program Management Officer  
**RSCH Cmplnc ANL** – Research Compliance Analyst  
**RSCH GNT PRG OFCR** – Research Grant Program Officer  
**RSCH ADM** – Research Administrator  
**CURATOR** – Curator  
**EXHIBITIONS SPEC** – Exhibitions Specialist  
**FIELD RESEARCHER** – Field Researcher  
**SURVEY RESEARCHER** – Survey Researcher  
**PROJECT MGT PROFL** – Project Management Professional

In addition, the Student Services and Advising Professionals (SSAP) are also represented by the UAW and they are in the following staff titles:

ACAD ACHIEVEMENT CNSLR  
ADMISSIONS RECRMT SPEC  
CAREER SVC SPEC  
CURRICULUM PLNR  
FINANCIAL AID OFCR  
STDT AFFAIRS OFCR  
STDT ACAD SPEC  
STDT DISABILITY SPEC  
HEALTH EDUCATOR  
STDT ACAD ADVISOR  
STDT LIFE DEV SPEC  
REGISTRAR SPEC  
ADVOCATE  
INDUSTRY ALLNS SPEC  
STDT SVC ADVISOR

The same guidance provided above regarding graduate student employees applies to the above employees as well, especially if you are a Principal Investigator and are funding any of the above employees on your grant.

### **Academic Progress**

#### **7. What can faculty say to graduate students about their student responsibilities during a strike?**

Graduate student employees have a dual role: they are students as well as employees.

You can and should expect students to fulfill their academic responsibilities, as outlined in the course

syllabus or other appropriate academic expectations documents not related to employment. This includes meeting academic assignments related to coursework in 299-level, 500-level, and equivalent courses. These expectations are unchanged during a strike. In having conversations about academic expectations, you should ensure you focus solely on academic matters, including progress toward the student's dissertation, not on employment-related matters.

**8. How do I grade a graduate student who is supposed to be getting credit for research but is not performing any research because they are on strike as a GSR?**

Academic standards do not change during a strike. If the student is not meeting academic assignments or milestones related to their coursework because they are on strike, students should be treated in the same manner they would normally be treated if they missed academic assignments or milestones in their course.

**9. How do I distinguish between academic progress for which a graduate student is seeking credit and work for which the GSR is being paid and might be striking?**

For graduate classes where there is a syllabus, the syllabus can be the guide, and where there is a job description for the GSR, the job description and any written GSR work expectations can be the guide. Any academic expectations you established and communicated previously to the student, you may continue to maintain that expectation. If the student completes the requirements in the syllabus and the academic expectations you communicated to them, their grade should not be impacted if they missed a lab session because they were on strike.

If you have any questions on the delineation with respect to your specific situation, please contact your campus Academic Personnel and Labor Relations offices.

**Time and Attendance Review and Compensation Questions**

**10. Will the graduate student employee be paid for working while they are on strike?**

No, while individual employees may choose not to strike, those who do strike will not be paid for any work performed during a day when they are on strike.

We value our employees and fully respect represented employees' right to engage in protected activity, including a lawful strike. However, since striking employees are, by definition, not working, they are not eligible to receive their regular pay. The UAW and the University have reached an agreement mutually acknowledging this and issued a [leave compliance joint statement](#) to that effect. In addition, the UAW provides \$500 per week in strike assistance to eligible UAW members.

Federal guidelines also require us not to pay employees on federal grants if they are not working. State contracts are the same. Employees who wish to receive their regular pay should perform their work during this time. If any graduate student employee does not perform work as assigned, the University will presume, absent prior authorization of a leave or medical certification, that any work absence during a strike period is strike-related.

Instructors of Record and Principal Investigators should work with department administration to verify that submitted timesheets/leave reporting are correct prior to approving them. They, in turn, may consult with campus Academic Personnel and Labor Relations prior to approving or declining approval of submitted timesheets/leave reporting.

If an Instructor of Record and/or Principal Investigator is aware of a discrepancy in a timesheet/leave reporting, they should first notify the employee to correct their timesheet/leave reporting prior to approval.

**11. If a graduate student employee chooses to work during the strike, will they be paid?**

Yes, if a graduate student employee performs all of their assigned work during a day when a strike occurs, the employee should receive their normal compensation for that day.

**12. What are my obligations to track absences by graduate students and other employees due to the strike?**

Principal Investigators and Instructors of Record must accurately track attendance of graduate student employees just as they would any other time of year. They are responsible for approving or returning timecards/leave reporting submitted by graduate student employees in campus time and attendance reporting systems. **This is true in all circumstances, and the UAW agrees.** It is especially important for extramurally funded work, such as projects associated with federal grants or state contracts. The University cannot use extramural funds as compensation for work that was not performed. Only costs which advance the goals of a project may be directly charged to that project; paying an employee from a grant during an absence that should be unpaid will jeopardize the grant award, the Principal Investigator's standing with the funding agency, and the University's ability to receive extramural awards in the future.

**13. What are the obligations of graduate student employees to report their absences due to a strike?**

In 2024, the University and UAW reached a settlement agreement in which both parties agreed that UAW-represented UC employees are expected to record whether or not they take a leave of absence by using the University's time and attendance systems, including in the event of a labor stoppage.

In the event of a labor stoppage, the UAW and the University agreed that graduate student employees who strike must record those days as "Leave without Pay" in the time and attendance system. Failure to engage with the time and attendance system during the strike may be used as evidence that an employee withheld labor for purposes of aligning pay with work. Employees who do not submit a timesheet/leave reporting by the biweekly/monthly submission deadline may be subject to discipline in alignment with the settlement agreement reached by the University and UAW in 2024.

Please consult with department administration before initiating any discipline. They, in turn, may consult with campus Academic Personnel and Labor Relations.

**14. What should I do if I know an employee did not perform their assigned work?**

During a strike, employees who withhold labor are assumed to be on strike and should not be paid.

Instructors of Record and Principal Investigators should record the time and date of the missed work and keep any messages or notifications from the employee concerning their absence.

Once an employee submits their timesheet/absences, Instructors of Record and Principal Investigators should carefully review the reported time/absences to confirm that the reported absences match their own records. If there is a discrepancy, the timesheet/leave reporting should be returned to the employee for correction. If you have any questions about returning the timesheet/leave reporting to the employee, please consult with department administration.

**15. What if an employee works a partial day and refuses to perform specific duties, such as grading?**

Under the Higher Education Employer-Employee Relations Act (HEERA), partial striking is not permitted. Employees who participate in the strike cannot perform some duties and withhold others. Examples include missing assigned discussion sections or office hours, withholding grades, or skipping other assigned work while performing selected tasks.

ASEs and GSRs cannot partially withhold labor during a strike. If you assigned an ASE or GSR to complete specific duties that are within their scope of duties and they did not complete all of them or unilaterally did something else, they are considered to be on strike and pay should be withheld.

If the employee claimed to engage in a partial strike by performing some work and not others, please consult with department administration. They, in turn, may consult with campus Academic Personnel and Labor Relations prior to approving or declining approval of submitted timesheets/leave reporting.

However, please note that an employee can strike on one day, and then resume work the following day, even if the strike is still ongoing. In that case, as long as the employee performs all assigned duties on days when they are working, they should receive normal pay for those days.

**16. If I am designated as a supervisor in the time and attendance system, does that mean that I am a supervisor under HEERA?**

No., if you are designated as a supervisor in the time and attendance system, it does not necessarily mean that you are a supervisor under HEERA. HEERA establishes a distinct category of “supervisory employees” and approving timesheets/leave reporting as a supervisor in the time and attendance system is not determinative of establishing a “supervisory employee” designation under HEERA.

**Strike Activity Questions**

**17. When a strike is called or supported by the UAW, can employees still perform their work?**

Yes, employees are free to decide not to participate in the strike and to work. The law protects the right of all employees to cross a picket line. Under labor laws, employees are free to make up their own minds about crossing a picket line and continuing to work. Any employee, including a union member, has a right to refuse to participate in a work stoppage.

However, faculty should refrain from encouraging or discouraging strike participation. If asked about the strike, Instructors of Record and Principal Investigators should direct graduate student employees to their union or PERB for information, express support for them as students but avoid sharing personal views about the strike, and ensure their actions are not perceived as discouraging participation or retaliatory based on strike activity. Please also refer to questions four and five above.

**18. What should non-striking employees do if they want to work, but are confronted by picketers or striking employees and blocked from entering the work site?**

Pickets are lawful so long as they

- are peaceful
- do not block access for other employees
- do not interfere with the normal course of university business, and

- do not prohibit non-striking employees from working.

Non-striking employees should

- avoid confrontations and need not respond to any comments that picketers may direct at them
- not invite or engage in any exchanges, which might inflame the situation.

If any employee feels they are being harassed or prevented from working by picketers or striking employees, the employee will likely notify their supervisor or contact campus Academic Personnel and Labor Relations. If the supervisor is the Instructor of Record or Principal Investigator, they should refer the employee to their campus Academic Personnel or Labor Relations office.

**19. Can graduate student employees engage in picketing or protesting on their own time?**

Yes, as stated above, UC has a long tradition of respecting the civil expression of individual views. Individual graduate student employees are free to express their views by picketing or protesting, so long as such participation does not violate established University policies including the Student Code of Conduct. Employees may protest or picket and still work their assigned hours or completed their assigned duties without being on strike.

However, during a lawful strike, if graduate student employees engage in strike activity during their assigned work hours or fail to complete their assigned work duties, they will not be paid.

**20. What happens to a class if a striking employee is a Teaching Assistant, Associate Instructor, or Reader with responsibilities to lead discussion sections and/or grade assignments?**

Instructors of Record are solely responsible for the continuity of their courses and curriculum, including instruction and grading. If an Associate Instructor or Teaching Fellow has been assigned full Instructor of Record status, then the designated faculty supervisor or the Department Chair is responsible for fulfilling (or backfilling) those responsibilities. Faculty supervisors and Department Chairs should coordinate closely with their Dean on coverage. Other employees, including ASEs who are not striking, may be asked to complete the work (e.g., pick up extra grading) as long as the duties are reasonably within their scope of responsibilities and they are within their workload limitations.

**21. What happens if a striking employee is the primary person responsible for the maintenance and care of sensitive research materials?**

Principal Investigators:

- should develop contingency planning as soon as possible
- keep conversations focused on the research project rather than on an employee's intention to strike. Please see question number one above.
- may not ask whether employees are planning to strike.

Research continuity plans should be created and implemented to protect sensitive research materials during the strike, anticipating that some employees may not be working during that time. For health and safety concerns related to labor disruptions, please contact the campus Labor Relations Office.

**General Strike Related Questions**

**22. Can faculty members strike in sympathy with graduate student employees?**

Yes, generally, faculty members have a protected right to engage in sympathy strikes. Like graduate student employees, faculty members will not be paid for time on strike.

It is also important to note, however, that faculty may not engage in a partial strike by choosing to meet some responsibilities while withholding their labor for other required duties. For example, under labor laws a faculty member who cancels classes, declines to grade exams, or withholds grades in solidarity with the strike while continuing to fulfill other aspects of their job, such as their research or service obligations, is still considered to be on strike. Thus, during an active strike, faculty who withhold portions of their labor will be considered to be on strike, with pay withheld. If there is conduct that rises to violations of the Faculty Code of Conduct (APM - 015), the faculty member may be at risk of a disciplinary action.

GUIDELINES FOR INSTRUCTORS OF RECORD AND  
PRINCIPAL INVESTIGATORS SUPERVISING GRADUATE STUDENT EMPLOYEES

Permissible Actions	Impermissible Actions to Avoid
<ul style="list-style-type: none"> <li>• Do take lawful steps to ensure safety and security at university campuses and properties. Report misconduct or threats to safety and security to the department administrator and/or the Labor Relations office or Academic Personnel office.</li> <li>• Do accurately review and approve work absences.</li> <li>• Do take lawful steps to ensure unobstructed entrances and exits.</li> <li>• Do take lawful steps to ensure continuity of operations. Do plan for potential disruption of ongoing research as a result of a strike. Plans for the preservation of experimental materials and the like must be carefully prepared.</li> <li>• Do refer employees to their union if they have questions regarding union membership, union activities, and potential strike activity.</li> <li>• Do plan for supporting student academic progress, including alternate methods of instructional delivery and educational continuity.</li> <li>• Do stay in close contact with your local Labor Relations and Academic Personnel Offices and promptly report threats to safety and security, violence, or other misconduct or dangerous circumstances to those offices.</li> </ul>	<ul style="list-style-type: none"> <li>• Do not photograph, video, or generally “monitor” employees’ striking activity for reasons unrelated to ensuring safety, security, and access. This includes refraining from monitoring or perusing employees’ social media.</li> <li>• Do not survey or communicate with employees, including UAW unit members and other employees, regarding their intention to participate in or support a strike except as described above. Such communication can be found to violate employee rights.</li> <li>• Do not make statements to an employee with the aim of eliciting a response from them concerning their union activity or union sympathies.</li> <li>• Do not ask employees about their protected activities or the protected activities of others. Protected activity includes strikes and protests concerning terms and conditions of employment or bargaining.</li> <li>• Do not discipline, discharge, or reprimand employees for protected activity, including lawful strike activity.</li> <li>• Do not deal directly, solicit grievances, or make promises to employees based on their participation or non-participation in, or support or non-support, for a strike.</li> </ul>