

February 2026

Strike Resource for Supervisors of Student Services and Advising Professionals (SSAP) and Research and Public service Professionals (RPSP) 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 Supervisors of SSAP and RPSP employees, in the event of a strike by the UAW (SSAP and RPSP).

This guidance document supersedes any prior guidance issued to supervisors on striking employees. Guidance is critical so that supervisors 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 (supervisors of SSAP and RPSP employees) 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. ☐ We anticipate that the SSAP and RPSP units will go on strike with the ASE and GSR units. The UAW and the University are required to complete three days of mediation before a graduate student employee strike can occur. 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 Employees During a Strike

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

No, under labor laws, you are not permitted to ask employees 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 continuity of [functions such as contracts and grants administration, student admissions, etc.] 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."

Supervisors 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, supervisors 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 employee decides to work during the strike, can they unilaterally determine what type of duties they want to perform during the strike?

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

If the 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 employee:

"Thank you for letting me know you plan on working. To ensure that we have adequate coverage, my expectation is that you will perform the following [TASKS/DUTIES/EXPECTATIONS – e.g., functions such as contracts and grants administration, student admissions, etc.]. 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, my expectation is that you prioritize completing [LIST THE TASKS/DUTIES/EXPECTATIONS - e.g., [functions such as contracts and grants administration, student admissions, etc.] by [INCLUDE THE DEADLINE]. If you have any questions or concerns, please let me know."

3. Can we discuss the strike with employees?

Supervisors should not discuss the strike with employees. Inquiries from 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 employees concerning subjects not related to union membership, union activities, or strike activities.

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.”

4. How should supervisors react if a represented employee talks about the strike, their personal strike plans, or goes out on strike?

If represented employees ask for more information or for your opinion about the strike, you should explain that you cannot talk about the strike.

It is critical that supervisors understand what is permissible to say and what is not permissible to say to their employees, because it is unlawful to discourage or retaliate against employees as they are engaging in lawful strike activity. Retaliation in this context can include treating represented employees negatively by giving them 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. This is true even if the employee’s absence disrupts University operations.

5. Should supervisors meet with striking employees and try to resolve their concerns?

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](#).

Time and Attendance Review and Compensation Questions

6. Will the 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. 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 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.

Employee pay will be reduced for absences during the strike, unless the employee is on an authorized leave. It is critical that attendance is tracked and absences are reported accurately. Supervisors should work with department administration to verify that submitted timesheets are correct prior to approving them. They, in turn, may consult with campus Labor Relations prior to approving or declining approval of submitted

timesheets/leave reporting.

If a supervisor is aware of a discrepancy in a timesheet, they should first notify their employee to correct their timesheet prior to approval.

7. If an employee chooses to work during the strike, will they be paid?

Yes. If an employee performs their assigned work during a day when a strike occurs, the employees should receive their normal compensation for the time worked.

It is important for supervisors to ensure that employee timecards are accurate. For non-exempt employees, supervisors must ensure that employee time reporting is accurate and is aligned with work performed. For exempt employees, since pay is based on leave recording, it is critical for supervisors to monitor attendance and to ensure that employees report absences accurately. These requirements apply irrespective of whether a given absence is due to a strike.

8. What are my obligations to track absences by employees due to the strike?

Supervisors must accurately track attendance of employees, and approve or reject timecards/leave reporting submitted by employees in campus time reporting systems.

While this is true in all circumstances, 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 and the University's ability to receive extramural awards in the future.

The following titles are in the RPSP unit and several of them are funded off federal grants or state contracts:

- 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

9. Are employees still paid if they strike during their regularly scheduled working hours, but complete their work after hours or behind the scenes?

If an employee is given expected work hours (e.g., 8am-5pm Monday through Friday timeframe for work assigned), and they do not perform this activity as scheduled, they may not be eligible for pay.

Supervisors should consult with department administration if this situation occurs. They, in turn, may consult with campus Labor Relations prior to approving or declining approval of submitted timesheets.

10. 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.

Supervisors 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, supervisors 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. They, in turn, may consult with campus Labor Relations prior to approving or declining approval of submitted timesheets.

11. What if an employee works but refuses to perform specific duties?

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

12. What if the employee does not turn in a timesheet/report any absences?

If an employee does not submit a timesheet/report any absences during a strike period by the regular payroll deadlines, the University will assume they were on strike during that pay period and they should not be paid. Employees should be reminded to submit their timesheets/leave reporting by their required deadlines and, if the timesheet/leave reporting is still not submitted by the deadline, supervisors should consult their department administrator. They, in turn, may consult with campus Labor Relations prior to approving or declining approval of submitted timesheets/leave reporting.

Strike Activity Questions

13. 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, supervisors should refrain from encouraging or discouraging strike participation. If asked about the strike, supervisors should direct employees to their union or the Public Employment Relations Board (PERB) for information, 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 see questions #1 and #3 above for more specific information.

14. 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 Labor Relations.

15. Can 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 employees are free to express their views by picketing or protesting, so long as such participation does not violate established University policies including applicable Presidential Policies. However, during a lawful strike, if employees engage in strike activity during their assigned work hours or fail to complete their assigned work duties, they will not be paid for the time missed.

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

Supervisors should develop contingency planning as soon as possible in the event of a disruptive 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. If a supervisor needs to discuss the details of maintaining sensitive research materials or other specific assignments with an employee for contingency planning, they should keep conversations focused on the needed details assignment rather than the employee's intention to strike. See question number two above. Supervisors may not ask whether employees are planning to strike. For health and safety concerns related to labor disruptions, contact the campus Labor Relations Office.

General Strike Related Questions

17. Can supervisors strike in sympathy with represented employees?

Generally, supervisors have a protected right to engage in sympathy strikes. Like represented employees, supervisors will not be paid for time on strike. It is also important to note, however, that supervisors 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 law a supervisor may not withhold certain labor in solidarity with the strike while continuing to fulfill other aspects of their job. This conduct would not be protected and could put the supervisor at risk of disciplinary action under University Policy.

GUIDELINES FOR SUPERVISORS OF STUDENT SERVICES AND ADVISING PROFESSIONALS (SSAP) AND RESEARCH AND PUBLIC SERVICE PROFESSIONALS (RPSP) EMPLOYEES

Permissible Actions	Impermissible Actions to Avoid
<ul style="list-style-type: none"> • 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. • Do accurately review and approve work absences. • Do take lawful steps to ensure unobstructed entrances and exits. • Do take lawful steps to ensure continuity of operations. Do plan for potential disruption of ongoing research, contracts and grants administration, financial aid operations, and student admissions as a result of a strike. Contingency plans must be carefully prepared. • Do refer employees to their union if they have questions regarding union membership, union activities, and potential strike activity. • Do stay in close contact with your local Labor Relations Office and promptly report threats to safety and security, violence, or other misconduct or dangerous circumstances to those offices. 	<ul style="list-style-type: none"> • 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. • 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. • Do not make statements to an employee with the aim of eliciting a response from them concerning their union activity or union sympathies. • 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. • Do not discipline, discharge, or reprimand employees for protected activity, including lawful strike activity. • 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.