March 24, 2020

Dear Colleagues,

This is an extraordinary time, and we are all working together to find a way forward in the new reality of COVID-19. There remain, nonetheless, continuing issues of salience consequent to the TA strike. The SCFA continues to support a COLA for UCSC graduate students. This FAQ is addressed strictly to faculty concerns.

The Academic Senate's Committee on Educational Policy (CEP) has issued guidance as to the ways in which classes might be graded when some grades are missing due to the TA strike. The Administration has issued a "Grading Options" memo that suggests what faculty/instructors may do about missing grades. SCFA's role is to consider faculty rights and responsibilities in this context. These FAQ are formulated to that end.

In solidarity,
The Co-chairs of the Santa Cruz Faculty Association
Chris Connery
Deborah Gould
Ronnie Lipschutz

Q: If my Readers/TAs have withheld final grades or materials necessary to determine final grades for Fall 2019 and/or Winter 2020, do I need to volunteer to do their missing work?

A: HEERA (Higher Education Employee Employer Relations Act) protects the rights of individual faculty to not volunteer to perform struck work that is outside their customary duties. Were the
Administration to discipline a faculty member for not submitting grades, s/he could file an appeal with the Academic Senate Committee on Privilege and Tenure. There would also be the possibility of a PERB (Public Employee Relations Board, the body charged with adjudicating UC employer-employee labor disputes) hearing on whether the discipline was lawful under HEERA. There are no guarantees as to the outcome in either case. It could be a time-consuming and expensive process, although SCFA would provide assistance as the faculty's bargaining agent.

Q: If I am teaching a course without TAs or Readers, should I submit my grades?

A: Yes.

Q: The administration has claimed that the grade strike is illegal. How does that affect my rights?

A: At this time, we cannot know for certain what the Public Employment Relations Board might decide. HEERA generally protects the decision not to volunteer to perform or duplicate struck work when doing that work is outside of past customary practice.

Q: I have TAs and/or Readers whom I expected to do the grading. Can the university discipline me for not providing grades in these courses?

A: The Administration would be wrong to impose discipline. If the Administration did impose discipline, it could be appealed through the Academic Senate Committee on Privilege and Tenure, as well as challenged in an unfair practice proceeding before PERB. If the University issues an order to all faculty to submit grades on pain of disciplinary proceedings, this order itself potentially also could be challenged by filing PERB charges against the University.

Q: How can I join the SCFA?!

A: Easy! Click here and welcome to your union!