

This is part of a package proposal. UAW reserves the right to withdraw this package proposal at any time, at its sole discretion and without penalty. If this package proposal is not accepted as written in its entirety and without modification as described below, this proposal will be declared to be void and non-existent and the Union will return to bargaining from its language proposed prior to this package proposal.

Article XX - Supervisors

A. Definition of Supervisor

1. The parties agree that Supervisors are defined by HEERA and any related regulations promulgated thereunder and PERB case law interpreting same

B. Procedure for Determining Supervisor Status

1. If the University contends that an individual in an Academic Researcher title is a supervisor, they shall provide written notice to the UAW within ten (10) calendar days along with the factual basis for such an assertion and any relevant documentation. UC will also provide contact information and the opportunity for UAW to speak with any such individual.
2. The UAW shall have ten (10) calendar days from receipt of written notice to either agree with or contest the individual's supervisory status. If the UAW's response is to contest the individual's supervisory status, then the UAW shall provide the basis and any relevant documentation by which it contends that the individual is not a supervisor.
3. In the event that the UAW contests, the University shall have ten (10) calendar days to either agree, or schedule a meeting to be held within ten (10) additional calendar days to attempt to further resolve the individual's supervisor status.
4. If the UAW and University are not in agreement after meeting, then supervisor status shall be determined by arbitration as described in section B.

C. Regularly Scheduled Arbitration Hearings

The parties agree that arbitration hearings to resolve supervisor status shall be regularly scheduled as described below:

1. The University and the UAW shall agree on a single arbitrator for the purpose of resolving disputes on supervisor status.
2. Once per year, either party may strike the current arbitrator. Should this occur, the parties shall select a new arbitrator per section B.1 above.
3. Arbitration hearings shall be scheduled for every August, November, February, and May.
4. All instances of unresolved supervisor status shall be heard at the next scheduled arbitration hearing, provided that the University and the UAW have met as described in section A.3 at least 30 days prior.

5. Documentary evidence submitted for arbitration shall not differ from those documents produced in section A above. During arbitration hearings, the parties may make closing oral arguments but shall not submit post-hearing briefs.
6. The arbitrator shall consider the evidence presented and render a written decision within thirty (30) calendar days of the close of the record of the hearing.
7. By mutual agreement, the parties may cancel a regularly scheduled arbitration hearing up to 30 days prior.
8. Any and all fees due to the arbitrator, including those for the cancelation and/or rescheduling or any arbitration, will be split by both parties.