

**SIDE LETTER  
Special Lab Transition**

Unless otherwise specified in this Side Letter, all provisions of the Postdoctoral Scholar Collective Bargaining Agreement shall apply to Postdoctoral Scholars at Lawrence Berkeley National Laboratory (hereinafter “Lab” or “LBL”). The parties agree to the following terms for transitioning the newly added LBL Postdoctoral Scholars into the bargaining unit:

**1. RECOGNITION**

On September 12, 2016, the Public Employment Relations Board issued a unit modification order (SF-UM-769-H). Article 1 – Recognition has been updated to reflect the order.

**2. TITLES AND CLASSIFICATIONS**

No later than July 1, 2017 Lab Postdoctoral Scholars shall have their title codes changed to the following:

Lab Titles	July 1, 2017 Titles
Employee Postdoctoral Fellow (LBL)	Postdoctoral Scholar – Employee Title Code 3252
Employee Special Postdoctoral Fellow (LBL)	Employee Special Postdoctoral Fellow (LBL)
Employee Interim Postdoctoral Fellow (LBL)	Employee Interim Postdoctoral Fellow (LBL) Title Code 3256
Affiliate Postdoctoral Fellow - Stipend (LBL)	Postdoctoral Scholar – Fellow Title Code 3253
Affiliate Postdoctoral Fellow – Paid Direct (LBL)	Postdoctoral Scholar – Paid Direct Title Code 3254

Lab Postdoctoral Scholars shall be treated in the manner defined in Article 25 Titles and Classifications, Section B, 6-10 regardless of the use of UC Title Codes.

**3. APPOINTMENTS**

The provisions of Article 2 shall apply to Lab Postdoctoral Scholars, including Section A.3. – 5<sup>th</sup> year exception. Additionally, if a Postdoctoral Fellow is on an approved paid or unpaid leave of absence for one month or longer, their appointment may be extended by the length of the leave up to one additional year beyond the five-year maximum.

#### **4. BENEFITS**

a. Health benefits:

- 1) Current Lab Postdoctoral Scholars (Postdoctoral Fellow Employee, Employee Special Postdoctoral Fellow, Employee Interim Postdoctoral Fellow) employed on or before December 31, 2016 shall remain in Staff plans for Plan Year 2017 (Jan-Dec). Such Lab Postdoctoral Scholars shall move to the Postdoctoral Scholars Benefit Plan (PSBP) for Plan Year 2018 during the regular PSBP Open Enrollment Period in Fall of 2017 for Plan Year 2018.
- 2) Postdoctoral Scholars newly hired on or after January 1, 2017 shall enroll in PSBP during their period of initial eligibility (pie).
- 3) Affiliate Postdoctoral Fellows shall have an opportunity to enroll in PSBP during the month following ratification with coverage to begin no later than January 1, 2017, using a special process which the Lab shall provide in writing.
- 4) Lab Postdoctoral Scholars enrolled in PSBP shall pay the premium share in accordance with Article 3 – Benefits.

b. Relocation benefits:

LBL shall continue to provide relocation benefits to eligible Postdoctoral Scholars as described in the current RPM Section 4.01.

c. Dependent care Flexible Spending Account (FSA):

LBL Postdoctoral Scholars shall continue to be eligible for Dependent Care FSA.

#### **5. PRINCIPAL INVESTIGATOR STATUS**

Lab Postdoctoral Fellows may serve as co-principal investigators on externally funded contracts or grants. They are also permitted to serve as principal investigators on Laboratory Directed Research and Development (LDRD) proposals. Lab Postdoctoral Fellows may be permitted to serve as principal investigators in three areas: (1) awards that are restricted to postdoctoral fellows; (2) small awards for research-related expenses; (3) or other circumstances approved by the division director.

#### **6. VACATION**

Effective November 1, 2016, Lab Postdoctoral Scholars shall no longer accrue vacation and shall be fully covered by Article 17 - Personal Time Off (PTO). The Lab shall pay out all of the remaining balance no later than February 1, 2017.

Effective November 1, 2016, Lab Postdoctoral Scholars shall receive 22 days in accordance with Article 17- Personal Time Off. Lab Postdocs who are hired after October 1, 2016, Article 17 shall have PTO pro-rated by the number of months less than one year to September 30.

<u>Month Hired</u>	<u>Pro-rated PTO</u>
Nov	22 days
Dec	20 days
Jan	18 days
Feb	16 days
Mar	14 days
April	12 days
May	10 days
June	8 days
July	6 days
Aug	4 days
Sept	2 days

On October 1 of each year, every Lab Postdoctoral Scholar shall receive 24 days PTO in accordance with Article 17 - Personal Time Off. Personal time off not used within the 12-month period is not carried over into a subsequent appointment year. Personal time off not used when the Postdoctoral Scholar's appointment concludes, including when a Postdoctoral Scholar leaves the appointment prior to the established appointment end date, remains with the University.

## 7. LEAVES

In the time period and between the date of ratification and February 1, 2017, Lab Postdoctoral Scholars shall use vacation and/or PTO in the same manner as campus and health system bargaining unit Postdoctoral Scholars use Personal Time Off in Article 12 — Leaves.

## 8. UNION SECURITY

### a. Dues, Fees, and Voluntary Community Action Program (VCAP)

The University shall begin dues, fees, and VCAP deduction in accordance with Article 29 - Union Security on the following schedule:

November 1, 2017 (based on October 2017 Payroll)

Employee Postdoctoral Fellow (LBL)

Employee Special Postdoctoral Fellow (LBL)

Employee Interim Postdoctoral Fellow (LBL)

Affiliate Postdoctoral Fellow - Stipend (LBL)

The University shall provide a list with the fellowship amounts of the Affiliate Postdoctoral Fellow – Paid Direct (LBL) no later than November 1, 2017. The UAW 5810 shall be solely responsible for collecting dues or fees from Paid Directs at the Lab.

b. File Transfer Protocol

The Lab shall electronically transmit an employee dues, fees, and VCAP roster containing the information as outlined in Article 30—Union Security and shall include Employee ID Number, Appointment Percentage, appointment start date, Division, Title Code, name, Title, Total Gross Monthly Pay, amount of union dues/fees including initiation fee, amount of VCAP contribution if deducted; however, such data shall not be included in the systemwide reports.

**9. SICK LEAVE**

Effective October 1, 2017, Lab Postdoctoral Scholars shall no longer accrue sick leave under RPM Section 2.09 and shall be fully covered by Article 23 – Sick Leave. The Lab shall rollover the remaining RPM sick leave balance on November 1, 2017.

Upon initial appointment, a Lab Postdoctoral Scholar shall receive 12 sick days prorated to September 30 of the fiscal year in which they are appointed.

On October 1 of each year, every Lab Postdoctoral Scholar shall receive 12 sick days. The University shall carry forward any unused sick leave on this date.

<u>Month Hired</u>	<u>Days</u>
Nov	11 days
Dec	10 days
Jan	9 days
Feb	8 days
Mar	7 days
April	6 days
May	5 days
June	4 days
July	3 days
Aug	2 days
Sept	1 day

**10. HOLIDAYS**

The provisions of Article 8 – Holidays shall apply except that the Lab does not recognize Veteran’s Day (November 11<sup>th</sup>) and Cesar Chavez Day (last Friday in March or announced equivalent).

The Laboratory will continue the one administrative holiday that can be used for Veteran’s Day, Cesar Chavez Day or the winter shutdown.

## 11. COMPENSATION

### a. Effective October 1, 2016

- 1). The Lab shall adopt the UC scale based on the NIH-NRSA Kirschstein Fellowship Stipends for December 1, 2016, matching steps 2 – 7 for the Life and Physical Sciences Experience Scale. Further, the Lab shall continue to also have a Computational Sciences Experience Scale. (Both scales are reflected below.)

Lab Postdoctoral Scholar Scale Effective October 1, 2016		
UC Appointment Step for Postdoctoral Scholar Experience Level	<i>Life and Physical Sciences</i> (Projected NIH/NRSA Stipend for FY 2017)	Computational Science
0 (0-11 months)	\$48,216	\$66,900
1 (12-23 months)	\$50,316	\$69,576
2 (24-35 months)	\$52,140	\$72,384
3 (36-47 months)	\$54,228	\$75,252
4 (48-59 months)	\$56,400	\$75,252
5 (60-71 months) by exception	\$58,560	\$75,252

- 2). All Lab Postdoctoral Scholars who are below or within their experience scale shall receive an increase to their experience step or 3.4%, whichever is greater.
  - a.) Lab Postdoctoral Scholars whose initial LBL appointment occurred from October 1 through April 1, shall move at least to the next experience minimum salary rate step on October 1 of each year.
  - b.) Lab Postdoctoral Scholars whose initial LBL appointment occurred from April 2 through September 30 shall not be guaranteed to move up to the next minimum salary rate step until October 1st of the next year.
- 3). All Lab Postdoctoral Scholars who are above their experience scale shall receive at least an increase of 3.4%.

### b. Effective Increases on October 1st for 2017, 2018 and 2019

#### 1) Range Movement

The Lab ranges shall move annually in accordance with the range movement for the UC scale matching NIH-NRSA Kirschstein Fellowship Stipends steps 2 – 7, in accordance with Article 4 - Compensation. Such

