UAW Overpayment FAQs

Issued: February 17, 2023

1. What is the process for submitting time associated with employees withholding their labor during the strike?

    For information received from employees on attestation forms and for credible information related to strike leave for UAW employees, the information should be submitted on the Excel *UAW Location OVP Log* provided by UCPath and further explained in the technical guidance issued on February 2, 2023.   UCPath is requesting that the information be submitted by February 24, 2023 for timely processing. Based on the feedback from campuses, information that cannot be submitted by the initial deadline will be granted a two-week extension. Late information must be submitted no later than 5pm on March 10, 2023.

    After the information is submitted, UCPath will utilize the information submitted via the Excel template to calculate the overpayment amount due. The overpayment calculations will be shared with the location via Box. Locations will be allowed one week to review and approve the calculated amounts. Upon location approval, UCPath will draft the overpayment letters for employees and place them in the Location UAW – OVP Ready Notifications Box folder. Delivery of the overpayment letters will be determined by the employee payroll status. The letters will include response options for the employees as well as the FICA form. The employee will be provided two weeks to submit the signed overpayment letter and return to UCPath via the designated Box upload link provided.

    Upon return of the signed overpayment letter and FICA form, UCPath will transact the overpayment in the UCPath system and set up the employee's payroll deductions and create their accounts receivable account.

    Employees who do not return their signed overpayment agreements will be tracked, and this information will be shared with the location to determine next steps.

2. Can supervisors, PIs, or others with reporting obligations talk to their employees about work missed over the strike?

    Employees have already been asked to provide attestations related to work missed over the strike for purposes of aligning pay with labor withheld. Supervisors may also provide credible information related to work missed during that period to their campus. Accordingly, for purposes of pay, we are moving from the data gathering phase to the implementation phase.

Given that, a supervisor, PIs, or others with reporting obligations should only talk to an employee about work missed over the period of the strike if:

a) The information is required to assess performance of the work or project status;

   or

b) Effort or time reporting on contracts and grants cannot be met through other established processes and attestations.

Conversations should generally focus on work and time *completed*, as opposed to work *missed* due to strike activity. If a supervisor, PI, or other individual with reporting obliations believes clarity on work missed over the strike is required, they should follow up in writing – making it clear that:

a) The request is to understand work performed over the strike in order to comply with contract and grant reporting requirements under federal, state or other sponsored awards (or in order to understand the status of a project);

   and

b) Individuals will not face adverse consequences based on protected strike activity for providing the information.

Employees may also raise concerns with respect to any pay reductions when they receive their overpayment letters.

Remember: Questions focused on strike activity may be perceived as intimidating and/or retaliatory by the employee. Supervisors are strongly encouraged to reach out to their academic personnel or labor relations offices with questions about how to talk to employees about work missed due to strike activity.

Overpayment Timelines and Supporting Documentation

Campuses may continue to receive credible information about labor withheld during the strike for purposes of aligning pay with work performed but must be mindful of the deadline above for the processing of overpayments. Providing credible information is at the individual's discretion (usually the supervisor's), and a report of overpayment based on credible information should only be submitted to UCPath if it is supported by and aligned with objective information supporting the time recorded.

3. When will more guidance be available regarding the overpayment process?

    We will continue to update this FAQ with additional information as we receive more questions and develop additional responses. We expect to provide the first update the week of February 20, 2023.

    We expect to hold another open session to discuss the overpayment process and will send out details soon regarding when that will occur. The previous overpayment session was recorded and is available in each campus's Box folder. Note, however, that guidance provided during that previous session has been updated.