



OFFICE OF LABOR RELATIONS
OFFICE OF HUMAN RESOURCES
207 UNIVERSITY HALL # 3540
Berkeley, CALIFORNIA 94720-3540

FAX (510) 642-2888
TEL. (510) 643-6001

February 13, 2002

STUDENT APPOINTMENTS PERSONNEL

RE: Late Academic Student Employee (ASE) Appointments - Appointments with Modified Beginning Dates

Labor Relations has worked with the Graduate Division to develop a process to facilitate departmental procedures for making late ASE appointments. The term ASE is used here to mean GSIs, Readers, Tutors, and Acting Instructors, not GSRs. Since backdating of PAFs is not possible after the first week of the semester, the intent of this averaging procedure is to allow departments to make appointments at the actual time an appointee is eligible to hold the appointment. One circumstance that necessitates a delayed appointment, for example, might be the case of a student whose eligibility is contingent upon passing the SPEAK or OPT exam. Another reason for a department to process a late appointment would be if a GSI was unable to complete his or her appointment and needed to be replaced.

Attached you will find two charts, one based upon a standard twenty-five percent (25%) appointment and one based upon a standard fifty percent (50%) appointment. The charts indicate the appropriate appointment percentage levels for appointments made after the first week of the semester. The process for using the charts is as follows.

1. For appointments made between the beginning of the normal appointment period (e.g. January 1) and the first week of the term (January 15), appointment forms should reflect an appointment date of January 1, through the end of the appointment period.
2. Appointments may be made after the first week of the term through the ninth week of the term. Departments should use the appropriate appointment percentage identified on the charts based upon the week that the appointment is made. For the start date, use the first day of the appointment week as indicated on the chart.
3. If the individual appointees are otherwise eligible to hold the appointment (e.g. meet registration, academic eligibility, and SPEAK or OPT exam requirements), departments may process appointments reflecting an appointment level that is greater than fifty-percent of full-time without additional approval from the Graduate Division.

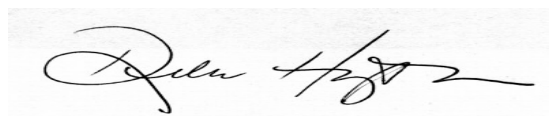
4. Appointments should under no circumstances be made after the ninth week of the term.
5. International students who have F-1 visa status cannot be hired by this late appointment method if the appointment entails work greater than 20 hours per week (i.e., above a 50% appointment). However, if there had been an administrative delay and it was necessary to increase the percentage of pay for the remaining contract period to compensate for 20 hours per week completed before the appointment was finalized, such an increase in the percentage of compensation would not violate regulations. A department would have to carefully document this.

On the other hand, if a student began working as a GSI in March for the spring term and the department wanted to make sure the student realized the same income as other students and increased the percentage of appointment beyond 50% and number of hours worked exceeded 20 hours per week, this would violate the conditions of employment authorization for international students. For more information, please contact Services for International Students & Scholars (SISS) at 642-2818.

Departments making appointments with modified beginning dates must issue an appointment letter utilizing the appropriate sections of the appointment letter template found at the following web site: <http://hrweb.berkeley.edu/labor/aseltr1.htm>. Any supplemental appointment information will need to follow the initial appointment letter, as specified in the ASE contract.

As noted above, the attached Percentage Appointment Charts were created in order to facilitate late appointments when needed. Our overall goal continues to be completion of the appointment processes prior to the start of the term and the provision of the Appointment Notification letters to appointees as soon as practicable thereafter.

If you or members of your department staff have questions about the use of the Averaged Hours of Appointment charts, please contact Labor Relations at 642-0429. For questions concerning general appointment eligibility requirements, call Graduate Appointments at 642-7101.



Debra Harrington
Manager, Labor Relations

cc: Associate Dean Duggan
Director Hill