

**Memorandum of Understanding
Between
Eastern Washington University and United Faculty of Eastern
for
Tenure Buy-Out, Voluntary Separation Incentive, Short Term Budgetary Shortfall & PRD**

This Memorandum of Understanding (MOU) sets forth the following agreement between the United Faculty of Eastern Washington University (the “Union”) and Eastern Washington University (the “University”) regarding the budgetary shortfalls occasioned by the COVID-19 pandemic and to allow the parties to engage in timely efforts to evaluate the current educational programming of the institution consistent with Article 15.1 of the CBA and begin the Program Review and Discontinuance (PRD) process.

Recitals

Whereas the global COVID-19 pandemic has negatively impacted the state of Washington and University enrollments, the University is facing a significant budget shortfall due to potential decreased state funding and tuition dollars; the University is experiencing structural issues resulting from a combination of enrollment changes, state tuition policies, state funding policies and cyclical or shorter-term issues caused by COVID-19, the parties are interested in finding solutions to address the budgetary issues; therefore

The University and Union enter into this agreement to address these short-term budget shortfalls and to prevent an immediate declaration of Severe Financial Crisis by the Board of Trustees per CBA Article 15.2.1.

The parties agree and understand this Memorandum of Understanding creates short-term financial savings which will allow the parties to engage in timely efforts to evaluate the current educational programming of the institution consistent with Article 15.1 of the CBA and conduct the Program Review and Discontinuance (PRD) process

Agreement

Therefore, the University and the Union agree to the following, to be in effect immediately upon approval by the respective parties.

- 1. EWU Policy Program Reduction and Program Discontinuance:** The University agrees that it will provide a proposed plan to UFE and to the Program Review Committee (PRC) consistent with Article 15.1 of the CBA and EWU Policy 303-35 Program and Course Management. The plan will include information regarding the proposed structure of “Professional programs underpinned by the liberal arts” and Eagle Flight Path. The plan will include any proposed faculty reassignments. The Board of Trustees will be informed of the Program Reduction and Program Discontinuance progress. The University and UFE agree that they will complete a review by June 15, 2021 contingent on the PRC, Undergraduate Affairs Council (UAC), Graduate Affairs Council (GAC), Rules Committee completing their review and the Academic Senate providing a recommendation to the President no later than May 1, 2021.
- 2. Severe Financial Crisis:** In order for the PRD process to run properly, and in exchange for the considerations provided by UFE, the University will not implement Article 15.2 and declare severe financial crisis through March 31, 2021 and will not initiate any Reductions in Force under Article 15.3.7 during spring quarter/spring semester 2021.

- 3. Temporary Salary Reduction:** All full-time faculty (lecturers, tenure-track, and tenured faculty members) at the University will participate in a one-year salary reduction in an amount of 6% of base salary for a one-year period from September 1, 2020 through August 31, 2021 for quarter-based faculty and from August 16, 2020 through August 15, 2021 for semester-based faculty. On September 1, 2021, quarter-based faculty will receive 100% of their academic year 2021-22 base salary and on August 16, 2021 semester-based faculty will receive 100% of their academic year 2021-22 base salary consistent with Article 8.3.3 of the CBA. If faculty have been approved for professional leave during the 2020-2021 academic year, this 6% reduction shall apply to the reduced salary as specified in Article 11.5.6 (c). If you return to full salary during the year, the 6% reduction shall apply to the full base salary.

EWU has committed significant cash reserves for FY 21 in the amount of \$3.1 million for FY 21. The University agrees that any one-time cost savings from temporary faculty salary reductions from September 1, 2020 through August 31, 2021 will be used to offset Academic Affairs cash flow issues for FY 2021.

The University agrees to implement comparable temporary salary reductions for EWU Administrators, including those in Academic Affairs. For the purposes of this agreement, EWU Administrators is defined as the President, Vice Presidents, and Deans.

- 4. COLA:** The Union agrees to permanently forego the CBA mandated two percent (2%) COLA for faculty salaries for the 2020-21 academic year (CBA Article 8.3.2)
- 5. Tenure Buy-Out/Relinquishment Incentive Plan:** The University will offer a voluntary Tenure Buy-Out/Relinquishment Incentive Plan to tenured faculty members who have attained an index of 65 or greater. In order to meet the qualifications for this index, faculty must have attained a minimum age of fifty-five (55) and ten (10) or more years of service at Eastern Washington University as of December 31, 2020, and currently be in tenured faculty status. Individuals who elect this plan will be eligible for rehire in adjunct status following retirement.

Eligible faculty members will have the option to elect to relinquish tenure and retire effective one of the following three dates:

- a) The end of fall quarter/semester 2020 with an effective date of January 1, 2021;
- b) The end of spring quarter 2021 with an effective date of July 1, 2021; or
- c) The end of spring semester with an effective date of June 1, 2021.

Eligible faculty members' separation from employment for wage purposes shall occur the end of the selected quarter/semester.

Eligible faculty who elect to retire will receive a payment that is the equivalent of sixty percent (60%) of their academic year 2019-20 nine-month contract base salary less applicable and required withholdings if they retire at the end of fall quarter/semester 2020 with an effective date of January 1, 2021. Payments will be made within thirty (30) days of the date of retirement.

Eligible faculty who elect to retire will receive a payment that is the equivalent of forty-five percent (45%) of their academic year 2019-20 nine-month contract base salary less applicable and required withholdings if they retire at the end of spring quarter 2021 with an effective date of July

1, 2021 or if they retire at the end of spring semester with an effective date of June 1, 2021. Payments will be made within thirty (30) days of the date of retirement.

The faculty will not waive their retirement benefits/rights to contributions made on their behalf through the Eastern Washington University Retirement Plan or Teachers Retirement System Plan (TRS) as of the date of their retirement, and will also not waive their rights to other legally authorized state provided or administered benefits which would otherwise be available for retirees who meet eligibility requirements. Faculty will not relinquish rights under EWU Policy 490-03 Retiree Benefits or EWU Policy 401-05 Emeritus Faculty.

Eligible faculty must request an Agreement and Release Between Eastern Washington University for Tenure Buy-Out/Relinquishment and Retirement (“Agreement and Release”) and Retirement Packet from the Human Resources Office Showalter 314 no later than September 25, 2020 and must return the signed Agreement and Release and written Declaration of Retirement to the Human Resources Office no later than November 9, 2020. Eligible faculty will have seven (7) days after executing the Agreement and Release to revoke it. In order, to revoke the Agreement and Release, faculty must provide timely written notice to the EWU President’s Office, Showalter Hall 214.

All savings due to tenure buyout will be used to reduce the number of other faculty layoffs for FY 21 and FY 22. Any costs for the University to replace faculty positions vacated due to a tenure buyout will be considered when determining the savings.

6. **Safety First MOU:** The University has agreed to negotiate a separate MOU with the Union which maximizes opportunities for online education in support of safe working conditions due to the COVID-19 pandemic.
7. **Voluntary Separation and Retirement Incentive:** The University will offer a voluntary separation or retirement to Senior Lecturers who have attained an index of 65 or greater. In order to meet the qualifications for this index, Senior Lecturers must have attained a minimum age of fifty-five (55) and ten (10) or more years of service at Eastern Washington University as of December 31, 2020, and currently be in faculty status. Individuals who elect this plan will be eligible for rehire in adjunct status following retirement.

Eligible faculty who elect to voluntarily separate or retire will receive a payment in the amount of twenty-thousand dollars (\$20,000) if they agree to separate or retire effective January 1, 2020. Payments will be made within thirty (30) days of the date of separation or retirement.

The faculty will not waive their retirement benefits/rights to contributions made on their behalf through the Eastern Washington University Retirement Plan or Teachers Retirement System Plan (TRS) as of the date of their retirement, and will also not waive their rights to other legally authorized state provided or administered benefits which would otherwise be available for retirees who meet eligibility requirements. Faculty will not relinquish rights under EWU Policy 490-03 Retiree Benefits.

Eligible faculty must request an Agreement and Release Between Eastern Washington University for Voluntary Separation or Retirement (“Agreement and Release”) and Retirement Packet, if applicable, from the Human Resources Office Showalter 314 no later than September 25, 2020 and must return the signed Agreement and Release and written Declaration of Retirement, if applicable, to the Human Resources Office no later than November 9, 2020. Eligible faculty will have seven (7) days after executing the Agreement and Release to revoke it. In order, to revoke

the Agreement and Release, faculty must provide timely written notice to the EWU President's Office, Showalter Hall 214.

- 8. Faculty Development Funds for Full Professors:** The Union agrees to suspend one hundred percent (100%) of development funds for Full Professors during the 2020-21 academic year provided by CBA Article 8.14.1.
- 9. Academic Affairs Retains Savings:** All net savings due to tenure buyout will be used to reduce the number of other faculty layoffs for FY 21 and FY 22. Any costs for the University to replace faculty positions vacated due to a tenure buyout will be considered when determining the savings.
- 10. Academic Reorganization Timeline:** The University and the Union will bargain the impacts of the recent Academic Reorganization by June 15, 2021.
- 11. Legislative Efforts:** The Union and the University will work together to promote legislative funding for EWU in the upcoming Washington Legislative Session as well as any special session called by the Governor.
- 12. Information Update:** By September 1, 2020, EWU will provide information to the Union and Board of Trustees on:
 - a. The number and financial impact of faculty non-renewals (Lecturers, Senior Lecturers, and Quarterly faculty) that have occurred for the 2020-21 academic year as of the date of the report;
 - b. Any planned faculty non-renewals scheduled to take place during the 2020-21 academic year;
 - c. A written summary of EWU reserves; and
 - d. Information about any planned or accrued savings relative to Athletics.
- 13. Term of MOU:** The parties agree that this MOU is for one year from date of ratification or August 15, 2020 whichever is earlier through June 30, 2021. The parties will meet in Joint Labor-Management during the term of this MOU to discuss and monitor the terms of the MOU and may revisit the terms of the MOU upon mutual agreement of the parties.
- 14.** All other terms of the current UFE-EWU CBA remain in effect.

This Memorandum of Understanding shall be effective upon ratification by the parties.

THE UNITED FACULTY OF
EASTERN WASHINGTON UNIVERSITY

EASTERN WASHINGTON UNIVERSITY

BY: _____
Gary McNeil, Chief Negotiator
United Faculty of Eastern

BY: _____
Vicki Wilson, Chair, Board of Trustees
Eastern Washington University

DATE: _____

DATE: _____

BY: _____
Michael Conlin, UFE President

DATE: _____

BY: _____
Richard Orndorff, UFE VP of Bargaining

DATE: _____

BY: _____
David May, Provost, VP Academic Affairs

DATE: _____

BY: _____
Deborah Danner, AVP Human Resources

DATE: _____

BY: _____
Spenser Ross, Labor Relations Manager

DATE: _____