

MEMORANDUM OF AGREEMENT

Between

Franklin Pierce University and the Rindge Faculty Federation

Franklin Pierce University (University) and the Rindge Faculty Federation (RFF) hereby agree to the following as modifications to the existing collective bargaining agreement between the University and the RFF:

1. Effective as of March 29, 2020, RFF agrees to plans outlined initially in the President's communication of March 12, 2020 and updated to extend emergency online instruction for the remainder of the Spring 2020 semester:

“Effective Monday, March 23, all in-person classes on the Rindge campus are suspended and will transition to online instruction effective Monday, March 30.

• Effective Monday, March 30, all in-person classes on the Rindge campus will move to online instruction until at least April 6.”

-Office of the President: “Important update from President on Coronavirus response” to FPU community, March 12, 2020, 12.30pm.

-President Mooney via video on Wednesday, March 25, 2020:10:46am:

https://youtu.be/gT4U_I0jXg.

2. The deadline for agreement on viability reports as stated in Article 16.6.1.1.1 of the collective bargaining agreement is hereby changed from March 31, 2020 to May 31, 2020.

3. For members of the bargaining unit who during this emergency engage in online instruction, content created by said members shall remain their property as per Article 27 of the collective bargaining agreement and may only be used in future by the University with the explicit permission of the creators of the content. Furthermore, no member of the bargaining unit who engages in online instruction for the duration of the COVID-19 emergency shall have the quality of their instruction evaluated in any way. Due to the emergency nature of this transition, the University shall not utilize any information from this emergency to change any current or future rank or contractual status for any faculty member.

4. Due to the disruptions in teaching caused by the COVID-19 emergency, any student evaluations of faculty conducted in the Spring 2020 semester shall be provided only to faculty and shall not be retained in any manner by the University nor be used in evaluation of faculty. RFF acknowledges the University statement to maintain: “ongoing work and efforts to maintain course continuity for our students as we make our way through these uncharted waters.”¹ RFF also agrees to the University's statement: “exactly how each faculty member delivers his or her course online will vary from one course to the next.”²

¹ Executive Dean for Assessment and Academic Affairs email to faculty: “TODAY'S WORKSHOPS”; Thursday, 3/26/2020: 9:56 AM.

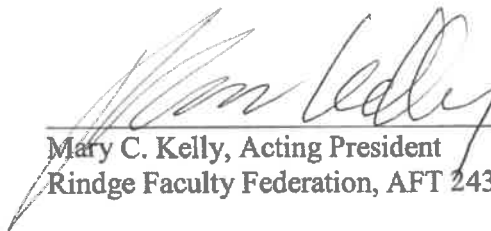
² CLASS Dean Matthew Konieczka, email to CLASS faculty: “Follow up to President Mooney's message regarding online instruction,” Wednesday, March 25, 2020, 2.09 AM.

5. The emergency transition to online teaching and the shutdown of the Rindge campus have imposed a massive and widespread disruption to established work patterns and practices, spanning teaching, advising, service, and professional development. Therefore, no Annual Reports (CBA Article 13.2) shall be required of bargaining unit members in the 2019-2020 contract year.

Should the transition to online instruction continue beyond May 31, 2020, the University and RFF shall negotiate a further MOU prior to that date. Failure to do so will restore all existing (pre-March 12, 2020), CBA provisions.

Agreed to and signed:

 3/31/20
David Starrett, Provost Date
Franklin Pierce University

 3/31/2020
Mary C. Kelly, Acting President Date
Rindge Faculty Federation, AFT 2433