

Settlement Agreement
Between Montclair State University (“the University”) and
AFT Local 1904 (“the Local”; collectively “The Parties”)
Regarding the Career Development Program

Whereas, the Career Development Program (CDP) is established by Article XXI of the 2015-2019 Collective Negotiations Agreement between the State of New Jersey and the Council of New Jersey State College Locals (“the CNA”) and continued in the 2019-2023 successor Agreement; and

Whereas, Appendix II of the CNA provides for local negotiation of the procedures for the administration of the CDP, which procedures are set forth in Section 14 “Career Development Program,” of the Parties’ Local Selected Procedures Agreement (LSPA); and

Whereas, the Local brought grievances against the University in November and December of 2020 regarding unallocated and unspent CDP funds in Fiscal Years 2016-2020 and the fact that the CDP was not implemented in Fiscal Year 2021 at the University; and

Whereas, due to continuing complications of the COVID-19 Pandemic, the CDP was not implemented in Fiscal Year 2022;

Therefore, to promote amicable employer-employee relations and in settlement of those grievances, the parties hereby agree to the following:

1. *Annual Accounting*

The parties agree that AFT membership was 1,175 in Fiscal Year 2021 and 1,167 in Fiscal Year 2022, making the total amount of Career Development funds for those years \$140,520.00, calculated at \$60 per AFT unit member, in accordance with Article XXI.E.1 of the CNA.

From this time forward, prior to the end of each Fiscal Year, the University will provide the Local with an accounting of budgeted and unspent CDP funds.

2. *Rollover of Unawarded FY 2021 and FY 2022 Funds*

The amount of \$140,520.00, which represents the CDP funds budgeted, but not awarded in Fiscal Years 2021 and 2022 will be held in reserve, along with any CDP funds budgeted but not spent in future Fiscal Years. That reserve fund will be used to fund future meritorious CDP applications until the full amount is spent. If the Parties negotiate a new CDP before this full amount is spent, the Parties will agree on how the remaining amount is to be allocated in the new CDP.

3. *Eligibility*

All University employees in the Unit represented by the Local, including those serving in Non-Tenured Track Teaching Position (NTTP) are eligible to receive CDP funds if they are employed by the University during both the allocation and use of the CDP

funds.-Inclusion in the CDP does not constitute a waiver of University rights or provide any additional rights to NTTPs, including those outlined in Title 18A:60-10.

4. *CDP Procedures*

Section 14 of the Parties' LSPA will be amended as follows:

[14.2.1 CAREER DEVELOPMENT COMMITTEE]

...

[14.2.1.1.1 REGULAR MEMBERSHIP]

...

(g) One elected representative of the Non-Tenured Track Teaching Position (NTTP) group.

...

[14.2.1.3 SEQUENCE OF COMMITTEE ACTIONS]

14.2.1.3.1 Prior to the beginning of the spring-~~second~~ semester, the chairperson will call for proposals for career development funding for the first part of the next academic year and the summers preceding and following it. This includes Summer proposals, Fall proposals, and full-year proposals beginning in the Fall.

14.2.1.3.2 Prior to meeting as a Committee, each member of ~~the~~ Committee will evaluate each CDP proposal and determine whether or not it is meritorious. The Committee will then meet to discuss each proposal and make a collective determination as to whether or not each is meritorious. ~~develop and use a systematic procedure for evaluating proposals and making its recommendations. Priority will be given to proposals supported by recommendations of the Departmental Assessment Committees. This procedure shall be submitted to the VPAA designee for review pursuant to Section 1.3.4.2~~

14.2.1.3.3 The Committee will prepare a list of ~~recommended~~ meritorious projects from the proposals submitted ~~for Summer, Fall and full-year funding~~. The list will be submitted to the President or his or her designee by April 15. Administrative action on these recommendations will be completed by May 15.

[Sections 14.2.1.4 – 14.2.1.8 to be deleted]

...

14.2.5 NON-TENURED TRACK TEACHING POSITION (NTTP) CAREER DEVELOPMENT PROPOSAL REVIEW COMMITTEE

14.2.5.1. The committee charged with reviewing NTTP Career Development proposals will consist of three NTTP members.

14.2.5.2 NTTP members will elect two members and two alternates to the NTTP Assessment Committee, from any academic department or school.

14.2.5.3 The NTTP being assessed will appoint one member of their Career Development Proposal Review Committee, from any academic department or school.

14.2.5.4 The NTTP Proposal Review Committee serves for one year.

5. *Scheduling and Non-Interruption*

The next CDPs will be announced prior to the beginning of the Spring Semester 2023, for proposals for career development activities to take place during Summer and Fall 2023, and Spring and Summer 2024. In subsequent fiscal years, the CDP will be announced prior to the beginning of the spring semester, for career development

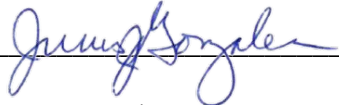
activities to take place during the following Summer, Fall, Spring, and subsequent Summer terms. The University acknowledges that under the terms of the CNA, it is not entitled to suspend the CDP during the period of renegotiating the CNA.

6. *Non-Punitive Procedures*

In accordance with Appendix II of the CNA, the Parties agree that “no personnel actions involving punitive procedures shall be based on or in any way use the results of the evaluations for the career development program,” including the withholding of travel funding or any other rights or privileges due to any AFT member who elects not to participate in the CDP, including the self-assessment.

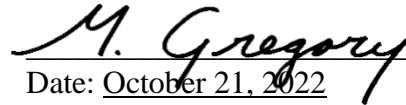
On behalf of the University

On behalf of AFT Local 1904



Provost and Senior VPAA

Date: October 24, 2022



Date: October 21, 2022