

COVID MOU#2 for Fall 2020

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Statement

During the current global health emergency brought on by the coronavirus pandemic, the UFF-UCF and the UCF Board of Trustees are committed to maintaining the productive and efficient operation of the University in a safe and healthy environment. Local, state, federal, and international health organizations recommend social distancing and wearing masks or facial covering as the most effective immediate response to reducing the spread of coronavirus. This agreement acknowledges those recommendations. To this end, we agree that the following terms and conditions shall remain in effect until the state of Florida declares an end to the emergency, escalates the emergency, or **December 20, 2020**. During this period, the University agrees to consult with a representative from UFF-UCF on its crisis management response.

Campus Repopulation

- 1 The University and UFF-UCF agree to have open discussions on the potential work modalities for fall 2020 and spring 2021 semesters.
- 2 No faculty with self-identified health concerns, or who have responsibilities to care for someone who has a health vulnerability, will be required to work in a non-remote setting in Fall 2020 semester.
- 3 We recognize that some areas of “normal” FTE assignments may not be possible given the health and safety conditions related to COVID-19. All faculty who otherwise would be assigned such work if not for the health and safety concerns related to COVID-19 shall receive alternative increases in teaching, research, and/or service effort to correspond with any reduced effort in such areas.
- 4 The University will inform the UFF-UCF team of any changes to this agreement or to the development of new forms sent out to our bargaining unit, i.e., remote work agreement.

Budget Reporting and COVID Stipend

5. Provide frequent budget reports to promote transparency and increase morale among faculty, including reporting on the distribution of CARES Act money (\$27 million), HEROES Act (if passed), any extra funds (i.e., \$7 million in extra enrollments), and other incoming funds.
6. COVID Stipend (\$1,000) for online training & workshop sessions with specifics to COVID, public safety, and remote work from home. Provide a \$1000 stipend to anyone who attends the online training. Rationale: The stipend will cover increased internet and electricity costs owed to the expense of online teaching (i.e., internet). Also, this provides incentive to maintain operations costs low for a live campus.

Protections for Research and Creative Scholarship

Current faculty, staff, and students rely on college and university education for their present and future livelihoods. Florida and the nation depend on educated and skilled workers beyond the pandemic. We shall strive to continue investing in UCF during the economic downturn. **There should be no reduction in funding for academics and research at the University.** Given that our faculty rely on staff, graduate assistants and adjuncts to continue our essential research, UCF cannot add to the unemployment numbers by reducing faculty, staff, graduate assistants, or adjuncts. Any reduction in funding creates a negative multiplier impact on our local economy.

7. Recognition that our research routines have been disrupted owed to new routines to daily life. We request leniency in how supervisors and/or directors evaluate faculty in annual evaluations and promotion portfolios. For instance, conferences have been postponed until 2023, or canceled or publishers have closed their offices. Faculty are encouraged to have proactive discussions with their chair or immediate supervisor regarding impacts to their research or creative scholarship.
8. Maintain labs and offices open. They should follow University research procedures and safety protocols.
9. Awareness that low productivity is the “new normal” under COVID. (i.e., number of lab students is limited)

Instructional Assignment/Evaluation

10. If an instructor chose to teach online in fall 2020, an immediate supervisor cannot demand that the instructor teach face-to-face.
11. Faculty shall be given a choice of modality. Fall 2020 semester courses will be offered across four modalities, including:
 - a. Asynchronous Online teaching
 - b. Synchronous remote teaching: (synchronous Zoom and asynchronous online)
 - c. Face-to-face teaching
 - d. Mixed mode (synchronous F2F and asynchronous online)
12. The University shall continue to provide support and training for remote instruction during the fall 2020 semester.
13. Given the uncertainty arising from COVID-19, it is possible that assigned activities for spring 2021 may change. Such changes shall be communicated to faculty no later than **December 5th 2020**.
14. The University shall not raise class caps in all modalities and shall maintain similar caps of students before COVID-19 to provide the best undergraduate education in fall 2020.
15. No expectation that employees work beyond 40 hours per week, but also recognize that employees work well beyond 40 hours per week to accomplish similar pre-COVID-19 productivity levels.
16. Teaching should not be solely evaluated on student evaluations (i.e., SPIs) during fall 2020. Student course evaluations shall not negatively impact annual evaluations. But they may be used to positive effect.
17. For face-to-face courses, provide microphones or equipment to project voices in large classrooms, i.e. 12 students in room intended for 48 students is substantially large.
18. Allow external, on-campus spaces for lower class density, i.e., teaching on green areas of the campus during fall 2020.
19. Create awareness of differing levels of activities that will impact the level of risk for students, faculty, and staff:
 - a. Low risk: continuing virtual-only learning options, activities, and events.
 - b. More Risk: limiting the size of classes, activities, and in-person events
 - c. Highest Risk: full-sized, in-person classes, activities, and in-person events.
20. Shorten fall semester to 12 weeks for residential students. This will prevent them going home, returning to campus infected, then infecting more students, staff, and faculty.
21. Reduce f2f class sizes to ensure social distancing as mandated by state and federal authorities.
22. Should a course need to transition to another modality during the fall semester due to the health of the instructor or to the state of the pandemic, there shall be no adverse action arising from the sudden change in modality of the course for the students or faculty.
23. **Supervisory observation of remote or online classes:** faculty shall be notified at least two weeks in advance of the date and time of any direct observation or visitation made in connection with the employee's annual evaluation. If the faculty determines that this date is not appropriate because of the scheduled class activities, this employee may suggest a more appropriate date. Remote or online class observation without prior notice, for non-evaluative purposes, may be only made with written permission of the employee. Alternatively, rather

than request online observation, supervisors are encouraged to request a consultation meeting with a faculty member to review their online teaching.

Face-to-face Instruction

24. Per CDC guidelines, the University shall provide a face mask and a face shield to each faculty member teaching in a face-to-face modality.
25. Faculty have the right to ask a non-compliant student to leave a particular class but must report the non-compliant behavior to the Office of Student Conduct. Faculty have the right to end a class session at any time in which they feel their safety or the safety of their students are at risk due to student(s) not following established health and safety protocols during COVID-19. Faculty must report any such incidents to their department chair or immediate supervisor.
26. The University is responsible for providing safe and clean classrooms. No faculty member will be compelled to conduct class in a room that is not clean and without appropriate cleaning materials provided.

Service Activities

27. No faculty shall be required to come to campus in Fall 2020 for service/engagement responsibilities, especially when Zoom is a reasonable substitute for in-person meetings.

Tenure & Promotion

28. Tenure clock pause and extension: as previously agreed in the April 30th 2020 MOU, because there is uncertainty as to the length of the COVID-19 health emergency, the University recognizes that many pre-tenure faculty may not yet know the impact it will have on their scholarship and creative activities. To ensure affected faculty's tenure progression is not negatively impacted from the sudden and substantial disruption to research productivity, and to ensure faculty whose research productivity has not been substantially disrupted, may extend or pause their tenure clock.

Intellectual Property Rights

29. Instructors shall maintain rights to all course content, including content required to be presented in an online format.
30. Please refer to Article 18 of our UCF Collective Bargaining Agreement.

Public Health and Safety

31. On-campus innovations to combat the virus will need funding to protect the health and safety of students, faculty, and staff who return to campus for hybrid or face-to-face classes. Adequate funding shall be allotted to sanitize facilities, provide protective equipment (facial coverings), comprehensive mental health and community health services on campuses. There must also be resources (i.e., institutional, state, federal, or community funds) for testing and contact tracing.
32. Below are guidelines based on surveys by international and national organizations, the Florida Department of Education, local county school districts, and state universities outlining best practices to ensure the health and safety of our students, faculty and staff. Our goal is to protect our UCF community and to prevent our community from spreading coronavirus into Central Florida, the rest of Florida, or the nation. Given the potentially dangerous effects of the disease and unknown long-term effects of COVID, the University shall:

- ☐ follow HIPAA guidelines when creating health protocols for faculty.

- ☐ ensure that every room have contactless, auto-dispenser alcohol-based hand sanitizer at the entrance (with a requirement to use it), a supply of anti-viral hand wipes and/or disinfecting spray.
- ☐ ensure that classrooms are disinfected in between classes.
- ☐ require facemasks until a vaccine becomes available. Masks should be provided at the entrance to every building for those who need them. It is the responsibility of the University to ensure that students/faculty/staff have access to masks.
- ☐ clearly post social distancing regulations and enforcement.
- ☐ ensure that the restrooms should be sanitized and cleaned on a regular basis throughout the day.
- ☐ create safe transportation strategies to and on campus.
- ☐ create protocols for access to public eating spaces (e.g., cafeteria/student union/coffee shop).
- ☐ encourage and permit remote work from home whenever possible.
- ☐ mark one-way traffic flow where possible.
- ☐ if the use of water fountains is not prohibited, add water bottle filling spouts to all water fountains.
- ☐ add social distancing markings for waiting in lines.
- ☐ purchase and change anti-viral A/C filters frequently and by schedule.
- ☐ where campus transportation exists, create safety and disinfectant protocols.
- ☐ install touchless door entries (key fobs, etc.) where feasible (i.e. building entrances).

Security, Space, and Maintenance of Equipment

33. The University shall not require any changes, modifications, or impose any requirements on faculty's remote work locations.
34. The University shall provide reasonable technology and materials required for faculty to meet their teaching, research, and service obligations. The University shall not impose any requirement on faculty to purchase or otherwise secure materials required for meeting their assignment.
35. The faculty member understands that all equipment, records, and materials provided by the University shall remain the property of the University.
36. All UCF equipment will be serviced and maintained by UCF to the extent possible given the limitations imposed by the current health emergency.
37. Faculty agrees to report to their department chair or immediate supervisor, and the incidence of lost, damaged, or unauthorized access at the earliest reasonable opportunity, including any work-related accidents
38. If using personal computers, reimbursement to employee if computer breaks down. Also, reimburse faculty for materials purchased or use P-cards to purchase materials for the faculty or professional employee to work productively from home.

Social and Emotional Well-being

Prolonged physical distancing, isolation, death, and illness in our families and communities, and economic disruption will leave many employees with ongoing trauma and mental health issues. To ensure a healthy environment, the University shall:

39. Provide a single website for the UCF community that list all online resources, including:
 - ☐ Mental health resources
 - ☐ Current UCF-related COVID information with the source of recommendations, who made them, and when they were made

- ☐ Reassurance to faculty, staff, and students about the physical space such as new protocols for cleaning and access that will make people more confident that they are safe.

40. If anxiety is suspected, a supervisor shall not provide a letter of instruction or reprimand for displaying signs of COVID anxiety. It should not be documented as a chronic illness, but a stress-related reaction to a global pandemic and its repercussions (i.e., isolation or death).

Safe Working Conditions

41. The University shall consider risk factors for COVID-19, either due to age or a medical condition. This will be a key deciding factor in their return to campus. If the faculty member OR members of their family fall into one or more of these “at-risk groups” (from the CDC) they should remain at home and work remotely: asthma; chronic kidney disease being treated with dialysis; chronic lung disease; diabetes; hemoglobin disorders; immunocompromised; liver disease; people aged 65 years and older; serious heart conditions; severe obesity.

In addition, the list of possible reasons to stay at home and remote work are (from CARES Act):

- ☐ the individual has been diagnosed with COVID–19 or is experiencing symptoms of COVID–19 and is seeking a medical diagnosis
- ☐ a member of the individual's household has been diagnosed with COVID–19
- ☐ the individual is providing care for a family member or a member of the individual's household who has been diagnosed with COVID–19
- ☐ a child or other person in the household for which the individual has primary caregiving responsibility is unable to attend school or another facility that is closed as a direct result of the COVID–19 public health emergency and such school or facility care is required for the individual to work

42. Additional reasons for remote work include:

- ☐ Sole caregiver for an individual who meets the CDC criteria
- ☐ Sole caregiver of a small child or children who are not attending school or daycare.

43. UFF recommends that the University

- ☐ hire more maintenance staff due to increased need for cleaning and disinfecting. Do NOT require non-maintenance personnel (staff, faculty) to be responsible for implementing cleaning protocols.
- ☐ create clear protocols for those who refuse to wear a facial covering or mask.

Parking Discount

44. The University shall consider discounted program for parking in spring 2021 and summer 2021.

Impact Bargaining

45. If the applicable government restrictions addressing the pandemic continue beyond our current academic year, along with federal, state, and/or local guidelines for self-isolation and social distancing, both parties will review and, if necessary, impact bargain a new agreement beginning on or before December 20, 2020.

Costs: UCF will be responsible for costs associated with necessary instructional technologies faculty communicate to and which are approved by their department chair (i.e., Skype Business or Zoom Business).