

**Memorandum of Understanding
Between
Western Washington University
and
United Faculty of Western Washington**

Modality

1. For the Winter, all faculty members can choose instructional modality, whether face-to-face, hybrid, or online. Faculty who choose face-to-face or hybrid modalities do not need to seek approval. Faculty who wish to teach online can make requests based on the criteria below.

If a faculty member chooses online instruction for one of the following reasons, their request should be sent to Human Resources:

- i. Faculty who have approved medical or religious exemptions from COVID-19 vaccination requirements;
- ii. Faculty who are immunocompromised or otherwise at high risk as determined by their health care provider, whether or not they are vaccinated;
- iii. Faculty who anticipate having unvaccinated, immunocompromised, or otherwise high-risk individuals in their household;

If a faculty member chooses online instruction for one of the following reasons, their request should be sent to the Provost's Office:

- iv. Faculty whose travel circumstances preclude face-to-face teaching (e.g., residence out of state);
- v. Faculty whose personal health situation or health situation of their household makes them uncomfortable with face-to-face instruction;
- vi. Other personal or professional reasons to prefer online instruction.

For requests that rely on a rationale based on items (i), (ii), or (iii), HR will approve or deny the request.

For requests that rely on a rationale based on items (iv), (v), or (vi), a panel composed of one representative from the Provost's Office and one representative from UFWW will evaluate the request using a blind review process and approve or deny the request. If the panel deadlocks, the request will be approved.

- a. If a request is denied under items (i), (ii), or (iii) above, the faculty member can opt to have their request reviewed under items (iv), (v), or (vi) above.
- b. No adverse action will be taken against any faculty member making such a request, even if that request is denied.
- c. Faculty do not need to request permission to move from face-to-face or hybrid to online for two weeks or less.
- d. Faculty will make initial requests for modality changes by Thursday, November 4th. Emergent requests after this date will be evaluated using the same process.

Safety

2. The University will comply with the American Society of Heating, Refrigerating and Air-Conditioning Engineers' (ASHRAE) recommendations for maintaining healthy buildings, including maximizing fresh air intake, minimizing cross-flow of air in occupied spaces, and optimizing system filtration to the greatest extent possible. The university will provide all available data on: (1) real-time monitoring of supply air and exhaust rates on all air handlers to ensure that ASHRAE standards for supply air are achieved, (2) the approximately 130 CO₂ monitoring points in building supply air systems to ensure air provided to large sections of buildings contains sufficient outside air (OSA), and (3) the approximately 100 CO₂ monitoring points in individual lecture halls and GUC's to verify that the overall ventilation strategy is effective. This data will be provided by September 1, 2021 (via a webpage or email) and will be updated if the ASHRAE recommendation is not met. The University will continue the use of MERV 13 air filters where system design and operating capacity allows and complete routine scheduled maintenance of all HVAC systems to ensure proper operation. Any building or room that falls below the ASHRAE recommendations will be taken offline or marked as for limited use. For buildings without supply air systems, the University will implement site-specific solutions within one week.
3. The University will provide faculty with vaccination rate information for their classes 1 week prior to the first day of class and will update that information if it changes during the course of the quarter.
4. Faculty will not be required to clean / disinfect rooms or elements of instructional spaces. The University will follow all health guidance and best practices with regards to cleaning and sanitation.
5. Faculty will have access to their workspaces even if they teach remotely, assuming state guidance permits.
6. The University will provide supplies and equipment including disposable masks, disinfectant, and disinfectant wipes in departmental spaces and classrooms. These materials will be restocked as needed upon notification.
7. The University will notify faculty of positive cases of COVID-19 in their classes within 24 hours of receiving notification.
8. The University will make COVID-19 testing available on a voluntary basis to vaccinated faculty, including rapid antigen testing if possible on campus. If not possible, the University will provide transportation to the voluntary testing site as necessary.
9. The University will provide information on local vaccine availability upon request.
10. The University will provide faculty with template language to include in course syllabi informing students about the policies and procedures in place for COVID safety in Winter and Spring 2022. This language will be sent to faculty via email one week prior to the start of the quarter.

Workload

11. No instructor will be required to teach a section including both remote and in-person students. If a faculty member is asked to do so, whether for programmatic or accommodation reasons, and agrees, then the faculty member will be paid 50% of the usual overload rate, i.e. 1/72 of their academic year salary per credit hour.
12. Additional compensation for any additional scenarios not mentioned here will be determined by discussion between the appropriate Dean / Provost's Office / faculty member and UFWW and any agreement will apply to all significantly similar situations.

Evaluations

13. During Winter and Spring 2022, faculty will continue to provide opportunities for students to complete evaluation for all sections. However, due to the continued disruptions caused by the COVID-19 health crisis, inclusion of these evaluations in teaching portfolios of all faculty for non-tenure track review, probationary review, tenure and promotion, and post-tenure review remains optional. Evaluations that are included in teaching portfolios will have no negative impact on the outcome of the review in light of the most exceptional conditions under which they were conducted. (See Section 7.7.2.1 of the CBA).

Non-Tenure Track Faculty Review

14. For AY2021-2022, annual reviews for Instructors are optional. The choice to be reviewed is up to the instructor and postponed reviews will have no impact on renewal. For those choosing to be reviewed this year, timelines may be adjusted as necessary by each college, as long as the review concludes by June 15th.
15. For AY2021-2022, reviews are required for Senior Instructors in the final year of their contract per Section 8.1.3.3 of the CBA. Timelines may be adjusted as necessary by each college, as long as the review concludes by June 15th.

Tenure Review

16. CBA Section 7.7.1.1 states, "Faculty shall be evaluated for tenure not later than the sixth Fall Quarter of service (or as amended by extensions...)." In two previous MOUs, all probationary faculty members hired before June 16, 2021, were granted a one year extension. In addition to that group, all current probationary faculty members who start between June 16, 2021, and June 15, 2022, will also receive a one year extension to their original tenure review date. This does not prohibit faculty from applying for tenure and promotion earlier than their adjusted tenure review date "if they have established a record of accomplishment that meets department standards for teaching, scholarship, and service, based upon their annual probationary reviews" (see CBA Section 7.7.1.2).

Professional Development Funds

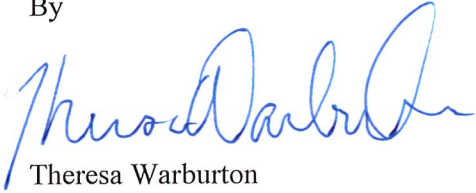
17. Any unused 2019-2020 professional development funds from CBA Section 22.9.1 will rollover and be used to fund additional professional development in 2022-2023. Funds carried over from AY 2021-22 will not impact decisions about AY 2022-2023 professional development/travel awards.

Signed and dated this 26th day of October 2021.

UFWW
For UFWW

WWU
For the employer

By



Theresa Warburton
President, UFWW

By



Sabah Randhawa
President, WWU