

## MEMORANDUM OF AGREEMENT

This MEMORANDUM OF AGREEMENT is entered into by and between the Board of Higher Education (the "Board") and the Association of Professional Administrators /MTA/NEA (the "Association") (collectively, the "Parties") on the dates written below.

WHEREAS, the Parties recognize that the global coronavirus pandemic has led to unprecedented health and safety concerns;

WHEREAS, the Parties met to discuss and resolve their COVID related health and safety concerns following the spread of highly contagious COVID variants.

NOW, THEREFORE, the Parties agree as follows:

1. All unit members, regardless of vaccination status, shall wear a mask or cloth face covering over their mouth and nose in non-private spaces inside campus buildings or indoor facilities
2. Employees seeking exemption from wearing a mask or cloth face covering due to medical reasons shall seek accommodation through the university's ADA process.
3. The state university will have available masks for people who have forgotten or lost their masks, or whose masks have been damaged, in addition employees may request heightened PPE (such as face coverings, face shields, gowns), if their job duties require such equipment in accordance with state or federal guidance or regulation.
4. Unit members shall inform students and office visitors that they are required to wear a face covering, but shall not be expected to enforce the requirement unless the unit member is addressing a subordinate or exercising the authority of their position. If a student or visitor refuses to wear a face covering after being informed of the face-covering policy by the unit member, the unit member shall instruct the student or visitor to leave the member's work area. If the student or visitor refuses to comply, the unit member shall inform a supervisor and appropriate university personnel and remove themselves to a safe distance from the student or visitor. Student refusal to wear a mask will be treated as a student conduct violation and be addressed through the code of conduct mechanisms at the university. The university will work with the local APA chapter to address situations in which APA members may be on campus working in close proximity with people who have been approved for an accommodation of not wearing masks.
5. Acknowledging the importance of wearing face coverings, the Association agrees that the employer will progressively impose discipline upon a unit member who is not exempted

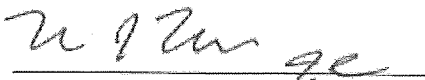
and who does not comply with this or any other requirement to wear a face covering. An oral warning will be imposed by the supervisor in consultation with Human Resources for the first instance of a unit member being observed without a face covering. The Local APA Chapter President shall be informed. A written warning will be imposed for the second infraction. A one-day suspension will be imposed for the third infraction. A two-day suspension will be imposed for the fourth infraction. Upon a fifth infraction the unit member will be subject to discipline under Art. VIII of the APA Agreement. The university human resources department is responsible for maintaining records of all infractions of this MoA.

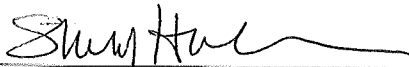
6. The state universities shall endeavor to ensure ventilation in workspaces meets ASHRAE standards where practicable.
7. The state universities will allow full-time unit members access to the sick leave bank described in the Parties' collective bargaining agreement because of their quarantine or diagnosed illness from the COVID-19 virus or to care for parents, children, and spouses quarantined or diagnosed with the COVID-19 virus. Access to such sick leave bank shall be governed by the relevant terms of the collective bargaining agreement.

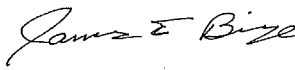
WHEREFORE the Parties hereto hereunder set their signs and seals as follows:

BOARD OF HIGHER EDUCATION

ASSOCIATION OF PROFESSIONAL  
ADMINISTRATORS/MTA/NEA

By:   
Michael J. Murray, Esq.  
Director of Employee and Labor Relations  
Date: 8-24-21

By:   
Sherry Horandopoulos  
President, Association of Professional  
Administrators  
Date: \_\_\_\_\_

By:   
James F Birge  
Chair, Council of Presidents  
Date: August 24, 2021