

**FY 2022-2023 MOU MODIFICATION AND EXTENSION AGREEMENT
BY AND BETWEEN THE FACULTY AND ADMINISTRATION OF
FAIRFIELD UNIVERSITY**

This FY 2022-2023 MOU Modification and Extension Agreement (“Second Modification”) by and between the Faculty of Fairfield University (“Faculty”) and Administration of Fairfield University (“Administration”) amends the parties’ FY 2018-2020 MOU, the one-year extension, and the FY 2021-2022 MOU Modification and Extension Agreement dated August 17, 2020 (“Agreement”). To the extent that any of the provisions of the Agreement or subsequent modifications conflict with this Second Modification, it is understood and agreed that the terms of this Second Modification shall take precedence and supersede the terms of the Agreement.

WHEREAS, the Faculty and Administration of Fairfield University (the “University”) have been operating under a three-year Memorandum of Understanding with one-year extension from July 1, 2017 through June 30, 2021 (“MOU”);

WHEREAS the Faculty and Administration executed a one-year Modification and Extension Agreement on August 17, 2020 modifying some of the MOU’s provisions and extending for an additional year through June 30, 2022 (“Modification”);

WHEREAS, Faculty and Administration have determined that the University would benefit from further clarification, modification, and extension of the underlying MOU and Modification for one additional year;

NOW, THEREFORE:

After collegial discussions, the Faculty Salary Committee and the Administration have agreed to recommend to the General Faculty for ratification, and to the Budget Committee for inclusion in the budget to be submitted to the President for the approval of the Board of Trustees the following:

1. For FY 2021, faculty salaries and retirement benefits were subject to the following terms:

- a. The University temporarily reduced the University’s 403(b) match from 9% match to 3.5% effective September 1, 2020 and ending June 30, 2021.
- b. The University cancelled salary increases associated with the merit budget (2.25%) and the supplemental budget (0.75%) for AY 2020-2021.
- c. The University maintained minimum salaries for each rank in AY 2020-2021 at the same level as minimum salaries in AY 2019-2020, namely:

<u>Rank</u>	<u>Minimum Salary</u>
Instructor	\$ 63,945
Assistant	\$ 81,048
Associate	\$ 90,799
Professor	\$ 123,098

- d. The FSC and Administration calculated mean salaries for each rank in AY 2020-2021 will be based on actual salary data.

2. The following salary restoration measures will be implemented for FY 2022:

- a. The University's 403(b) match will return to 9% effective, July 1, 2021.
- b. On or before August 31, 2021, the Supplemental budget of .75% of the FY2021 salary budget will be paid to individual faculty members in the form of a lump sum. The supplemental budget allocation will be applied to individual salaries, the means of the ranks, and the minimum of the ranks, prior to the application of standard merit. (Based on the motion passed at the meeting of the GF on May 29, 2021, the Supplemental budget will result in faculty at the associate rank receiving a fixed dollar payment of \$306 and faculty at all ranks receiving a payment of .66% of their base salary).
- c. On or before August 31, 2021, the Merit salary budget of 2.25% of the FY2021 salary budget will be paid to individual faculty members in the form of a lump sum. Merit salary increases will be distributed to recipients as a percent of salary or the mean of the rank, whichever is greater.
- d. New faculty hires with a contract effective date on or after of September 1, 2020 are excluded from receiving the lump sum payments, as their salaries were not subject to the cuts in 1(b) above. Any faculty members who retired between September 1, 2020 through June 30, 2021 will receive a pro-rata share of the lump sum payments.
- e. Prior to the salary increases effective September 1, 2021 as outlined in Paragraph 4, the base salaries of each faculty member will be increased by the amounts in 2(b) and 2(c). New faculty hires with a contract effective date on or after September 1, 2020 are excluded from receiving restoration of base salary.
- f. The minimum salary with restoration described above for each rank for AY 2020-2021 is:

<u>Rank</u>	<u>Minimum Salary</u>
Instructor	\$ 65,815
Assistant	\$ 83,419
Associate	\$ 93,768
Professor	\$ 126,698

- e. The mean salary with restoration described above for each rank for AY 2020-2021 is:

<u>Rank</u>	<u>Mean Salary</u>
Instructor	\$ 76,378
Assistant	\$ 92,787
Associate	\$ 107,222
Professor	\$ 140,200

3. Faculty members who received a promotional increase effective September 1, 2020 will be entitled to an adjustment in base salary and a lump sum payment to meet the restoration provisions defined in Paragraph 2. In addition, the rank average rates and minimums used to determine promotional increases effective September 1, 2021 will be adjusted to reflect the salary restoration defined in Paragraph 2(b) and 2(c).
4. Effective September 1, 2021, the following terms and budgets will apply for FY 2022:
 - a. Each faculty member will receive an increase to base salary of \$150 prior to the salary increases described in 4(b) and 4(c) below.
 - b. Each faculty member will receive a “supplemental budget” increase of 1.75% of individual faculty’s base salary. The supplemental budget allocation will be applied to individual salaries, the means of the ranks, and the minimum of the ranks, prior to the application of standard merit.
 - c. Each faculty member will receive a merit salary increase of the greater of a) 2.25% or b) 1% less than the percentage increase in tuition for FY 2022. Merit salary increases will be distributed to recipients as a percent of salary or the mean of the rank, whichever is greater.
 - d. The minimum salary for each rank for FY 2022 will be:

<u>Rank</u>	<u>Minimum Salary</u>
Instructor	\$ 68,630
Assistant	\$ 86,944
Associate	\$ 97,711
Professor	\$ 131,972

- e. Mean salaries for FY 2022 based on actual salary data as dictated by Paragraphs 2(b) and 2(c) and 4 (a) – (c) are:

<u>Rank</u>	<u>Mean Salary</u>
Instructor	\$ 79,620
Assistant	\$ 96,691
Associate	\$ 111,709
Professor	\$ 146,019

- f. In the event of a promotion in rank, the faculty member will receive the greater of the following: a) their current base salary plus the increases listed in 4(a) – 4(c) above plus \$1,000, or b) the new minimum of the new rank plus any additional merit compensation awarded to the faculty member beyond standard merit prior to the current year.

5. The Faculty and Administration extend the Agreement and this Second Modification for one additional year through FY 2023 (AY 2022-23). Subject to the first paragraph of this Second Modification and the fact that several of the Second Modification's terms only apply on a one-time basis in FY 2022, the following economic and key terms shall apply effective September 1, 2022:
 - a. Each faculty member will receive a "supplemental budget" increase of 1.75% of each faculty member's base salary. The supplemental budget allocation will be applied to individual salaries, the means of the ranks, and the minimum of the ranks, prior to the application of standard merit.
 - b. Each faculty member will receive a merit salary increase of the greater of a) 2.25% or b) 1% less than the percentage increase in tuition for FY 2023. Merit salary increases will be distributed to recipients as a percent of salary or the mean of the rank, whichever is greater.
 - c. The University's 403(b) retirement match will continue at 9%.
 - d. Means and increases for each rank for will be calculated by the Faculty Salary Committee and the Administration's Compensation Committee for AY 2022-2023 based on actual salary data. Minimums for each rank for AY 2022-2023 will be calculated by the Faculty Salary Committee and the Administration's Compensation Committee as dictated by 5(a), and 5(b) above.
 - e. In the event of a promotion in rank, the faculty member will receive the greater of the following: a) their current base salary plus the increases listed in 5(a) and 5(b) above plus \$1,000, or b) the new minimum of the new rank plus any additional merit compensation awarded to the faculty member beyond standard merit prior to the current year.
 - f. The medical reserve account and related operating rules, as described in section O of the existing MOU, shall continue.
 - g. The medical plans offered under the existing MOU will be continued through FY 2023 with no additional premium cost share or plan design changes unless otherwise agreed to by both parties. The Healthcare Committee (HCC) will bring forth pending recommended changes and cost savings measures to the Faculty Salary Committee and the Administration Salary Committee for approval by Administration and the General Faculty as soon as practical in the fall 2021 semester.
6. The restatement and modification of terms as described herein shall be applied as appropriate in all letters of appointment for AY 2021-2022 and AY 2022-2023. The Faculty Salary Committee and the Administration will be committed to collegial discussions for FY 2024 faculty compensation, as described in section Q of the existing MOU.
7. A provision for an independent legal review of the next multi-year agreement or extension agreement for FY 2024, whichever applies, will be implemented should either the Faculty or Administration (or both) wish to do so:

- a. The Faculty and Administration will select a mutually acceptable independent law firm.
- b. The selected legal counsel will be provided with the mutually drafted final version of the multi-year MOU/extension for review.
- c. Legal counsel will provide thoughts and considerations to both parties.
- d. Any edits responsive to counsel's review would be implemented only upon mutual written consent.
- e. The cost of this legal review will be paid for by the University.

ACKNOWLEDGED AND AGREED TO This 1st day of July, 2021.

FOR THE FACULTY:



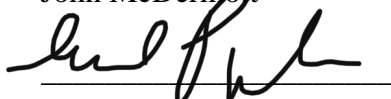
Walt Hlawitschka (Chair)



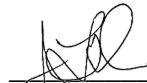
Dina Franceschi



John McDermott



Mike Puleo



John Thiel

FOR THE ADMINISTRATION:



Scott Esposito (Chair)



Jenn Anderson



Richard Greenwald



Mike Trafecante