

APA Commentary on the 2023 - 2027 APA Proposed Tentative Agreement for Ratification

The commentary below is the viewpoint of the APA Bargaining Team who negotiated on behalf of all APA members in contract negotiations. Each number below provides an impact statement to the contract provision proposed for modification through ratification of the APA Tentative Agreement. You will either need to print off both documents (this commentary and the tentative agreement) or have them open side-by-side on your computer to reference back and forth.

APA Improvements and Enhancements Highlights

- Added new language that protects against the removal of bargaining unit positions based on the number of members at particular locations.
- Added remote work language protections in the contract.
- Gained additional bargaining unit members back into the Association as a result of remote work recognition who were incorrectly removed from the Association by management. Out-of-state positions were not getting contract benefits.
- Expanded interim pay to be a temporary addition to base salary or a lump-sum special payment.
- Added language that guarantees members are not removed from the Association when they accept an interim assignment.
- Expanded unused sick leave credits for members with seniority of 11 years or more. The sick leave payout increased the ceilings used as factors from 1,200 hours to 1,300 hours at their defined percentages. This is effective April 1, 2024.
- Removed the 40/60 merit split. Raises would now be across the board.
- Increased the salary schedules for the minimum and Automatic Progression Level (APL) by 1.9%. This is not a base wage raise but moves the table, so more members are eligible for APL raises. This will be effective January 1, 2024.
- Increased longevity to reflect a 21% increase to the current base calculation. This is effective December 1, 2024.
- Expanded paid holidays by having Dr. Martin Luther King, Jr. included.
- Expanded bereavement days from three (3) days to five (5) days for immediate family members.
- Combined the twenty-four (24) and fifty-six (56) hours cap for sick leave utilization to a combined eighty (80) hours. This allows more flexibility.
- Enhanced military leave to include language for the Uniformed Services Employment and Re-Employment Rights Act (USERRA) to ensure that any members called for active duty have their jobs protected.
- Added new break-in service language to ensure that members do not have to complete a second probationary period upon classification or transfer.
- Renewed the personal observance days LOA so that members may continue to utilize sixteen (16) hours each calendar year for any religious, cultural or personal observance activities.
- Enhanced professional development courses by changing the language to allow members to utilize the \$900 per academic year benefit immediately upon hire. This is effective January 1, 2024.

NOTE: There are several grammatical updates that were made to the contract that are not included in this document. Please refer to the full TA to see those changes.

1. Article 1 – Recognition

- a. Codified the non-removal of bargaining unit positions based on the number of members at a particular location.
- b. Added remote work protections to ensure that out-of-state positions and work-from-home positions are recognized.
- c. Gained additional members back into the Association that were incorrectly removed by Management.

2. Article 5 – Association Membership

- a. These modifications change the process of the Employer delivering Association membership cards to new hires to the Association.
- b. It allows for the membership card to be delivered either electronically or paper.
- c. Revocation cards can be submitted by email.

3. Article 6 - Association Rights

- a. These modifications clean up duplicated language.

4. Article 7 – Employment Status

- a. The modifications ensure that all off-date positions have to be noted in writing at the time of hire. Additionally, at time of separation, they shall receive a sixty (60) day notice instead of forty-five (45) days.

5. Article 8 – Probationary/Trial Period

- a. These modifications clarify probationary periods and what happens when someone is reclassified or transferred.
- b. The strike out in the trial period section was updating the contract to current practice.

6. Article 10 – Settlement of Disputes

- a. This modification extends the duration to six (6) years for discipline that is issued, following a due process investigation, from a violation of the University policy on Relationship Violence and Sexual Misconduct, Title IX Policy and/or the anti-discrimination policy. This new six (6) year rule for such discipline to stay on the employee record only applies to discipline issued following ratification of the tentative agreement.

7. Article 11 – Official Personnel Folder

- a. This modification extends the duration to six (6) years for discipline that is issued, following a due process investigation, from a violation of the University policy on Relationship Violence and Sexual Misconduct, Title IX Policy and/or the anti-discrimination policy. This new six (6) year rule for such discipline to stay on the employee record only applies to discipline issued following ratification of the tentative agreement.

8. Article 12 – Performance Evaluation

- a. These modifications bring the contract language into conformity with current language used in the evaluation process.

9. Article 13 – Promotion/Demotion

- a. The interim pay can now be a temporary addition to base salary or a lump-sum special payment.
- b. Added language to ensure members are not removed from the Association when they accept an interim assignment.

10. Article 14 – Filling Vacant Positions

- a. Added language that allows for vacancies shall be posted except where mutually agreed upon by the Association and University.
- b. New language that allows for pool postings and open rank postings to be used when necessary.

11. Article 15 – Classification/Reclassification of Positions

- a. This modification clarifies that employees must complete their initial probationary period.

12. Article 16 – Reduction in Force

- a. This added language allows for employees in a reduction of hours situation to be able to voluntarily accept or deny the change.
- b. The increase of unused sick leave credits for employees who have 11 years of seniority or more, changed from 1,200 hours to 1,300 hours at their defined payout percentages in the contract.

13. Article 17 – Compensation Programs

- a. APA negotiated the removal of the 40/60 merit split. Raises will now be across the board.
- b. The salary schedules for the minimum and Automatic Progression Level (APL) will reflect an additional 1.9% increase effective January 1, 2024.

14. Article 20 – Leaves of Absence Without Pay

- a. The added language ensures that employees transferring positions are able to take a break-in service without having to be subjected to processing as a new employee.
- b. The strike out in 156-E allows for employees who are not eligible for paid parental leave to still be able to take three (3) months of leave if they become parents.

15. Article 23 – Holidays

- a. The addition of Dr. Martin Luther King, Jr. as a paid holiday.
- b. Time and one-half if paid for all employees who work on the observance date of the holiday and note on the calendar date of the holiday (if different). Employees level 12 and above shall receive compensatory time.

16. Article 24 – Sick Leave

- a. This modification changes the twenty-four (24) and fifty-six (56) hours sick leave utilization to care for various members of your family to eighty (80) hours.
- b. Increased the unused sick leave payout at retirement from 1,200 hours to 1,300 hours at the defined percentages in the contract.

17. Article 25 – Military Pay and Leave of Absence

- a. Articles 25 and 30 were combined.
- b. Added language for the Uniformed Services Employment and Re-Employment Rights Act (USERRA) to ensure that any members who are called for active duty have their jobs protected and ensure that the University is following this Federal law.

18. Article 28 – Longevity

- a. Longevity reflects a 21% increase to the current base calculation. Along with a new chart that shows the amount that would be paid out versus the percentages.

19. Article 31 – Bereavement Days

- a. Bereavement days increased from three (3) days to five (5) days for spouse, child/stepchild, grandchild, parent/stepparent, or other eligible individual.

20. Article 35 – Dental Plan

- a. Added language that allows employees to utilize supplemental coverage when available.

21. Article 41 – Educational Assistance

- a. Members are now immediately eligible to utilize their \$900.00 per academic year benefit upon hire. These monies can be obtained for reimbursement and release time for job and/or career-related Professional Development courses as outlined in the contract.

22. Article 45 – Safety

- a. The Association and the University will now meet quarterly on safety related concerns when necessary.

23. Article 47 – Agreement

- a. Modification to this Article is editorial in nature to properly reflect the date in which the tentative agreement was reached between the APA and the University and to reflect the contract will be active through Sept 30, 2027.

24. Letter of Agreement – Improved and/or Enhanced Dental Coverage

- a. A new letter of agreement was signed that explores further discussions on improved and/or enhanced dental coverage through the Joint Health Care Committee.

25. Letter of Agreement – Parental Leave

- a. The LOA for parental leave was renewed to include the relevant sections of the LOA for continued benefits.

26. Letter of Agreement – Pool and Shadow Postings

- a. This LOA was eliminated because it was incorporated into the contract.

27. Letter of Agreement – Paid Time Off Donation Bank

- a. The APA and the University agree to meet during the life of this contract to discuss the possibility of a paid time off donation bank policy.

28. Letter of Agreement – Health Related Emergency

- a. The original Letter of Agreement for Health Related Emergency was bargained twelve years ago. This Letter of Agreement simply renews the exact same elements for the APA contract to be in place through 2027.
- b. There is no change in substance or function of this Article by simply renewing it.

29. Letter of Agreement – Merit Pay Guidelines

- a. The original Letter of Agreement for the merit pay guidelines was bargained many years ago. This Letter of Agreement simply renews the exact same elements for the APA contract to be in place through 2027.
- b. There is no change in substance or function of this Article by simply renewing it.

30. Letter of Agreement – Grievances/Arbitrations

- a. As a result of newly negotiated language, we would be able to resolve three grievances/arbitrations. This LOA states that if the tentative agreement is ratified, that the APA agrees to withdraw those cases.