

Supplemental Agreement for the COVID-19 Virus State of Emergency

The Professional Staff Congress and The City University of New York enter into the following Supplemental Agreement for the COVID-19 Virus State of Emergency . (“Emergency Agreement”):

The Emergency Agreement shall take effect on March 12, 2020, and continue until the end of the 2019-2020 academic year, unless an extension is agreed to by the parties. Additional provisions may be added by agreement of the parties.

The provisions of the Emergency Agreement shall supersede any other agreement concerning the subject matter herein made by the parties prior to March 12, 2020.

1. Both full-time faculty and adjuncts who are responsible for holding office hours will hold office hours through distance technology and will notify their students and their department chair regarding how they plan to hold the hours.
2. Classroom teaching observations that had not been conducted prior to March 20, 2020, for the spring 2020 semester will be conducted only if requested by the employee to be observed. If a teaching observation is requested, the department will use the new contractual provision for classroom teaching observations of online classes set forth in Article 18.2(b)3, recognizing that courses being taught through distance technology are not necessarily online courses and acknowledging in the observation report that the course was not a distance-learning course from the start of the semester. The individual to be observed must be made aware of the procedure to be used and have the option not to proceed with the observation. Teaching observations for faculty teaching courses online since the start of the semester and who are due to be observed during this semester shall be observed pursuant to Article 18.2(b)3.
3. The annual evaluation conference required by Article 18.3 will be conducted through distance technology, which may include telephone and/or videoconferencing. The written record of the discussion, as required under Article 18.3, may be delivered to the employee by electronic means. In satisfaction of the requirements of Article 19, the electronic communication of the record of the discussion may be placed in the employee’s personnel file after the employee has been given the opportunity to read the contents and attach any comments. The employee will acknowledge by email receipt of the written record of the discussion; if the employee fails to send such acknowledgment, a statement to that effect will be included in the employee’s file along with a copy of the record of the discussion. If the overall evaluation is unsatisfactory, the record of the discussion shall so state, and the employee may electronically make a request to appear before the department P&B pursuant to Article 18.3(a). Such appearance may be held through distance technology.
4. Decisions on tenure effective September 1, 2020, on promotion, on reclassification and on discretionary assignment salary differentials that were in process as of March 12, 2020 shall be completed.

5. Faculty and staff shall be permitted to retrieve personal belongings and materials needed to work remotely. In conformance to the *New York State on Pause Executive Order*, access to campuses will be limited except by appointment. Faculty and staff will contact their local campus for specific information.

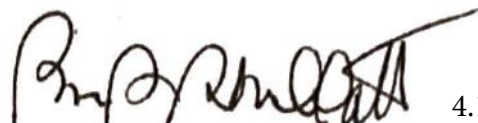
6. Faculty who are candidates for tenure effective September 1, 2021, may receive a one-year extension in their tenure review, if they so desire. It is understood that if such a faculty member is reappointed for the 2021-2022 academic year, the reappointment will be without tenure and will be deemed the 6th reappointment (i.e. seventh consecutive year of service) toward tenure. Such a faculty member must request a tenure clock extension by emailing their college provost by May 15, 2020. The written record of the request shall be placed in the employee's personnel file. By June 1, 2020, each college provost shall send the CUNY Office of Labor Relations a list of all faculty who elected the one-year extension. CUNY OLR shall forward that list to PSC by June 15, 2020.

Faculty on the tenure track for consideration in later years who wish to seek a one-year extension based on the circumstances of the spring 2020 semester must apply to their college provost by February 1 of the spring semester preceding their fall tenure review. These requests will be considered on a case-by-case basis, in accordance with past college and university practices.

AGREED:

 4/17/2020

Professional Staff Congress/CUNY Date

 4.18.2020

The City University of New York Date