

MEMORANDUM OF UNDERSTANDING

The University of Akron (the “University”) and the American Association of University Professors, University of Akron Chapter (“Akron-AAUP”), hereby enter into this Memorandum of Understanding regarding the implementation of the positive vote of the Akron-AAUP bargaining unit on the issue of a fair share fee.

By operation of the parties’ Collective Bargaining Agreement and applicable statutory law, the University is obligated to deduct fair share fees from the payroll checks of bargaining unit members who are not members of Akron-AAUP. Ohio Revised Code §4117.09(C) provides in relevant part: “The deduction of a fair share fee by the public employer from the payroll check of the employee and its payment to the employee organization is automatic and does not require the written authorization of the employee.” This language is consistent with Section H of the parties’ Letter of Understanding Regarding Election of Fair Share Fees, which provides that upon a positive vote of the bargaining unit members calling for the imposition of a fair share fee, and the provisions of Article 4, section 2(B) of the Collective Bargaining Agreement, which calls for payment of dues by means of payroll deduction, “shall apply to fair share fee payers.” Fair share fee deductions will commence starting with the payroll period after which the Akron-AAUP certifies to the University the amounts to be deducted.

Akron-AAUP shall certify to the University the fair share fee amount that is to be deducted, and has provided to the University its written:

- (i) Notice of Fair Share Fee and “Advance Rebate” Determination Procedure (to be distributed to all bargaining unit members); and
- (ii) Notice of Conscientious Objection Procedure (to be distributed only to those who identify themselves to the Akron-AAUP as conscientious objectors).

The University has reviewed the documents, and the procedures, which the University finds acceptable.

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be made effective as of the payroll period following Akron-AAUP’s certification to the University of the amounts to be deducted.