EXHIBIT 28

June 11, 2020

University of Akron – Akron/AAUP

University Counterproposal – Article 16 new section 13

Article 16 titled Compensation

Section 13. Furloughs

The University’s financial stability depends on its ability to manage cash flows and it must have flexibility to quickly address cash flow problems arising from a reduction in state funding, loss of revenue from endowments or investments, decline in institutional enrollment, or by other action or events that compel an immediate reduction in expenditures.  The Akron-AAUP shall be consulted before a determination is made that a furlough of bargaining unit faculty (BUF) will be implemented. Consultation is understood to be a substantive opportunity to provide feedback to the President’s designee(s) before a final determination on how a furlough is to be implemented is made within the time frame set by the President.

After consultation with Akron-AAUP, the President or his designee may implement a furlough upon fourteen (14) days advance written notice to affected faculty. BUF members who were assigned courses to teach that are not needed or are cancelled and/or for whom there is insufficient work, may be furloughed for up to sixteen weeks in any given semester. If non-teaching BUF members’ services are not needed, they too may be furloughed for up to sixteen weeks in any given semester.

All faculty may also be furloughed on days for which it is unlikely that they are performing full-time work, such as during Spring Break, the period between December 25 and January 1, days on which they have no teaching assigned, the end of the semester after final grades are submitted, etc. In all cases, furloughs may be for full or partial days, either intermittent or recurring, and consecutive or spaced apart in time. The final decision as to how such furloughs will be implemented rests with the University administration, after consultation with Akron-AAUP.

The University, at its discretion, may allocate employee reductions in pay over the balance of a fiscal year for payroll purposes, regardless of the pay period in which the furlough day(s) occur. Employees will continue to be responsible for all employee contribution amounts during a furlough (e.g. health care, 403(b), and 457(b) contributions) and it is acknowledged associated retirement contributions, both employer and employee, will necessarily be reduced because of the decrease in pay as a result of a furlough.

The decision to furlough and method of implementing a furlough are not grievable provided the University met its consultation obligation under this section.