

**Jessica S. Monroe**

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**From:** George S. Crisci <gsc@zrlaw.com>  
**Sent:** Thursday, August 6, 2020 9:25 AM  
**To:** Eben O. McNair; 'Foster Jr, Sidney C'  
**Cc:** Jessica S. Monroe  
**Subject:** RE: Art. 33 Grievance

Sandy,

In response to your e-mail below and enclosed demand for arbitration under Article 33, Section 3 of the Collective Bargaining Agreement between the University and the AAUP (“CBA”), please be advised that the University withdraws what the AAUP repeatedly has referred to as the University’s “Proposed Agreement” and “Last, Best and Final Offer” that the AAUP bargaining unit has rejected. The University no longer desires to negotiate any midterm changes to the CBA. Consequently, there is no pending “dispute” or “agreement [that] cannot be timely reached” that requires arbitration, expedited or regular, under that contract provision. The University will serve the AAUP with a Notice to Negotiate a new CBA at an appropriate time in the future. The University will proceed with any layoffs pursuant to its authority under Article 15, Section 12 of the CBA, and it is prepared to defend that decision in the pending arbitration proceeding.

Please contact me if you wish to discuss further.

GSC



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**From:** Eben O. McNair [mailto:emcnair@smcnlaw.com]  
**Sent:** Wednesday, August 05, 2020 10:57 PM  
**To:** George S. Crisci; 'Foster Jr, Sidney C'  
**Cc:** Tim Matney; 'Bill Rich'; Jessica S. Monroe  
**Subject:** Art. 33 Grievance

George and Sid—

Please find the attached. Please note the Chapter seeks expedited arbitration and requests the Administration's agreement.

Thanks,  
Sandy

	<b>Eben O. (Sandy) McNair, IV</b> <i>Attorney at Law</i> <b>Schwarzwald McNair &amp; Fusco LLP</b>
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