

**THE UNIVERSITY OF AKRON**

**RESOLUTION 7-6-20**

Approval to Abolish Positions

WHEREAS, On January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization (WHO) declared the outbreak of COVID-19 a public health emergency of international concern, and on January 31, 2020, the United States Health and Human Services Secretary declared a public health emergency for the United States; and

WHEREAS, On March 9, 2020, Governor Mike DeWine issued executive order 2020-01D, declaring a State of Emergency to protect the well-being of Ohio citizens from the dangerous effects of COVID-19 and to coordinate the state response to COVID-19; and

WHEREAS, On March 11, 2020, the WHO declared COVID-19 a global pandemic and on March 13, 2020, the President of the United States declared a National Emergency concerning the COVID-19 outbreak; and

WHEREAS, On May 5, 2020, Governor Mike DeWine announced that there would be significant reductions to the Ohio Department of Higher Education's fiscal year 2020 budget for the state's public colleges and universities; and

WHEREAS, As a result of the reduction in state funding for fiscal year 2020, as well as the projected reduction in state funding for fiscal year 2021 and other financial losses resulting from the COVID-19 pandemic, The University of Akron, (the "University") projected a revenue shortfall of approximately \$65 million for fiscal year 2021; and

WHEREAS, In an effort to offset a portion of the projected shortfall, the University has announced plans to reduce the administrative organization of the institution through a consolidation of the current eleven (11) college structure into five (5) academic colleges and by significantly reducing all academic and non-academic departmental budgets, including Athletics, by an average of twenty percent (20%) with reductions issued strategically and in a differential manner; and

WHEREAS, University President Gary L. Miller and all senior administrators, including the Provost, Cabinet members, and those with the title of Vice President or Dean, 2020, voluntarily have agreed to temporarily reduce their annual base wages by ten percent (10%), and the four highest compensated athletic head coaches voluntarily have agreed to temporarily reduce their annual base wages by ten or twenty percent (10% or 20%), effective July 1, 2020, through June 30, 2021; and

WHEREAS, This Board approved a resolution on May 29, 2020, authorizing the University administration to temporarily reduce the annual base wages of all non-bargaining unit staff and contract professionals, including those in the Department of Athletics, hired before April 1, 2020, and earning \$50,000 or more per year, who are not subject to an individual employment agreement, effective July 1, 2020, through June 30, 2021; and

WHEREAS, This Board approved a resolution on May 29, 2020, increasing the percentage of contribution to the health plan annual premium effective January 1, 2021, for all non-bargaining unit employees not having faculty rank, who earn more than \$50,000 per year; and

WHEREAS, This Board approved two resolutions on June 10, 2020, temporarily reducing the annual base wages, effective July 1, 2020, through June 30, 2021, and increasing the health care premiums effective January 1, 2021, for all non-bargaining unit faculty and academic administrators with faculty rank, hired before April 1, 2020, and earning \$50,000 or more per year; and

WHEREAS, On June 10, 2020, this Board also approved a resolution granting temporary spending authority for the General Fund, combined auxiliary funds, and combined sales funds budgets for July and August 2020, to allow time to develop a complete budget for fiscal year 2020-2021 as the details of the University's financial situation are clarified; and

WHEREAS, As part of developing the fiscal year 2020-2021 budget, the University administration has undertaken a review of its current classified, unclassified, trades and maintenance bargaining unit positions, staff bargaining unit positions, law enforcement bargaining unit positions, contract professional positions, non-bargaining unit faculty positions, and other positions, and has determined that 82 of these positions should be abolished due to a lack of continued need for the positions, including but not limited to the following reasons: (1) as a result of a reorganization for the efficient operation of the University; and/or (2) reasons of economy; (the list of the affected positions is attached to this resolution as Exhibit A); and

WHEREAS, Ohio Revised Code Section 3359.03 and Ohio Administrative Code Section 3359-1-01 vest authority in The University of Akron Board of Trustees to ". . . employ, fix the compensation of, and remove, the president and such number of professors, teachers, and other employees as may be deemed necessary," and to ". . . do all things necessary for the creation, proper maintenance, and successful and continuous operation of the university"; and

WHEREAS, On October 17, 2007, the Board passed Resolution No. 10-14-07, specifically authorizing the administration to propose revised or new policies and procedures applicable to classified civil service employees in accordance with House Bill 187; and

WHEREAS, The Board approved the new Ohio Administrative Code Section 3359-26-05.1 on May 29, 2020, with an effective date of June 8, 2020, as a substitute for Ohio Revised Code Section 124.321, et al. and Ohio Administrative Code Rule 124:4-41-01, et al., and to serve as the sole source for any and all policies and procedures regarding layoffs and reduction in workforce applicable to classified civil services employees at the University; and

WHEREAS, The Board approved revisions to Ohio Administrative Code Section 3359-22-01 on May 29, 2020, with an effective date of June 8, 2020, which provides the framework and guidelines for the implementation of a reduction in workforce for contract professionals, including elimination of the ability to request, as a matter of right, a hearing in response to a reduction in workforce separation; and

WHEREAS, Ohio Administrative Code Section 3359-09-02 provides a framework for academic and administrative personnel matters related to non-bargaining unit tenure-track faculty, and non-tenure-track non-bargaining unit faculty; and

WHEREAS, Article 17 of the Collective Bargaining Agreement between The University of Akron and the Communications Workers of America governs processes for layoffs and the rights of affected trades and maintenance employees, including displacement rights; and

WHEREAS, Article 8 of the Collective Bargaining Agreement between The University of Akron and the Communications Workers of America governs processes for layoffs and the rights of affected employees in the Staff Bargaining Unit, including displacement rights; and

WHEREAS, Article 10 of the Collective Bargaining Agreement between The University of Akron and the Fraternal Order of Police governs processes for layoffs and the rights of affected employees; and

WHEREAS, The University administration now recommends to the Board of Trustees that 82 positions at The University of Akron be abolished; Now, Therefore,

BE IT RESOLVED, That this Board authorizes the Associate Vice President for Human Resources/CHRO, in consultation with the Interim Chief Financial Officer, and Vice President and General Counsel, to take all necessary action to effect the abolishment of the 82 positions identified in this resolution and other related personnel actions, consistent with the requirements of employment agreements, the applicable Collective Bargaining Agreements, as well as any applicable University Rules, as contained in the Ohio Administrative Code, subject to the statutory rights of the affected employees that may arise including displacement rights of individuals affected by the abolishment of these positions; and

BE IT FURTHER RESOLVED, That employees in the abolished positions shall be afforded a notice period consistent with applicable statute, University Rules, Collective Bargaining Agreements, or in the instance of unclassified civil service employees, two weeks' notice; and

BE IT FURTHER RESOLVED, That the Board authorizes the extension of the special educational privileges through reduction of fees as authorized in Ohio Administrative Code Sections 3359-20-04.3 and 3359-26-02, as amended from time-to-time and consistent with the privilege that is then-available to similarly situated current University employees, at the time of enrollment. Employees in the abolished positions and their dependents, will be eligible to receive the then-current reduction of fees for a period not to exceed four years from the date of this resolution, to enable them to complete the degree program in which they currently are enrolled, so long as there is no break in their attendance and the student meets the applicable eligibility requirements. In addition, the Board authorizes the same reduction of fees to the affected employees and their dependents for a period of one year for those individuals enrolled to begin classes for the first time with the start of the Fall 2020 semester; and

BE IT FURTHER RESOLVED, That employees who are currently in staff and contract professional positions to be abolished who have already elected or agreed to retire or otherwise separate from service at a date certain prior to January 1, 2021, shall not be affected by this resolution, provided that such retirement or separation from service by the date of this resolution was submitted and accepted by the University on or before June 30, 2020.



M. Celeste Cook, Secretary  
Board of Trustees



July 15, 2020

**Exhibit A**

| Bus Title                     | Dept Name                     | Location Descr                | Position Nbr |
|-------------------------------|-------------------------------|-------------------------------|--------------|
| Budget Coord Art              | Art                           | Buchtel College of Arts & Sci | 29           |
| Laboratory Storekeeper        | Biology                       | Buchtel College of Arts & Sci | 104          |
| Mgr Internships Bliss Inst    | Bliss Institute               | Buchtel College of Arts & Sci | 80           |
| Electronic Technician         | Communication                 | Buchtel College of Arts & Sci | 105          |
| Theatre Technician            | Dance, Theatre & Arts Admin   | Buchtel College of Arts & Sci | 817          |
| Dir Tech Dance & Theatre Prod | Dance, Theatre & Arts Admin   | Buchtel College of Arts & Sci | 2783         |
| Mgr Costume Design            | Dance, Theatre & Arts Admin   | Buchtel College of Arts & Sci | 3353         |
| Administrative Assistant      | LBJFF School of Education     | Buchtel College of Arts & Sci | 268          |
| Academic Adviser I            | CBA Dean's Office             | College of Business Admin.    | 3296         |
| Budget Administrator Sr       | CBA Dean's Office             | College of Business Admin.    | 3340         |
| Administrative Secretary      | Applied Science & Tech Admin  | College of Engineering        | 713          |
| Academic Adviser I            | Applied Science & Tech Admin  | College of Engineering        | 5674         |
| Academic Adviser II           | Applied Science & Tech Admin  | College of Engineering        | 4286         |
| Administrative Secretary      | School Poly Sci & Poly Engr   | College of Engineering        | 67           |
| Polymer Characterization Spec | School Poly Sci & Poly Engr   | College of Engineering        | 719          |
| Dir Outreach - SPSPE          | School Poly Sci & Poly Engr   | College of Engineering        | 5395         |
| Bus Office Spec-SPSPE         | School Poly Sci & Poly Engr   | College of Engineering        | 924          |
| Academic Adviser II           | Health Professions Dean's Off | College of Health Professions | 3261         |
| Student Services Counselor    | Nursing                       | College of Health Professions | 2426         |
| Simulation Support Spec       | Nursing                       | College of Health Professions | 4276         |
| Dir Clin Indv & Fam Couns     | School of Counseling          | College of Health Professions | 5062         |
| Clinical Supervisor           | Speech-Lang Path & Audiology  | College of Health Professions | 1997         |
| Administrative Assistant      | Speech-Lang Path & Audiology  | College of Health Professions | 670          |
| Coord SRWS Membership & Pers  | Student Rec & Wellness Srvs   | Division of Student Affairs   | 3667         |
| Student Services Counselor    | English Language Institute    | Office of Academic Affairs    | 885          |
| Dir Medina County Univ Center | Medina County Univ Center     | Office of Academic Affairs    | 4209         |
| Sr Exec Administrative Asst   | Office of Academic Affairs    | Office of Academic Affairs    | 679          |
| Dir BRIC External Relations   | Office of Academic Affairs    | Office of Academic Affairs    | 5913         |
| Coord BRIC                    | Office of Academic Affairs    | Office of Academic Affairs    | 5598         |
| Asst Athl Dir Athl Comm       | Athletic Media Relations      | Office of Athletics           | 3531         |
| Asst Dir Athl Comm            | Athletic Media Relations      | Office of Athletics           | 736          |
| Dir Operations-Men's Soccer   | Office of Athletics           | Office of Athletics           | 6149         |
| Sr Assoc Athletics Dir/SWA    | Office of Athletics           | Office of Athletics           | 2657         |
| Asst Track Coach              | Office of Athletics           | Office of Athletics           | 3977         |
| Head Women's Tennis Coach     | Office of Athletics           | Office of Athletics           | 6184         |
| Asst Athl Dir Mktg & Promo    | Office of Athletics           | Office of Athletics           | 3806         |
| Building Maintenance Supt     | Physical Facilities           | Office of Cap Plan & Fac Mngt | 440          |
| Laborer                       | Physical Facilities           | Office of Cap Plan & Fac Mngt | 3911         |
| Master HVAC Tech Crt          | Physical Facilities           | Office of Cap Plan & Fac Mngt | 478          |
| Electrician Apprentice        | Physical Facilities           | Office of Cap Plan & Fac Mngt | 3594         |
| Master Maint Repair Worker    | Physical Facilities           | Office of Cap Plan & Fac Mngt | 4332         |
| Building Maintenance Supt     | Physical Facilities           | Office of Cap Plan & Fac Mngt | 365          |
| Plant Maintenance Engineer    | Physical Facilities           | Office of Cap Plan & Fac Mngt | 479          |
| Master Electrician Crt        | Physical Facilities           | Office of Cap Plan & Fac Mngt | 3968         |
| Maintenance Repair Worker     | Physical Facilities           | Office of Cap Plan & Fac Mngt | 3849         |
| HVAC Tech Apprentice          | Physical Facilities           | Office of Cap Plan & Fac Mngt | 4333         |



| Bus Title                      | Dept Name                     | Location Descr                 | Position Nbr |
|--------------------------------|-------------------------------|--------------------------------|--------------|
| Sr Systems Analyst Programmer  | Application Systems Svs       | Office of Info Technology Srvs | 3454         |
| Systems Analyst Programmer     | Application Systems Svs       | Office of Info Technology Srvs | 1649         |
| Mgr Business Systems-Students  | Application Systems Svs       | Office of Info Technology Srvs | 21           |
| Sr Systems Analyst Programmer  | Application Systems Svs       | Office of Info Technology Srvs | 72           |
| Sr Systems Administrator       | Hardware & Oper Sys Svs       | Office of Info Technology Srvs | 65           |
| Technology Specialist          | Hardware & Oper Sys Svs       | Office of Info Technology Srvs | 204          |
| Sr Systems Administrator       | Hardware & Oper Sys Svs       | Office of Info Technology Srvs | 159          |
| Sr Network Engineer            | Network & Comm Svs            | Office of Info Technology Srvs | 1503         |
| Vivarium Technician            | Office of Research Admin      | Research Admin & Tech Trnsfr   | 5991         |
| Asst Clinical Prof             | Law - Instruction             | School of Law                  | 1122         |
| Mgr Technology & Compliance    | Law Dean's Office             | School of Law                  | 5421         |
| Program Coord Law School Ctrs  | Law Dean's Office             | School of Law                  | 38           |
| Asst Dir Admissions-Law        | Law Dean's Office             | School of Law                  | 167          |
| Mgr Comp Based Assess & Eval   | Instructional Services        | University Libraries           |              |
| Library Specialist             | UL Dean's Office              | University Libraries           | 5973         |
| Library Specialist             | UL Electronic Services        | University Libraries           | 116          |
| Library Cataloging Specialist  | UL Electronic Services        | University Libraries           | 108          |
| Library Specialist             | UL Research & Learning Srvs   | University Libraries           | 147          |
| Sr Web Developer               | Univ Comm & Marketing         | VP, Chief Comm & Marketing     | 3334         |
| Property Accounting Specialist | Assoc VP & Controller         | VP, Finance & Admin/CFO        | 277          |
| Office Supp Spec Parking Srvs  | Parking & Transportation Srvs | VP, Finance & Admin/CFO        | 4360         |
| Coord Parking Facilities       | Parking & Transportation Srvs | VP, Finance & Admin/CFO        | 58           |
| Police Officer I               | University Police Department  | VP, Finance & Admin/CFO        | 4720         |
| Administrative Assistant       | University Police Department  | VP, Finance & Admin/CFO        | 250          |
| Locksmith                      | University Police Department  | VP, Finance & Admin/CFO        | 3203         |
| Police Officer I               | University Police Department  | VP, Finance & Admin/CFO        | 4669         |
| Locksmith                      | University Police Department  | VP, Finance & Admin/CFO        | 552          |
| Dir Instruction & Prog Dev     | Academic Affairs - Wayne      | Wayne Campus                   | 1105         |
| Coord Acad Affairs-WC          | Academic Affairs - Wayne      | Wayne Campus                   | 240          |
| Project Mgr-College Tech Prep  | Applied Science & Tech Admin  | Wayne Campus                   | 6160         |
| Administrative Assistant       | Applied Science & Tech Admin  | Wayne Campus                   | 5424         |
| Project Mgr                    | Applied Science & Tech Admin  | Wayne Campus                   | 5681         |
| Web Development Spec - WC      | Community Relations - Wayne   | Wayne Campus                   | 3581         |
| Department Admin Secretary     | Holmes County Higher Educ Ctr | Wayne Campus                   | 5861         |
| Public Services Librarian-WC   | Library Administration-Wayne  | Wayne Campus                   | 972          |
| Dir Development-WC             | Wayne Campus Administration   | Wayne Campus                   | 3508         |