

COUNCIL OF NEW JERSEY STATE)
COLLEGE LOCALS, AFT, AFL-CIO,)
[PROFESSIONAL STAFF)
EVALUATIONS])

and)

STATE OF NEW JERSEY/)
KEAN UNIVERSITY)

SETTLEMENT AGREEMENT

OER 10329)

The State of New Jersey/Kean University (hereinafter collectively the "University") and the Council of New Jersey State College Locals, AFT, AFL-CIO (hereinafter the "Union") hereby agree as follows:

1. The University agrees to apply the existing rating system based on the definitions set forth in the University's Single-Year and Multi-Year Evaluation Procedures for Non-Teaching Professionals.

2. The memoranda of Mark Lender dated November 12 and 17, 2009 shall be considered rescinded and managers shall be so notified.

3. The 2009 evaluations of employees that ultimately were approved by the President and the Board of Trustees shall remain in effect.

4. The parties shall adopt a neutral tone in the dissemination of all information regarding this Settlement Agreement.

5. This Settlement Agreement shall not constitute a precedent and shall not be referred to, offered, or considered as evidence in any proceeding with respect to any other matter between the parties except to the extent necessary to enforce the provisions of this Settlement Agreement.

6. By entering into this Settlement Agreement, neither party admits or denies that there is any liability and/or any violation of the parties' collective negotiations agreement, University rules, regulations, or policies.

7. This Settlement Agreement shall not serve to amend, modify, or change the existing terms of the parties' collective negotiations agreement.

8. The Union agrees to withdraw the grievance and request for arbitration in this matter and further agrees not to pursue this matter in this or any other forum.

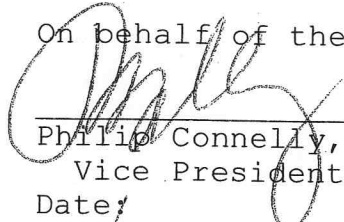
9. The parties reserve their respective positions with respect to OER 10329.

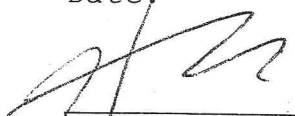
10. The parties recognize the right of professional staff employees who received performance evaluations in Fall 2009 and 2010 to include this Settlement Agreement in their personnel files pursuant to Article XXIX.G of the parties' Agreement.

11. The parties have read and understood the terms of this Settlement Agreement and freely and voluntarily agree to be bound by each term in the Settlement Agreement.


APPROVAL OF SETTLEMENT AGREEMENT


On behalf of the State:

 11/23/10
Phillip Connelly, Executive
Vice President for Operations
Date:


Henry Oh, Employee Relations
Coordinator
Governor's Office of Employee
Relations
Date: 11/23/10

On Behalf of the Union:


Bennett Muraskin,
Staff Representative
Date: 11/23/10


James Castiglione, President
Kean Federation of Teachers
Local 2187
Date: 11/23/10