



KEAN FEDERATION OF TEACHERS

An Association of Professors, Professional Staff and Librarians

Local 2187, American Federation of Teachers

Kean University, Union, N.J. 07083

Phone 908 737-3925 Fax 908 737-3929

Letter of Agreement (LOA) # 149

Sunsetting of Official Written Reprimands

MEMORANDUM OF AGREEMENT
SUNSETTING OF OFFICIAL WRITTEN REPRIMANDS

In order to promote amicable employer-employee relations, Kean University (the University), the Kean Federation of Teachers, Local 2187 ("the KFT"), hereafter, "the parties", hereby agree as follows:

The parties recognize that the impact of Official Written Reprimands (OWRs) that never expire may disproportionately outweigh the intended effect by forever depriving an employee from future economic and career opportunities. Thus, the University and the Union agree to the following terms regarding OWRs:

1. Official Written Reprimands (OWR) placed in an AFT unit member's personnel file, shall be deemed lapsed after three (3) years from the date the disciplinary action is issued by Human Resources provided that no further disciplinary action has been issued by Human Resources during this three (3) year period. Any OWR that is followed by the issuance of a discipline (OWR, suspension, or termination) within the three (3) year period shall not be subject to this agreement.
2. At the written request of the unit member, a lapsed OWR shall be removed from the personnel file consistent with requirements of paragraph one.
3. The University agrees to provide the Union with a copy of the unit member's request for the removal of a lapsed OWR from the personnel file.
4. The University agrees that any lapsed OWR shall not be used to establish progressive discipline.
5. This Agreement does not apply to OWRs issued for incidents of workplace violence or final determinations related to the New Jersey Law Against Discrimination, Title IX, or incidents that the University designates as not subject to the provisions set forth above.
6. If the University designates an individual OWR not subject to this Letter of Agreement, on a case-by-case basis at the time of the issuance of the OWR, the University will consult with the Union to show cause as to why it is making such a determination.
7. For OWR exceptions cited above, the University agrees to a review of the OWR every three (3) years to determine if changed circumstances allow for the removal of the OWR from the employee's personnel file.
8. This Memorandum of Agreement shall not serve to amend, modify or change the existing terms of parties' Collective Negotiated Agreement.
9. This Memorandum of Agreement shall renew from year to year unless either party provides thirty (30) days written notice of its intent to modify, amend or terminate this Agreement.

In WITNESS HEREOF, the University, the University and the Kean Federation of Teachers, Local 2187 have acknowledged their understanding of this Memorandum of Agreement and affix their signatures below.

For the University:


Kenneth Green (Mar 22, 2021 14:34 EDT)

Date: Mar 22, 2021

For the Kean Federation of Teachers, Local 2187:


Frank Argote-Freyre (Mar 22, 2021 17:59 EDT)

Date: Mar 22, 2021

For the Council of New Jersey State College Locals, AFT,
AFL-CIO


Debra Lee Davis (Mar 22, 2021 16:44 EDT)

Date: Mar 22, 2021