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Via Electronic Mail

Nancy M. O'Connor
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Dear Ms. O'Connor:

Thank you for taking the time to talk last week.

As we discussed, I have been retained by the Faculty Assembly and am working closely with the members of its Executive Board to address serious concerns that University faculty have with the University's announced 4%, 18-month faculty pay cuts.

My client's goal is not to stop the pay cut. While we have serious disagreements with the University over the cause of any financial problems, we all share the goal of ensuring that the University is on firm financial footing. Accordingly, the goal of my client (and the faculty it represents) is to work closely with the University to better understand and obtain binding assurances concerning the implementation of the program. As I made clear during our call, reaching an agreement on these issues will result in more faculty choosing to participate in the program now – a *win* for the University.

Before turning to a detailed discussion of our proposals, which is set out below, I want to address two important issues.

First, as you know, in August, the University made an ill-advised attempt to use the letters of appointment process to inveigle faculty into voluntarily signing away their contractual rights under the Faculty Handbook. That effort failed – and the University rescinded the proposed

letters of appointment – because tenured and tenure-track faculty do not have annual contracts, and many or most contract faculty have multi-year contracts. Each year faculty members receive notices of appointment, not contracts. In all cases, the contractual terms of faculty appointments are spelled out in their entirety in the Faculty Handbook.

For that reason, it was and remains deeply concerning to the faculty that, in messaging about the proposed pay cuts, the President refers to “next year’s contracts.” Particularly in light of the August letter of appointment process, the faculty understandably see the use of this inaccurate language, especially in a communication about faculty pay cuts, as an attempt to undermine the Faculty Handbook and the contractual relationship it establishes between each faculty member and the University.

Second, the current financial difficulties the University is facing are in no way due to faculty underperforming or being overpaid. Indeed, the opposite is the case. As an initial matter, the faculty have already made – and irrespective of participation in the 4% pay cut – will continue to make significant contributions to addressing these financial difficulties. While the University had promised the first pay increases in nearly ten years, those increases have been postponed. Additionally, the University has stopped making retirement contributions for all employees, faculty and staff, which for some could amount to a 10% cut in compensation.

And, while the faculty are prepared to make an additional 4% contribution to help the University in its announced time of need, it is distressing that the Administration attempts to claim that our current budget shortfall is purely the result of the pandemic. While private four-year colleges and universities have seen a decline in overall undergraduate enrollment of 2.0% this year, CUA has experienced a 6.8% decline; freshmen enrollment at four-year private institutions is down 11.8% nationally, while at CUA it is down 21.8%; and while graduate enrollment has held steady at private universities nationwide, CUA’s graduate enrollment has declined by 5.5%. To be sure, the faculty recognizes that the pandemic has hurt the University as it has other schools; however, the faculty also recognizes that the Administration has yet to explain why the University has been affected so much more than others and has yet to provide any plan to turn these numbers around. Three sentences in the University’s recently-issued FAQs is plainly insufficient.

With that background, let me outline in broad terms the binding commitments the faculty hope to achieve in discussions with the University:

- Refrain from any additional pay cuts or compensation reductions during the 18-month period;
- Restore prior salaries at the conclusion of the 18-month period;
- Implement the planned salary increases at the conclusion of the 18-month period;
- Increase the salary threshold for participation in the program to \$75,000, which matches the salary threshold used for issuance of stimulus checks by the federal government;
- Increase salary reduction to for University employees (faculty, staff, or administration) at higher salary levels;
- Restore retirement contributions by the start of the next academic year (August, 2021) and agree that those contributions will be based on pre-reduction salary

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- Provide full financial transparency so that faculty and staff can understand the causes of the University's financial problems and can be active participants in helping the administration to solve those problems.

As I said at the outset, the faculty remains willing to share in the burden the pandemic has imposed. The faculty is doing so already, and they are willing to contribute further through temporary, mutually-agreed-upon, pay cuts in which their present and future rights are protected. The proposals outlined above are ones that would allow the faculty to feel comfort that as they are committing and contributing to the success and health of the University *and* that the University is committed to them.

Given the deadlines arbitrarily imposed by the administration, I remain hopeful that the University will engage in good-faith discussions this week to address these concerns.

Sincerely,

___s/ Matthew Clash-Drexler_____

Matthew Clash-Drexler