

**Tentative Agreement**

**For the University**



**Nadine B. Fishel**  
5-25-2021

For UC-AFT



**Mia L. McIver**  
6-11-21

**ARTICLE 37  
WAIVER**

- A.** The University and the Union acknowledge that during the negotiations which resulted in this ~~MOU~~ **Agreement**, each had the right and opportunity to make demands and proposals with respect to any subject or matter not removed by law from the area of collective bargaining, and the understandings and agreements arrived at by the parties after the exercise of that right and opportunity are set forth in this ~~MOU~~ **Agreement** and that this ~~MOU~~ **Agreement** constitutes the agreement arrived at by the parties.
- B.** The rights granted and the policies and procedures set forth in the Academic Personnel Manual shall not apply to NSF's, except as specifically set forth below or elsewhere in this ~~MOU~~ **Agreement**.
- C.** The University and the Union agree that the applicable parts of the following **Academic Personnel Manual policies** ~~policies and procedures, including presidential and regental policies, continue to~~ apply to NSF's:

~~Patent~~

~~Copyright~~

~~Indemnity~~

~~Sexual Harassment/Sexual Violence~~

~~Whistleblower~~

~~Whistleblower Protection~~

APM 015, A.6 and 7 – The Faculty Code of Conduct

**APM 120 – Emerita/Emeritus Titles**

**APM 190, Appendix C - University of CA Policy on Substance Abuse**

APM 520 – Employment of Near Relatives

**APM 600, Appendix 2 – Computation of Pay for Academic**

**Appointees Giving Less Than A Full Quarter or Semester of Service**

APM 663 - Additional Compensation: University Extension

APM 664 - Additional Compensation: Services as Faculty Consultant

APM 666 - Additional Compensation: Honoraria

~~APM 667 - Additional Compensation: Extramurally Funded Research~~

**APM 765 – Death Payments**

Only changes in the above policies and procedures applicable to NSF's will be subject to notice and the meet and confer process. Implementation of any of these proposed policies, procedures, rules or regulations, will not be delayed for other employees by the failure of the parties to complete the meet and confer process or the failure to reach agreement.

- D. The University and the Union agree that the University may, during the life of this ~~MOU~~ **Agreement**, establish and administer policies, procedures, rules and regulations, **including Presidential and Regental policies**. In the event the University proposes the establishment **of, or revision to,** ~~of~~ a policy, procedure, rule or regulation that is systemwide in nature and has significant impact on the terms and conditions of employment of NSFs, the University agrees to meet and confer upon timely written request with the Union regarding the significant impacts on members of the unit. Implementation of any of these proposed policies, procedures, rules or regulations, will not be delayed for other employees by the failure of the parties to complete the meet and confer process or the failure to reach agreement. The UC and the UC-AFT shall execute in writing the agreement resulting from such negotiations, and the agreement shall become an addendum to this Agreement. If the parties do not reach agreement in the negotiations, the impasse procedures pursuant to HEERA shall apply.
- E. Except as otherwise provided for in this ~~MOU~~ **Agreement**, or upon mutual consent of the parties to seek written amendment thereto, the University and the Union, for the life of this ~~MOU~~ **Agreement**, each voluntarily and unqualifiedly waives the right, and each agrees that the other shall not be obligated, to bargain collectively with respect to any subject or matter referred to or covered in this ~~MOU~~ **Agreement**, or with respect to any subject or matter not specifically referred to or covered by this ~~MOU~~ **Agreement**, even though such subject or matter may not have been within the knowledge or contemplation of either or both of the parties at the time they negotiated or signed this ~~MOU~~ **Agreement**.