

**LETTER OF UNDERSTANDING**  
**Regarding Election on Fair Share Fees**

Representation Fee.

A. A vote shall be conducted of all members of the bargaining unit, as defined in Article 3 Section 1 of this Agreement (Recognition) with regard to the issue of a Representation Fee for members of the bargaining unit.

B. For the issue of a representation fee to pass, there must be a positive vote by a majority (50% plus 1) of the total eligible members of the bargaining unit who vote in this election. If there is a positive vote, the representation fee shall go into effect as soon thereafter as is practicable.

C. The bargaining unit faculty as determined by the Human Resources department and approved by Akron-AAUP as of Spring semester 2006 shall serve as the basis for determining the number of bargaining unit members appointed for AY2005-06 and eligible to vote. Such list will include faculty members on leave but will exclude administrators with faculty rank.

D. The University and the Akron-AAUP shall then jointly ask the American Arbitration Association ("AAA"), or some other mutually-agreed upon neutral third party, to certify the voter eligibility list and supervise the voting activity. The AAA shall be responsible for certifying the results of the vote and/or resolving any disputes related thereto. The costs of the AAA shall be equally shared by the Akron-AAUP and the University

E. The University and Akron-AAUP will develop a time frame and process for this election that will ensure that all bargaining unit faculty have the opportunity to vote, any disputes to be resolved by the AAA

F. The content of the ballot shall be mutually agreed upon, any disputes to be resolved by the AAA.


G. No member of the bargaining unit shall be required to become a member of the Akron-AAUP as a condition for securing or retaining employment at The University of Akron. The Representation Fee shall not exceed the dues paid by members of the Akron-AAUP who are in the bargaining unit. Payments by members of the bargaining unit holding religious objections shall be governed by Section 4117.09 (C) of the Ohio Revised Code.

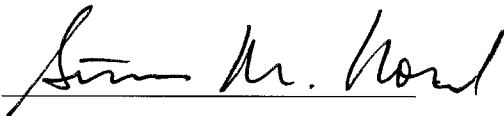
H. Upon a positive vote, the provisions of Article 20 – Association Rights, Section 2.B., shall apply to fair share fee payers.

IN WITNESS WHEREOF, the parties have caused this Memorandum of Agreement to be made effective this 5<sup>th</sup> day of ~~October~~, 2005.

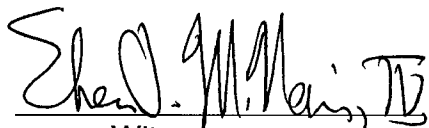
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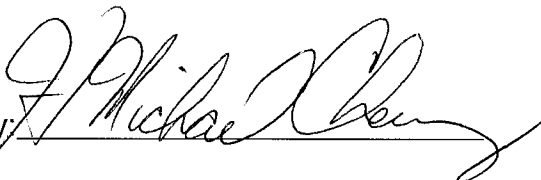
THE UNIVERSITY OF AKRON

  
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Witness

By:   
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THE AMERICAN ASSOCIATION OF  
UNIVERSITY PROFESSORS,  
UNIVERSITY OF AKRON CHAPTER

  
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Witness

By:   
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