

MEMORANDUM OF UNDERSTANDING

It is hereby agreed between the Museum of Modern Art and Local 2110, UAW, that the Agreement which expired May 20, 2005 is hereby extended, as modified below:

1. Term. 5 years. May 21, 2005 through May 20, 2010.

2. Wage Increases.

May 21, 2005	4.0%
May 21, 2006	4.0%
May 21, 2007	4.0%
May 21, 2008	3.5%
May 21, 2009	3.5%

- All percentage increases shall be applied to the minimum rates as well as to the incumbents' salaries.
- It is understood that the actual effective date for each annual increase shall be adjusted to conform to the start of the next payroll week.
- The May 21, 2005 wage increase shall be retroactive for those still employed as of the date of ratification of this Agreement.

3. Health Insurance.

- (a) The 10% contribution for dependent health insurance coverage required of certain employees shall not be applicable to any employee earning less than a salary rate of \$35,000 annually.
- (b) Co-pays for doctor visits and prescription drugs, and deductibles and out-of-pocket amounts shall not be increased in the first two years of this Agreement.

4. Section 403(b) plan.

The break point at which the Museum's contribution of 2% is reduced to 1% shall be increased from \$30,000 to \$35,000. The Museum shall contribute 1% for those earning between \$35,000 and \$35,999.

5. Union Meetings and Activities.

- (a) Article XVIII(c) shall be amended to permit one hour release time for two unit meetings per year. Employees assigned to Queens shall be permitted an extra half-hour release time for travel to said meetings.
- (b) Each member of the Program Committee, to a maximum of eight members, shall be permitted one release day each year for union-sponsored training.
- (c) One member of the unit each year shall be permitted to take an unpaid leave of absence for up to 12 months for union business, without loss of seniority. This leave shall be inclusive of the nine-month leave of absence for personal reasons permitted by the Staff Manual.

6. Education Fund.

The Education Fund shall be increased to \$55,000 per year.

Members of the Program Committee shall be permitted to take courses in labor relations and labor law at the Cornell ILR Extension Division, subject to all other applicable requirements.

- 7. STD. The Museum shall implement the short term disability policy attached hereto as Exhibit A.
- 8. Affirmative Action. The Museum agrees to the affirmative action policy attached hereto as Exhibit B.
- 9. Salary grades. The salary, grades, and classification shall be modified as attached on Exhibit C.

10. Job Security.

The provision entitled "Lay-off Avoidance" in the special provision negotiated to apply to the now-completed expansion shall be incorporated as a continuing CBA provision.

- 11. The job description/reclassification issues relating to several accounting Department titles and the academic title structure shall be referred to the joint committee for consideration and recommendations.
- 12. This Agreement is subject to ratification and shall be recommended for ratification by members of the Negotiating Committee.

Agreed to this 15th day of July, 2005.

THE MUSEUM OF MODERN ART

Catherine M. J. [Signature]

Alicia Monds

Diana Szymon

Kun Kwong

[Signature]

W. C. [Signature]

LOCAL 2110, UAW

[Signature]

Michael Cingolani

[Signature]

Joanne Breuer

Travis [Signature]

[Signature]

[Signature]

Σ X A

DRAFT

**Museum of Modern Art
Salary Continuation Benefits during Short Term Disability**

Employees are eligible to receive this benefit, upon date of hire, provided they are eligible to participate in the benefit programs provided by MoMA.

Salary continuation benefits are available whenever a non-work related illness or injury results in an employee's incapacity to perform work for more than seven consecutive days (including weekends).

Employees must submit medical proof of disability satisfactory to MoMA and the insurance administrator within eight days of the onset of the illness or injury in order to receive benefits.

The employee must be under the care of a licensed physician during the course of their disability. The first five working days of absence are recorded as sick days. As of the eighth consecutive day of continuous disability, the benefit is paid as follows:

Length of Service	Salary Continuation Benefit
Less than 1 year	state disability
1 – 9 years	50% of pay up to 26 weeks*
10 years or more	60% of pay up to 26 weeks*

*Employees are eligible to accrue sick days up to a maximum of 60 days. (Please refer to the Sick Day policy). Employees must use their accrued sick days in order to be paid at 100% of their salary during the course of their approved short term disability. In addition, employees may also use their accrued vacation days at their own discretion in order to be paid at 100% of salary during an approved short term disability.

If an employee's disability lasts more than 26 weeks, the employee may file for disability benefits under MoMA's long term disability program. The employee will need to contact Human Resources for the appropriate application.

To the extent that employees receive salary continuation benefits due to illnesses or injuries that constitute serious health conditions under FMLA, the period of absence during which such benefits are received are counted towards and run concurrently with FMLA leave.

The employee is required to notify their supervisor and Human Resources when he/she can return to work. A written authorization from the attending physician is required for the employee to return to work and resume normal work duties.

EX B

The Museum is committed to workplace diversity. The Museum shall make good faith efforts in the areas of recruitment, hiring, and promotion to foster career development consistent with this commitment. The Museum seeks to improve upon the diversity of its workforce, particularly in the higher job grades. In this connection, the Museum shall meet, upon reasonable request, with the union for the purpose of review.

EXC

Grade	Title	Exempt/ Non-E	J.D. #			
15	Associate Curator	E	JD01	\$62,400		
	Associate Curator, Research and Collections	E	JD170			
	Associate Conservator	E	JD02			
	Editor	E	JD03			
14	Assistant Curator	E	JD05	\$52,800		
	Assistant Curator, Research and Collections Sup	E	JD171			
	Assistant Conservator	E	JD06			
	Associate Editor	E	JD11			
13	Sr. Press Representative	E	JD38	\$46,711		
	Associate Librarian	E	JD07, A			
	Associate Educator	E	JD08, B-E			
	Associate Production Mgr.	E	JD37			
	Preservation Specialist	E	JD153			
	Assistant Manager, Development Operations	E	JD59, JD59A			
12	Sr. Programmer/Analyst	E	JD04, A	\$45,481		
	Gift Planning Administrator	E	JD151			
	Permissions Officer	E	JD33			
	Writer - Editor	E	JD120			
	Grants Officer	E	JD35			
	PC Developer	E	JD123			
	Press Representative	E	JD44, A, B			
	Sr. Assistant Registrar	E	JD148			
	Coordinating Editor	E	JD160			
	Collections Photographer	E	JD193			
	11	Curatorial Assistant	E		JD14	\$38,106
		Curatorial Assistant, Research & Collections Sup	E		JD172	
Newhall Fellow		E	JD14			
Chief F/A Photographer		E	JD10			
Study Center Supervisor		E	JD12, A-C			
Programmer/Analyst		E	JD124			
Network Admin/Tech		E	JD140			
Assistant Registrar		E	JD24			
Technical Instructor		E	JD152			
Desktop Production Artist		E	JD166			
Financial & Data Systems Coordinator		E	JD133			
Administrative Services Coordinator		E	JD126			
Bibliographer		E	JD185			
Sr. Development Associate		E	JD189			
10		Program Associate, I.P.	E	JD118	\$36,877	
	Publicity Coordinator, Communications	E	JD180			
	Film Research Assistant	E	JD129			
	Assistant Editor	E	JD15, A			
	Assistant Librarian	E	JD16A-C			
	Assistant Educator	E	JD17, A-I			
	Assistant Archivist	E	JD30			
	Sr Fine Arts Photographer	E	JD156			
	Assistant Direct Response Manager	E				
	Telecommunications Associate	E	JD65			
	Program Coordinator	N	JD136			
	Project Archivist	E	JD176			
	Assistant Coordinator	E	JD 179			
	Sr. Product Coordinator	E	JD188			
	Collections Archiving Specialist	E	JD91			
	Volunteer Coordinator	E	JD198			
	Assistant Marketing Manager	E	JD194			
	Group Services Coordinator	E	JD201			
	Assistant E Commerce Manger	E	JD196			

Grade	Title	Exempt/ Non-E	J.D. #	Nov'04
9	Research Assistant	E	JD117	\$35,648
	Programmer	E	JD18	
	Accountant	E	JD20, A	
	Sr Program Assistant	E	JD161	
	Sr Graphics Designer	E	JD125, A	
	Assoc. Writer - Editor	E	JD112	
	Development Associate	E	JD134, A-D	
	Marketing Coordinator	E	JD139	
	Loan Assistant	E	JD23	
	Sr. Gift Coordinator	E	JD?	
	Sr. Registrar Assistant	E	JD43	
	Sr. Digital imaging Technician	E		
	8	Fine Arts Photographer	E	
Chief Cashier		N	JD28	
Program Assistant		E	JD29	
Assist. Production Manager		E	JD37	
Graphics Designer		E	JD34	
Gift Research Coordinator		E	JD36	
Assistant Writer-Editor		E	JD27	
Associate Perm. Officer		E	JD106	
Assistant - Archives		N	JD	
Education Coordinator		E	JD110A, B	
Press Assistant		E	JD89	
Sr. Cataloguer		E	JD45, A	
User Support Coordinator		E	JD141	
Purchasing Assistant		E	JD135	
Coord. of Education Tech.		E	JD142	
Assistant Bookbuyer		E	JD145	
Asst. to the Chief Curator		N	AD01, 03, 05, 06	
Publications Business Assist.		E	JD154	
Promotion Assistant		E	JD155	
Inventory Control Specialist		E	JD187	
Sr. Archiving Technician	E	JD193		
8	Editorial Assistant	N	JD157	\$31,993
	User Support Analyst	E	JD131	
	Sr. Production Assistant	N	JD42	
	Post Processor	N	JD?	
	Exhibition Design Assistant	N	JD182	
	Sr. Archiving Technician	N	JD192	
	Assistant to the Director	N	JD49 (GEN)	
	Sr. Photo Lab. Tech	N	Missing	
	Office Svces./l. S. Coordinator	N	JD126	
	Financial & Data Systems Coord. - I.C.	N	JD133	
	Digital Imaging Technician	N	JD168	
	Registrar Assistant	E	JD68, A	
	Development Assistant	N	JD149, A, B	
Member Events Coordinator	N	JD53		
Planned Giving Assistant	N	JD159		
Merchandising Coordinator	N	JD 169		
Writing Services Assistant	N	JD175		
Production Assistant, Imaging Studio	N	JD199		
6	Credit Analyst	N	JD39	\$29,629
	Junior Accountant	N	JD40, A	
	Senior Assistant - Special Events	N	JD41	
	Senior Assistant - to the Gen'l. Mgr.	N	JD41A	
	Data Processing Operator	N	JD47	
	Executive Secretary	N	JD55 (GEN)	
	Assistant Perm. Officer	N	JD76	
	Cataloguer	E	JD64, A, B	
	Assistant - Archives (Mellon)	N	JD104	
	Sr. Development and Membership Assistant	N	JD190	
	Sr. Library Assistant (BK Log GF)	N	JD121	
	Sr. Library Assistant	N	JD121A	
	Sr. Assistant - Photo Archives	N	JD130	
	Sr. Assistant	N	JD136	
	Education Budget Analyst	N	JD169	
	Education Assistant	N	JD58, A-E	
Coordinator, Event Materials & Support	N	JD147		
Coordinator, Scheduling & Event Support	N	JD146		

Grade	Title	Exempt/Non	J.D. #	Nov'04
5	Administrative Assistant	N	JD48 (GEN)	\$27,856
	Sr Accounting Clerk	N	JD50, A, B	
	Finance Specialist	N	JD54	
	Sr. Customer Service Rep.	N	JD60, A, B	
	Design Production Assistant	N	JD46	
	Assistant to Bookbuyer	N	JD	
	Merchandising Assistant	N	JD143, A	
	Office Production Assistant	N	JD150	
	Catalog Assistant	N	JD183	
	Selling Specialist	N	JD195	
4	Bookkeeper	N	JD61, 70, A	\$26,083
	Photo Lab Technician	N	JD67	
	Assistant - Special Events	N	JD	
	Assistant - Membership	N	JD82, A, B	
	Assistant - Library	N	JD78; 122	
	Assistant - Film	N	JD127	
	Assistant - Circ Film Lib	N	JD81	
	Assistant - Production Mgr.	N	JD83	
	Display Coordinator	N	JD87	
	Assistant - Photo Svcs & Perms	N	JD97	
	Assistant - Arts Council	N	JD77	
	Assistant - Jr. Assoc.	N	JD114	
	Assistant - Photo Archives	N	JD113	
		Non-E		
3	Data Entry Operator	N	JD72	\$24,901
	Customer Service Rep.	N	JD73, 74	
	Secretary	N	JD75 (GEN)	
	Sr. Group Visitor Assistant	N	JD84	
	Sr. Visitor Assistant	N	JD85	
	Accounting Assistant	N	JD88	
	Sr. Receptionist	N	JD92	
	Information & Cust Svc. Assoc	N	JD144	
2	Sr. Salesperson	N	JD91	\$23,128
	Cashier	N	JD93	
	Assistant Photo Lab Technician	N	JD94	
	Clerk Typist	N	JD99	
	Accounting Clerk	N	JD96, A	
	Receptionist	N	JD98, A	
	Assistant - I.C.	N	JD132	
1	Clerk	N	JD103, A	\$21,355
	Shipping Clerk	N	JD95	
	Studio and Lab Assistant	N	JD138	
	Stock Clerk	N	JD100	
	Visitor Assistant	N	JD101	
	Salesperson	N	JD102	