

MEMORANDUM OF AGREEMENT

This **MEMORANDUM OF AGREEMENT**, made this 21st day of April 2022, by and between New Jersey Institute of Technology ("NJIT") and the New Jersey Institute of Technology Professional Staff Association, Inc./AAUP ("PSA"), the Parties to this Agreement.

WHEREAS, NJIT and PSA are Parties to a collective negotiations agreement dated July 1, 2019 through June 30, 2023, (the "Agreement") setting forth terms and conditions for certain employees;

WHEREAS, pursuant to Article XIV(A)(3), NJIT is obligated to provide the Eye Care Program described in Article IV(A)(3)(a-d) until modified by a successor Agreement;

WHEREAS, NJIT has investigated entering into an agreement with third parties to provide eye care benefits to NJIT employees, including PSA unit members;

WHEREAS, As a result of that investigation, NJIT has located an eye care program administered by National Vision Administrators, L.L.C. ("NVA") that will provide benefits to NJIT employees, including PSA members. A copy of the schedule of benefits that will be applicable to NJIT and PSA members is attached hereto as Exhibit A (the "NVA Plan"); and,

WHEREAS, Pursuant to its obligations under New Jersey law, NJIT has negotiated with PSA for the implementation of the NVA Plan.

NOW, THEREFORE, the Parties agree as follows:

1. The above WHEREAS clauses are hereby incorporated into this agreement in their entirety.
2. Article IV(A)(3)(a-d) of the Agreement shall be deleted and replaced with the following:

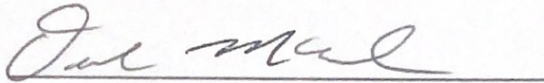
"It is agreed that NJIT shall implement the NVA Plan, attached hereto, and shall continue said NVA Plan, or a plan providing equivalent benefits, unless or until it is modified by a successor Agreement.

 - a. It is agreed that the NVA Plan shall be available to all PSA members, and their dependents, who are enrolled in one of NJIT's health plans;
 - b. Eligibility requirements for the NVA Plan shall be identical to eligibility into the NJIT health plan in which the PSA member is enrolled.
3. This Memorandum of Agreement, and the Agreement together constitute the entire agreement between the Parties. This Agreement may not be modified except by a fully executed written instrument and any modification shall be limited to express terms identified as modified. In the event there is a discrepancy between this Agreement and the Contract, this Agreement will prevail.

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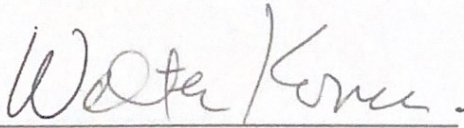
Executed this 21st of April 2022

For New Jersey Institute of Technology



Dale A. McLeod
Vice President, Human Resources

For PSA



Walter Konon
PSA President