

MEMORANDUM OF UNDERSTANDING

The following Memorandum of Understanding is hereby entered into by and between Portland State University Faculty Association, AFT Local 3571 (Union) and the Portland State University (University) for the purpose of resolving concerns regarding Article 14 of the Collective Bargaining Agreement (CBA).

WHEREAS the University and the Union recognize that there are conflicting legal interpretations of whether the current language of Article 14 may be considered prohibited under the Affordable Care Act (ACA).

WHEREAS the parties recognize that both the University and the Union are seeking legal analysis and interpretation, and have yet to reconcile competing legal analysis of Article 14.

WHEREAS in an attempt to render a short-term resolution, the parties agree that implementation of Article 14 will be suspended and that certain funds will be disbursed to members utilizing an interim Relief Fund.

THEREFORE, and in the spirit of cooperation, the University and Union agree to the following:

1. The University has established a fund of money entitled Interim Relief Fund of \$109,913.42 for Spring Quarter 2018.
2. The Union will establish criteria for applying to the Interim Relief Fund that cannot be discriminatory, and cannot be contrary to law.
3. The Union will establish criteria for paying funds from the Interim Relief Fund to adjunct faculty based only on whether
 - a. They were employed by PSU for Spring term 2018 as a member of PSUFA's Bargaining Unit and
 - b. They are currently experiencing a financial hardship.
4. By May 15, 2018, the Union will provide to the University's Human Resources office a list of members to be paid from the Fund in the May payroll, and the amount to be paid to each.
5. The Union and the University will engage in good faith discussions intended to result in negotiated language that will be a long term solutions for this issue during economic reopener negotiations.
6. Implementation of Article 14 of the CBA is suspended until the parties reach agreement on Article 14 during economic re-openers.
7. This Memorandum of Understanding shall be effective April 10, 2018 and shall remain in effect until the Union and the University have negotiated an agreeable resolution and/or mutually agree to extend the conditions of this Memorandum.

Ariana Jacob

Ariana Jacob, VP of Collective Bargaining, PSUFA

4/19/18
Date

Shelly Chabon

Shelly Chabon, Vice Provost, PSU

4-25-18
Date