

Article 29 (TA 10/5/2012, no changes from white (handshake) book)

ARTICLE 29

SEVERABILITY

29.1 Invalidation of a Provision of the Agreement.

- (a) A provision of this Agreement shall be invalid and have no force or effect, if it:
- (1) is found to be invalid or unenforceable by final decision of a tribunal of competent jurisdiction, or
 - (2) is rendered invalid by reason of subsequently enacted legislation, or
 - (3) shall have the effect of a loss to the University of funds, property, or services made available through federal law, which loss of funds, property, or services would substantially impede the University's ability to provide a comprehensive program of teaching, research, and service, or
 - (4) pursuant to Section 447.309(3), Florida Statutes, can take effect only upon the amendment of a law, rule, or regulation and the governmental body having such amendatory powers fails to take appropriate legislative action.
- (b) In such circumstances, however, the remainder of the Agreement shall continue in full force and effect.

29.2 Negotiations on Replacement Provisions. If a provision of this Agreement fails for reasons set forth in Section 29.1(a)(1), (2), or (3) above, the parties shall enter into immediate negotiations for the purpose of arriving at a mutually satisfactory replacement for such provision.

29.3 Effect of Passage of Law. Any provision of this Agreement that is contrary to law, but becomes legal during the term of this Agreement, shall be reinstated consistent with such legislation.

29.4 Legislative Action. The University and the UFF agree that neither will attempt to influence or support changes in existing statutes or legislation that would change the terms of this Agreement.

29.5 Authority. Except as set forth above, this Article is not intended to cede authority to any party to invalidate any provision of this Agreement.

Article 30 (TA 3/28/2013)

ARTICLE 30

AMENDMENT AND DURATION

30.1 Effective Date.

- (a) The Agreement shall become effective upon ratification by both parties and remain in effect through August 31, 2015.

(b) Renegotiations for the agreement term September 1, 2013 through August 31, 2014 shall begin no later than August 8, 2013, and shall include Article 23 and any other articles mutually agreed to by the parties.

(c) Renegotiations for the agreement term September 1, 2014 through August 31, 2015 shall begin no later than August 8, 2014, and shall include Article 23 and any other articles mutually agreed to by the parties.

(d) Renegotiations for a successor agreement shall begin no later than January 1, 2015.

(e) The parties may agree to include other subjects in their renegotiations.

30.2 Amendments. This Agreement may be modified or amended only upon mutual, written agreement of the Board and the UFF. In the event the Board and the UFF negotiate a mutually acceptable amendment to this Agreement, such amendment shall be put in writing and become part of this Agreement upon ratification by both parties.

Article 31 (TA 10/5/2012, no changes from white (handshake) book)

ARTICLE 31

TOTALITY OF AGREEMENT

31.1 Limitation. The Board and the UFF acknowledge that during the negotiations which resulted in the Agreement, the Board and the UFF had the unlimited right and opportunity to present demands and proposals with respect to any and all matters lawfully subject to collective bargaining, and that all of the understandings and agreements arrived at thereby are set forth in this Agreement, and that it shall constitute the entire and sole Agreement between the parties for its duration.

31.2 No Obligation to Bargain. The Board and the UFF, during the term of this Agreement, voluntarily and unqualifiedly waive the right, and agree that the other shall not be obligated, to bargain collectively with respect to any subject or matter, whether or not referred to or covered by this Agreement, even though such subject or matter may not have been within the knowledge or contemplation of the parties at the time they negotiated or signed this Agreement.

31.3 Modifications. Nothing herein shall, however, preclude the Board and the UFF from mutually agreeing to alter, amend, supplement, delete, enlarge, or modify in writing any of the provisions of this Agreement.

Article 32 (TA 3/28/2013)

ARTICLE 32

DEFINITIONS

As used in this Agreement, the term: