

1 Faculty Alliance of Miami, AAUP-AFT Proposal to Miami University

2
3 November 1, 20234
5 **SEPARABILITY**

6 Should any portion of this Agreement be ~~found-determined~~ by a duly constituted court of
7 competent jurisdiction or administrative agency or governmental body having jurisdiction,
8 including the State Employment Relations Board, to be ~~unenforceable due to~~ conflict with any
9 applicable law or regulation, then such conflicting portion of this Agreement shall be rendered null
10 and void ~~at such time as the determination is effective either due to its finality or the lack of any~~
11 ~~stay pending an appeal or other challenge to the determination. and~~ ~~if a portion of this Agreement~~
12 ~~is rendered null and void under this provision,~~ the applicable law or regulation shall be controlling
13 ~~until such time as the parties agree upon lawful replacement language.~~ In such event, upon request
14 of either party, the parties shall meet to ~~negotiate and discuss regarding~~ lawful replacement
15 language.

16 The invalidation of any portions of this Agreement in accordance with this Article shall not
17 affect the legality and enforceability of the remainder of this Agreement.

The Union reserves the right to add to, delete from, alter or amend this proposal. This proposal is made without precedent or prejudice to existing rights and entitlements, regardless of the character or source of same. Any tentative agreements reached between the parties on any proposals shall not become final until (1) the parties have reached final agreement on a full collective bargaining agreement, and (2) the Union membership has ratified the full collective bargaining agreement.