

FAM AAUP-AFT Counter to Miami University

January 17, 2024

SEPARABILITY

Should any portion of this Agreement be determined by a duly constituted court of competent jurisdiction or administrative agency or governmental body having jurisdiction, including the State Employment Relations Board, to be ~~in conflict with any applicable law or regulation~~ invalid, then such conflicting portion of this Agreement shall be rendered null and void and the applicable law or regulation shall be controlling. In such event, upon request of either party, the parties shall meet ~~and discuss regarding~~ to negotiate lawful replacement language.

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

Miami University and FAM reserve the right to add to, delete from, or modify any proposal herein prior to final agreement. Any withdrawal of a proposal is without prejudice to the University. 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, (2) the Union membership has ratified the full collective bargaining agreement and (3) the University Board of Trustees has approved the full collective bargaining agreement.