

# MIAMI UNIVERSITY PROPOSAL TO FAM/AAUP-AFT

April 26, 2023

## NO STRIKE/NO LOCKOUT

1. The University and the FAM/AAUP-AFT subscribe to the principle that any and all differences arising under this Agreement should be resolved by peaceful and appropriate means without any interruption of the University programs and operations.
2. The FAM/AAUP-AFT and its officials will not directly or indirectly call, cause, authorize, instigate, engage in, support, condone, encourage, ratify, assist in any way, or sanction any strike (including a sympathy strike) as defined in Ohio Revised Code Section 4117.01(H), or other slowdown, work stoppage or ~~any~~ interruption or interference with the operations of the University. No bargaining unit faculty member shall instigate, engage in, support, encourage, or participate or assist in any way, in any strike (including a sympathy strike) as defined in Ohio Revised Code Section 4117.01(H), or other slowdown, work stoppage or ~~any~~ interruption or interference with the operations of the University.
- ~~2.3.~~ The University reserves its rights to pursue any available remedy or right provided for by applicable law or statute. Violation of this provision shall be proper cause for disciplinary action, up to and including discharge at the University's sole discretion.
- ~~3.4.~~ The Union shall at all times cooperate with the University in continuing operations and shall actively discourage and endeavor to prevent or terminate any violation of this provision. In the event any violation of this provision occurs, the Union shall immediately notify all bargaining unit faculty members that the strike, slowdown, work stoppage or other interference with University operations is prohibited and is not in any way sanctioned or approved by the Union. Furthermore, the Union shall immediately advise members of the bargaining unit to return to their duties at once.
- ~~4.5.~~ The University agrees that it shall not lock out any bargaining unit faculty members covered by this Agreement.
- ~~5.6.~~ With the exception of the sole question of whether the bargaining unit faculty member has engaged in any conduct prohibited by this Article, such discipline or discharge shall not be subject to the Grievance and Arbitration procedure.

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.

The University also reserves the right to amend or withdraw any proposal that conflicts with pending legislation, including S.B. 83 - Ohio Higher Education Enhancement Act.