

Black text – original

Orange text – OTAAUP suggested additions

~~Orange strikethrough – OTAAUP suggested deletions~~

Blue Text – Oregon Tech

Article ~~22XXH~~: No Strike/No Lockout

Section 1. No Strike. Neither the Association (on its own behalf and on behalf of its officers, agents, and members of the bargaining unit) nor any member of the bargaining unit shall cause, engage in, sanction, assist, or participate in any strike, slowdown, walkout, refusal to report to work, mass absenteeism, or other interruption of work or picketing during the term of this Agreement ~~or through conclusion of the dispute resolution procedures outlined in~~ [ORS 243.712](#).

Any bargaining unit member who violates any provision of this Section may be subject to disciplinary action. ~~A grievance over such disciplinary action shall be limited to the question of whether the bargaining unit member violated any provision of this Section.~~

In the event of a violation of this Section, the Association, upon request of Oregon Tech, shall use its best efforts to affect the return of the bargaining unit member(s) involved to their normal work routine. Nothing contained in this Section shall be construed to be a limitation of any right of Oregon Tech to any other remedies, legal or equitable, to which it may be otherwise entitled.

If the parties do not reach agreement, the Association may exercise its right to utilize the dispute resolution procedures governing negotiations described in [ORS 243.712](#) through [ORS 243.726](#), including the right to strike.

~~In the event a bargaining unit member is unable to perform their assigned duties because equipment or facilities are not available due to a lawful strike or unlawful activities outlined in the first paragraph, such inability to work shall not be deemed as that individual as being on strike and compensation shall not be affected, provided that the bargaining unit member informs the Office of Human Resources that they intend to work during the strike.~~

Section 2. No Lockout. Oregon Tech ~~agrees not to shall not cause or permit any~~ lockout ~~any of~~ bargaining unit members from their work during the term of this Agreement or through conclusion of the dispute resolution procedures outlined in [ORS 243.712](#).

In the event a bargaining unit member is unable to perform their assigned duties because equipment or facilities are not available due to lawful or unlawful activities outlined in the first paragraph of Section 1, above, such inability to provide work shall not be deemed a lockout.