

ARTICLE TBD

WAIVER

1. The University and the Union acknowledge that during the negotiations resulting in this Agreement, each party had the opportunity to make proposals with respect to any subject matter not prohibited by law from the area of collective bargaining regarding unit members' terms and conditions of employment. Unless mutually agreed otherwise, t~~The~~ University and the Union agree and understand that each voluntarily waives its right to negotiate with respect to any matter raised ~~or that could have been raised~~ in negotiations. ~~In addition, this Agreement supersedes any and all practices relating to wages, hours and/or terms and conditions of employment, which shall no longer have force or effect, except that the University retains the right to continue or discontinue any past practice unless it is specifically modified by the terms of this Agreement.~~
2. Policies or practices relating to wages, hours, and terms and conditions of employment in effect at the ratification of this agreement, and not in conflict with this Agreement, shall remain in effect.
3. Notwithstanding Sections s 1 & 2 above, in the event the University proposes a new policy or practice or a change in an existing policy or practice not covered by the Agreement that has a significant ~~and material~~ impact on the terms and conditions of employment for ~~the majority of~~ bargaining unit members ~~in one or more Divisions~~, the University shall notify the Union of the changes sixty (60)~~thirty (30)~~ calendar days prior to their proposed implementation. If the Union requests to negotiate with the University regarding the change within fifteen (15) calendar days of the date of the receipt by the Union of the University's notice, the parties shall commence negotiations within fifteen (15) calendar days of the Union's request ~~as soon as reasonably practicable and at a time mutually agreed upon by the parties~~. If an impasse results, the parties shall resolve it in accordance with current law. ~~In all cases, a request by the Union to negotiate with the University under this provision shall not prevent the University from implementing the proposed policy with respect to students or employees who are not in the bargaining unit.~~