

## GROUND RULES FOR NEGOTIATIONS

### OREGON INSTITUTE OF TECHNOLOGY AND OREGON TECH-AAUP

- 1. Parties.** This Agreement is between Oregon Institute of Technology ("Oregon Tech" or "Employer") and the Oregon-Tech chapter of the American Association of University Professors ("OT-AAUP" or "Association"), collectively referred to as the Parties.
- 2. Purpose/Scope.** The purpose of this Agreement is to establish ground rules of negotiations for the initial collective bargaining agreement ("CBA") between Oregon Tech and the Association. These ground rules may be modified in writing by mutual agreement of the Parties.
- 3. Code of Conduct.** Conduct during bargaining sessions will be professional and in keeping with that expected of members of the university community, and will include sensitivity to the needs of others to speak and to orientate themselves to the issues of the session. Conduct also includes promptness to sessions, respect for confidentiality (e.g., in relation to information), and respect for the negotiations process (e.g., cancellation of meetings). Behaviors that are not in line with this Code, both for bargaining team members and for observers or presenters, shall be addressed by the Chief Negotiators should they occur.
- 4. Bargaining Teams.** Each Party shall be limited to ten (10) table representatives as members of its bargaining team. Prior to the first meeting to exchange proposals, each Party will provide the other a written statement authorizing and naming the ten (10) table representatives empowered to bargain to conclusion on all matters to be included in the CBA, and alternates, if any. Each Party shall designate a Chief Negotiator who shall be the only individual who can bind their respective Party. Though it is preferable that Chief Negotiators are in the same room during negotiations, Chief Negotiators may participate remotely provided prior notice is given to the other Chief Negotiator. If either Party changes any of its members, it will provide the other Party with written notice of the change, at least seven (7) calendar days in advance of a bargaining session.
- 5. Observers and Presenters.** Each Party is entitled to invite guests to either observe the bargaining session(s) or present on topics discussed during the bargaining session(s). Observers need not be identified to the other Party in advance. To allow a guest to present, written notice must be given to the other Party's Chief Negotiator at least three (3) calendar days prior to the bargaining session that identifies the name of the presenter, what topic the presenter will address, and how long is needed for the presentation. Presentation time may be limited by mutual agreement of the Chief Negotiators. There shall be a limit of two (2) presenters, per Party, per negotiation session. Observers and presenters are not recognized as members of any Party's bargaining team and must adhere to the Code of Conduct in Paragraph 3, above.

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**6. Negotiations.**

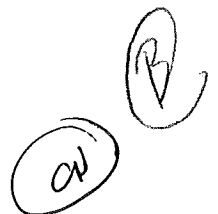
a. *Bargaining Timeline.* The Parties agree that negotiations will begin on December 5, 2019 with each Party submitting at least one (1) CBA proposal. This session will initiate the 150-day direct bargaining clock identified in ORS 243.712, which the Parties agree to extend to a minimum of 300 days before either may request mediation under ORS 243.712.

b. *Sessions.* Negotiation sessions, which shall be determined by the schedule, shall occur on the main campus in Klamath Falls and every fourth session shall occur on the satellite campus in Wilsonville. Oregon Tech shall arrange for a neutral on-campus location for each negotiation session and ensure the location is equipped with the appropriate technology needed for team members to Skype (or similar). Oregon Tech shall provide the Association with at least forty-eight (48) hours advance notification of the location, seating capacity, Skype link, and cost of the bargaining rooms (if any). Each Party shall comply with the rules regulating use of that space. Costs of negotiating space shall be split evenly by both parties. Each Party has the right to caucus and, if the caucus is anticipated to last longer than thirty (30) minutes, they will let the other Party know so both teams can make judicious use of their time.

c. *Minimum Attendance.* Recognizing that each Party's team members may have reasons to miss certain negotiation sessions, negotiation sessions will proceed if each Party's Chief Negotiator, or their designee, along with at least three (3) members from each Party's team are present at the beginning of a session. The Parties may use alternates to achieve these minimums and, whenever feasible, Oregon Tech's Deans and/or Chairs will work with the Association's bargaining team members to facilitate their participation in bargaining sessions.

**7. Status and Record of Meeting.** The Parties agree that the negotiation sessions are not subject to Oregon's Public Meetings' law and are considered private, closed to the media. Each Party may keep their own bargaining notes as preferred, which shall be considered working papers, not public records. No audio or visual recordings will be made of negotiation sessions, except as mutually agreed. Neither Party shall engage in social media communications while at the bargaining table nor directly quote individual members or guests of the other bargaining team by name in social media, web based or other communications. It is not a violation of these ground rules to attribute a position to the other bargaining team, or to describe or paraphrase either team's statements without quoting by name. Each Party has the right to post proposals that have been exchanged during negotiations.

**8. Student Participation.** Pursuant to ORS 243.778, the duly organized and recognized entity of student government at Oregon Tech may designate up to three (3) students to be present at the negotiation sessions. These students are permitted to comment in good faith on matters being considered by the Parties and to have access to the documents shared by

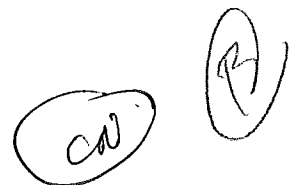
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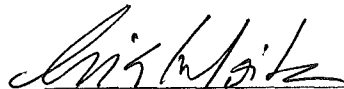
the Parties. These students are subject to the Ground Rules and may not participate in the caucus sessions of either Party.

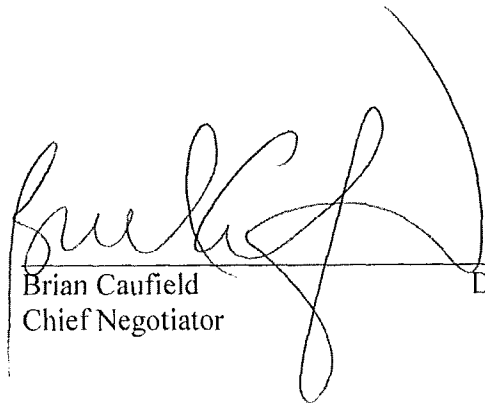
9. **Articles of a Collective Bargaining Agreement.** The Parties agree that prior to the first negotiation session identified in Section 6, above, they will exchange a list of the Articles each believes should be contained in the CBA and identify each as either being: procedural, non-economic, or economic. This list is to serve as a guideline only and not intended to bind either Party. At least sixty (60) days prior to the end of the direct bargaining period as defined in Paragraph 6, above, all initial procedural and non-economic proposals shall be submitted, and at least forty-five (45) days prior to the end of the direct bargaining period, all initial economic proposals shall be submitted. After these dates, no new issues may be presented except as required for the exchange of counter proposals or as mutually agreed by the Parties.
10. **Proposals.** All proposals and counterproposals shall show track changes and be presented by one Party's Chief Negotiator providing the other Party's Chief Negotiator with a copy for each member of the bargaining teams and one (1) electronic copy at the time of presenting. The Parties agree to present their proposals at the table through the use of a projector or monitor for all table representatives, students, guests and observers to view during the presentation.
11. **Information Requests.** Requests for information necessary for negotiations shall be made in writing and by and between the Chief Negotiators only. Relevant and disclosable information will be provided in a timely manner and an estimate of time shall be given as to when such information is to be provided. Where applicable and permitted by law, Oregon Tech may provide the OT-AAUP Chief Negotiator access to electronic systems as a way to provide the information requested. Oregon Tech reserves its right to charge for release of the information consistent with law and the Oregon Attorney General's Public Records and Meetings Manual.
12. **Tentative Agreements.** The Parties may reach tentative agreement on proposals individually or in packages, subject to complete agreement and ratification. Such tentative agreements shall be established only by the dated initials of the Chief Negotiators, or their designee, of both Parties. Tentative agreements are binding unless reopened by mutual agreement
13. **Ratification.** Upon reaching a final agreement, each Party will recommend ratification to its constituency.
14. **Effective Date.** The execution date for the CBA and all its provisions shall be in accord with the specific terms as agreed upon by the Parties.

Oregon-Tech chapter of the American  
Association of University Professors

Oregon Institute of Technology



 11/20/19  
Cristina Negoita  
Chief Negotiator

 11/20/19  
Brian Caufield  
Chief Negotiator

