



PORTLAND STATE UNIVERSITY

American Association of University Professors

Promoting Quality Higher Education – An Investment in Oregon's Future

VIA EMAIL AND
PDF ATTACHMENT

Date: December 14, 2017

To: Shelly Chabon, PSU Vice Provost Academic Personnel chabonr@pdx.edu
Julia Getchell, PSU DAELR Julia.getchell@pdx.edu

From: Phil Lesch, Executive Director

C: Jose Padin, President jose.aaup@gmail.com
Amanda Byron, Vice President Grievances amanda@psuaaup.net

Re: Response to Administration's Step Two Response to the [REDACTED] Grievance

Thank you for providing the Step 2 response to the [REDACTED] layoff grievance. While we strongly disagree with the University's position, the Union has decided not to pursue the grievance to Step 3 because [REDACTED] has indicated he no longer wants to pursue a position with PSU.

We continue to maintain that the University violated the CBA as alleged in the grievance. While we appreciate that [REDACTED] was offered the opportunity to interview for another position *after* the grievance was filed, the good faith duty to "find" him a comparable position requires more than a mere interview opportunity, and that duty arose *prior* to the layoff decision. It should not have taken a grievance for PSU to consider alternate positions, and a 20-year employee with an exemplary record should not have had to interview for a position with substantially the same or similar duties. Indeed, there is no reason that the position could not have been transferred with the occupant to OIT when the decision was made for OIT to take over the responsibility for the computer labs.

While the member does not wish to pursue the grievance further, we hope the grievance and our meetings to date will cause the University to act differently in the future. If not, and if future similar violations arise in the future, we reserve the right to raise all arguments raised in this grievance.