

**Memorandum of Understanding between
Portland State University (University)
and the Portland State University Chapter
of the American Association of University Professors (Association)
June 14, 2021**

7 Subject: Clarification for Article 22 Section 5 regarding Departmental Reduction in the
8 Intensive English Language Program (IELP) stemming from Article 22
9 Retrenchment

11 *Recitals*

13 On March 15, 2021, President Percy invoked Article 22 relating to IELP retrenchment and as
14 provided for in section 4 of Article 22, a Provisional Plan for IELP Retrenchment was published
15 on May 11, 2021

17 The President’s Provisional Plan calls for staffing reductions in IELP, proposing to lay off nine-
18 non-tenure track IELP faculty to bring IELP instructional staffing into proportion with IELP
19 enrollments.

21 Following the completion of comment and consultation procedures concerning the Provisional
22 Plan as outlined more specifically in section 4 of Article 22, the President will announce a final
23 plan of retrenchment to notify the affected department of the amounts and nature of reductions to
24 be applied.

26 Through this Memorandum of Understanding the parties wish to clarify their understanding of
27 how to effectuate layoffs, should layoffs remain a part of the President’s final plan of
28 retrenchment, with respect to how to determine “length of continuous service” of impacted
29 members and how to address cases of a tie where two or more bargaining unit members have the
30 same length of service.

32 *Agreement*

- 34 1. Article 22, section 5(c) states that with respect to layoffs, they shall be made in inverse
35 order to the “length of continuous service at the University” (with respect to each
36 subsection identified for type of position in the bargaining unit). The parties agree that for
37 purposes of staffing reductions that are included in the final plan for retrenchment in
38 IELP, if any, this phrase means any benefited (greater than .5 FTE) position, and shall
39 include time spent on any approved leaves, and any lapse of employment of 12 months or
40 less.
- 41 2. Should members subject to layoff and recalled pursuant to Article 22 Section 5(c) have
42 the same seniority date, then the order of seniority for that seniority date shall be
43 determined by the sequence of numbers in their PSU ID number. Members will be laid
44 off from the highest numbered PSU ID number to lowest numbered PSU ID number, and
45 shall be recalled in reverse order from the lowest numbered PSU ID number to highest
46 numbered PSU ID number.

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- 3. "A department," as referred to Article 22 Section 5, shall include the successor departments or programs to IELP.
- 4. The agreements reflected in this Memorandum of Understanding are not intended to be precedential and are specific only to the Article 22 retrenchment process for IELP.
- 5. This Memorandum of Understanding will become effective upon signature by both parties.

<u>For the University</u>	<u>For the Association</u>
DocuSigned by: <i>Shelly Chabon</i> B333FC565FA54C5...	DocuSigned by: <i>Theresa McCormick</i> 95A403D7364840Z
Shelly Chabon, Vice Provost for Academic Personnel	Theresa McCormick, Vice President Collective Bargaining
June 14, 2021 12:01 PM PDT Date	June 14, 2021 12:01 PM PDT Date

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