

# WAIVER AGREEMENT

The purpose of this Agreement (“Agreement”) between the United Faculty of Evergreen (“UFE”), and The Evergreen State College (“TESC”) is to memorialize an Agreement between the parties to waive a provision of the collective bargaining agreement (CBA).

## RECITALS

1. During the 2014/2015 Evening and Weekend Studies (EWS) faculty retreat one of the areas of discussion focused on faculty staffing.
2. There was consensus among regular faculty that EWS needed to recruit and hire a regular continuing EWS Mathematics position this year with a start time the 2015/2016 academic year.
3. The last time EWS posted this position the search failed.
4. There was agreement among EWS faculty that to meet the needs of the program and better ensure a successful recruitment this time the position should be posted as a .75 FTE (12 credits); however, section 5.2 of the CBA states a “regular appointment may be full-time or half-time, based on the needs of the College.”
5. The parties have discussed the matter and seek a mutually acceptable resolution of the situation, which meets the needs of the parties but recognizes the integrity of the CBA.

## AGREEMENT

**NOW, therefore,** the parties agree:

1. Section 5.2 of the CBA limits regular faculty appointments to half-time FTE (.5) or full-time FTE (1.0) positions.
2. There is consensus among regular EWS faculty and the administration that posting a .75 FTE Mathematics position in EWS would be reasonable and appropriate in this situation.
3. The parties will waive Section 5.2 with respect to the specific facts presented and EWS may post the position this fall and seek to appoint a regular .75 Mathematics faculty position effective the 2015-2016 academic year.

4. This agreement to waive 5.2 of the CBA applies only to the .75 FTE regular Math position in EWS. The position is a bargaining unit position.
  
5. Neither party may use this Agreement and any related discussions or correspondence as evidence of a binding past practice or precedent in a subsequent administrative or arbitration proceeding.

Signed and dated this 28th day of October, 2014.

The Evergreen State College

By Neil Boyer  
Its Labors Relations Director

United Faculty of Evergreen

By Grace C. Hueston  
Its UFF, Chair