

ARTICLE 32

SEVERABILITY

32.1 Invalidation of a Provision of this Agreement.

(a) A provision of this Agreement shall be invalid and have no force or effect, if it:

(1) Is found to be invalid or unenforceable by final decision of a tribunal of competent jurisdiction, or

(2) Is rendered invalid by reason of any subsequently enacted legislation, or

(3) Has the effect of rendering the University ineligible for state or federal funding, or

(4) Pursuant to Section 447.309(3), Florida Statutes, can take effect only upon the amendment of a law, rule, or regulation and the governmental body having such amendatory powers fails to take appropriate legislative action.

(b) If any provision is invalid for the reasons set forth in 32.1(a), it shall not affect the remainder of the Agreement, and all other terms and provisions shall continue in full force and effect.

32.2 Negotiations on Replacement Provisions. If a provision of this Agreement fails for reasons set forth in Section 32.1(a) (1), (2), or (3) above, the parties shall immediately enter into negotiations for the purpose of arriving at a mutually satisfactory replacement for such provision.

32.3 Effect of Passage of Law. If any provision of this Agreement is rendered invalid by subsequently enacted legislation that is later wholly or partially overturned through a final adjudication by the highest tribunal having jurisdiction over the University, the University agrees to engage in collective bargaining with UFF regarding the provision with the intent of restoring it consistent with the final adjudication.

32.4 Authority. Except as set forth above, this Article is not intended to cede authority to any party to invalidate any provision of this Agreement. UFF does not concede to the constitutionality of any subsequently enacted legislation that invalidates a term of this Agreement. The University or UFF may choose, but neither is obligated, to challenge said legislation.