

MEMORANDUM OF UNDERSTANDING #16

Legacy Health System Reopener

The Oregon Nurses Association (hereafter “Association”) and the Oregon Health & Science University (hereafter “Employer” or “OHSU”) enter into the following Memorandum of Understanding (“MOU”) in anticipation of a possible Legacy Health and OHSU systems combination or Legacy Health System acquisition.

WHEREAS, the parties are presently engaged in successor bargaining for a new agreement, as the prior one expired on June 30, 2023;

WHEREAS, the Association drafted and proffered proposals without notice by OHSU of a potential systems combination or acquisition;

WHEREAS, the Association is concerned that a possible systems combination or acquisition could affect working conditions during the term of the successor collective bargaining agreement;

Therefore, the Association and Employer agree as follows:

1. The provisions of the parties’ 2023-2026 collective bargaining agreement are binding on the parties, provided the Association may re-open a contract term if, as a result of the system combination, a material change of condition occurs that would lead to a result the parties did not anticipate when engaged in bargaining for the 2023-2026 CBA. Reopener negotiations must begin within 30 days of the notice and will continue for up to 150 days. Negotiations will be considered reopener bargaining as described in ORS 243.726, subject to the right to strike if agreement is not reached.
 - a. Disputes about whether a change would be material and lead to results the parties did not anticipate when engaged in bargaining will be resolved through expedited arbitration before Timothy Williams, and will be heard within 30 days of the Employer receiving the grievance.
2. For working conditions not covered in the parties’ 2023-2026 CBA, the Employer will adhere to its obligations under the Public Employee Collective Bargaining Act (PECBA), ORS 243.650 et. al., prior to making material changes, stemming from the systems combination or acquisition, to the working conditions of members of the Association’s bargaining unit at OHSU, including the requirements of ORS 243.698. The parties agree that instead of using the 90-calendar day timeline in ORS 243.698(1), they will utilize a 150-calendar day timeline for such changes stemming from the systems combination.

- ~~3. If a systems combination or acquisition occurs and prior to reopener negotiations, the Association and the Employer agree to form an advisory subcommittee of the AURN Cooperative Committee. The subcommittee shall meet monthly to discuss possible ideas involving the impact of the systems combination on Association nurses, to discuss drafts of new or revised policies related to the system combination, and other advance planning. This subcommittee shall not conduct negotiations or hear grievances.~~
- ~~4. The Association and/or Employer may call for and hold additional meetings regarding the OHSU Legacy system combination (if it occurs). Each party can invite individuals they deem relevant to the discussion.~~

~~This MOU shall remain in effect until a subsequent successor agreement after the 2023-2026 agreement has been ratified.~~