

ARTICLE 2930
SEVERABILITY

2930.1 Invalidation of a Provision of the Agreement.

Should any provision of this Agreement be declared illegal by a final court of competent jurisdiction or otherwise be unenforceable, the remaining provisions shall remain in full force and effect. The parties acknowledge Florida law providing that, in the event of a conflict, a statute or rule enacted subsequent to this contract's existence is superseded by the terms of the contract.

(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 subsequently enacted legislation, or~~

~~(3) shall have the effect of a loss to the University of funds, property, or services made available through federal law, which loss of funds, property, or services would substantially impede the University's ability to provide a comprehensive program of teaching, research, and service, 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) In such circumstances, however, the remainder of the Agreement shall continue in full force and effect.~~

2930.2 Negotiations on Replacement Provisions. ~~If a provision of this Agreement fails for reasons set forth in Section 2930.1(a)(1), (2), or (3) above, the parties shall enter into immediate negotiations for the purpose of arriving at a mutually satisfactory replacement for such provision. above, at the request of either party such invalidated provision shall be reopened for negotiations to arrive at a mutually satisfactory replacement for such provision. The parties acknowledge Florida law providing that, in the event of a conflict, a statute or rule enacted subsequent to this contract's existence is superseded by the terms of the contract.~~

2930.3 Effect of Passage of Law. ~~Any provision of this Agreement that is contrary to law, but becomes legal during the term of this Agreement, shall be reinstated consistent with such legislation. 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~~

41 UFF regarding the provision with the intent of restoring it consistent with the final
42 adjudication.

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44 **2930.4 Legislative Action.** The University and the UFF agree that neither will
45 attempt to influence or support changes in existing statutes or legislation that
46 would change the terms of this Agreement.

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48 **2930.5 Authority.** Except as set forth above, this Article is not intended to cede
49 authority to any party to invalidate any provision of this Agreement. UFF does not
50 concede to the constitutionality of any subsequently enacted legislation that
51 invalidates a term of this Agreement. The University or UFF may choose, but
52 neither is obligated, to challenge said legislation.