

## SETTLEMENT AGREEMENT

AFSCME Council 75, Local 328 ("Local 328"), AFSCME OHSU Graduate Researchers United ("GRU") and Oregon Health & Science University ("OHSU") hereby enter into the following agreement for the purposes of (1) concluding and resolving all issues related to the first amended unfair labor practice complaint filed against OHSU by Local 328 in ERB Case No. UP-014-19 and the unfair labor practice complaints filed against OHSU by Local 328 in ERB Case Nos. UP-025-19 and UP-029-19, and (2) narrowing the remaining issues in the first amended unfair labor practice complaint filed against OHSU by the GRU in ERB Case No. UP-016-19.

1. OHSU acknowledges and admits that, during the course of contract negotiations in 2019 between Local 328 and OHSU, two members of its bargaining team, the Vice President of Human Resources and a financial consultant, engaged in social media trolling that interfered with the rights of bargaining unit employees to engage in protected union activity.

2. The President of OHSU will issue a statement in OHSU Now acknowledging the importance of having a positive relationship with the Union and he will reaffirm a commitment to continuing to develop a collaborative relationship with the Union. This will include a statement that OHSU honors the rights of bargaining unit employees to engage in protected union activity.

3. OHSU will engage Cathryn Dammel to conduct an independent investigation into whether the conduct described in Paragraph 1 above was engaged in by any other member of OHSU's bargaining team during the parties' 2019 contract negotiations and/or reflected an anti-union sentiment in Human Resources. The scope of this investigation will have the following parameters: Ms. Dammel will be allowed to interview the following OHSU representatives from OHSU's bargaining team and HR department:

Haley Sands  
Esperanza Zozobrado  
Carolyn Moore  
Emily Boring  
Amar Khouma  
Paul Southerton

Amy Wood  
Hollie Hemenway  
Steve Osgood  
Alix Bach  
Kathryn Heath  
Michelle LaPorte  
Magda Leo  
Alex West  
Fiona Canova  
Rakhi Desai  
Joni Elsenpeter  
Melanie Erskine  
Kendra Seits  
Linda Straham  
Wes Phillips  
Greg Moawad

The following Union witnesses will be interviewed:

Matt Hilton  
Michael Stewart  
Jennifer Barker  
Haley Wolford  
Jenni Olsen  
Beth Fitzpatrick  
TJ Acena  
Jesse Miller  
Kate Baker  
Frank Vehafric  
Ross Grami  
Up to 3 additional Stewards to be designated later

OHSU and Local 328 agree to comply with any recommendations arising out of the investigation.

4. OHSU and Local 328 will post simultaneous statements—OHSU via OHSU Now and Local 328 via its blog, that (1) acknowledge the resolution of these matters and (2) announce that both parties are working together to create a collaborative relationship and are hopeful that their efforts will be successful. The parties will exchange copies of their statements at least 24-hours before the posting of the statements to offer the other party an opportunity to comment on the other's draft statement before posting.

5. OHSU will conduct training of the supervisors named in Case Nos. UP-025-19 and UP-029-19 and the HR Business Partners assigned to AFSCME 328 regarding the rights of employees to engage in union activities and the legal limits on how employers and supervisors can respond to protected activities under Oregon's Public Employee Collective Bargaining Act. This training will be conducted for a minimum of ninety minutes, occur in person (rather than simply an electronic training), and will be held within three months of the date of the last signature on this agreement.

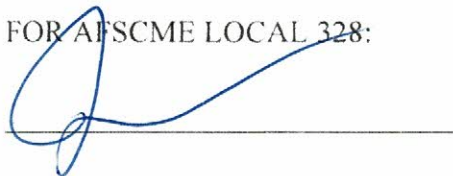
6. OHSU will reimburse Local 328 the sum of \$900.00, which represents the fees paid by Local 328 for filing its unfair labor practice complaints against OHSU.

7. Local 328 will withdraw with prejudice all allegations set forth in the pending first amended complaint filed in Case No. UP-014-19 and the pending complaints filed in Case Nos. UP-025-19 and UP-029-19. No party shall have any further duty or obligation arising out of said complaints.

8. The GRU will amend its first amended complaint in Case No. UP-016-19 by removing all allegations that are common to the allegations in Case No. UP-014-19. Specifically, the GRU will withdraw all allegations in Paragraphs 4, 5, 6, 11, 15, 16, 17, 18, 20, 21 and 22 of the first amended complaint. The GRU will also withdraw those portions of Paragraphs 28, 29, 32, 36, 39, 40 and 41 that pertain to the use of social media accounts.

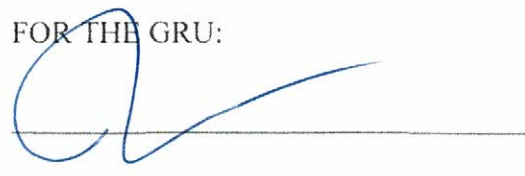
DATED this <sup>th</sup> 20 day of February, 2020.

FOR AFSCME LOCAL 328:



Jason Wey  
Legal Counsel

FOR THE GRU:



Jason Wey  
Legal Counsel

FOR OHSU:

Barry D. Walker

D. Walker

Legal Counsel