

ARTICLE 35
SEVERABILITY

35.1 Invalidation of a Provision of the Agreement. If any provision of this Agreement is found to be invalid or unenforceable by final decision of a tribunal of competent jurisdiction or is rendered invalid by reason of subsequently enacted legislation or shall have the effect of a loss to the University of Florida of funds, property, or services made available through federal law, such findings shall not affect the remainder of the Agreement, and all other terms and provisions shall continue in full force and effect.

35.2 Negotiations on Replacement Provisions. If a provision of this Agreement is rendered invalid, then upon request of either party the Trustees and the UFF shall enter into immediate negotiations for the purpose of arriving at a mutually satisfactory replacement for such provision.

35.3 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.

35.4 Intent. The Trustees and the UFF do not intend for the above provisions to constitute a contractual or any other recognition or grant of authority by either party that subsequent legislation can invalidate any provision of this Agreement. The Trustees and the UFF intend for the language of the above provisions to recognize the possibility, regardless of their intentions, that subsequently enacted legislation may attempt, be construed, be interpreted or be applied to invalidate a provision of this Agreement. The Trustees and the UFF may choose not to challenge said legislation or its application or one or both of the Trustees and the UFF may challenge said legislation or its application without success.

Approved: Michael Mattmore
For the University of Florida
Board of Trustees

Approved: Chris Frydman
For the United Faculty of Florida

Date: February 17, 2006

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