

**MEMORANDUM OF AGREEMENT
BETWEEN
OREGON SCHOOL EMPLOYEES ASSOCIATION
AND
EUGENE SCHOOL DISTRICT 4J**

The Oregon School Employees Association, Chapter 1 ("OSEA") and the Eugene School District 4J ("District") agree to the following for the purpose of adding a new provision to the 2018-22 Collective Bargaining Agreement ("contract"):

1. The parties agree to add new Article 15.6 to the contract.

15.6 Role of Union Representation in Investigatory Interviews

15.6.1 The role of a representative is to represent employees, at their request, in investigative interviews that the employee reasonably believes could lead to the employee's discipline. At the outset of the interview, the representative may inquire about the general subject matter(s) of the questioning to follow. Upon the representative's request for a private consultation with the employee before questioning begins, the interviewer shall grant the request. Such consultation will not cause undue delay.

15.6.1.1 If an employee or representative reasonably believes that answering the interviewer's questions may criminally incriminate the employee, the employee or representative may so indicate, and the interviewer may instruct the employee about the employee's rights under Garrity v. New Jersey.

15.6.2 During the interviewer's questioning of the employee, the representative's role is limited to seeking clarification of the interviewer's questions. The district has the right initially to hear the employee's own account of the matter under investigation. The representative will not request a break without a compelling reason, counsel the employee, answer for the employee, or question the employee or interviewer except as necessary to seek clarification of the interviewer's question. The representative may, if asked, tell the employee to answer the interviewer's question. The representative may also object to confusing or intimidating tactics. In such case, the interviewer may choose to rephrase the question, withdraw the question or require the employee to answer the question as asked.


15.6.3 After the interviewer has completed questioning the employee, the representative may ask the employee questions designed to clarify previous answers or to elicit further relevant information. Before the end of the meeting, the representative may suggest to the interviewer other witnesses to interview and may describe relevant practices, prior situations, relevant evidence, or mitigating factors that could have some bearing on the district's deliberations concerning discipline.

2. This agreement takes effect when signed by all parties.
3. Unless later agreed by the parties in writing, this agreement is a status quo condition of the contract and will be incorporated into the parties' successor contract.
4. Except as specifically set forth herein, employees in the bargaining unit retain all rights and privileges provided by the collective bargaining agreement between the parties.

OSEA, Chapter 1

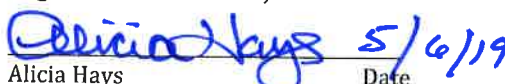

Sheila Waggoner
President

Date

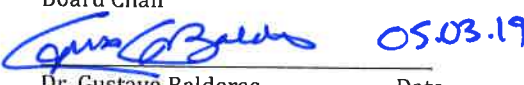

Tyler Whitmire
Field Representative

Date

Eugene School District 4J


Alicia Hays
Board Chair

Date


Dr. Gustavo Balderas
Superintendent

Date