

**AMENDED AND RESTATED  
MEMORANDUM OF AGREEMENT  
Between  
Tucson Unified School District  
and  
Communication Workers of America**

This Memorandum of Agreement is entered into on this 6th day of May, 2016 by and between Tucson Unified School District (“TUSD”) and Communication Workers of America (“CWA”) who is acting on behalf of the employees who are subject to the 2014-2017 CWA Supervisory/Professional Agreement (“CWA Agreement”).

1. On April 26, 2016, TUSD and CWA negotiated this Memorandum of Agreement (“Salary Tentative Agreement”) pursuant to Article 10 of the CWA Agreement and the Memorandum of Agreement between CWA and TUSD dated December 5, 2014.
2. The parties entered into the Salary Tentative Agreement in an effort to present revisions to the 2014-2017 CWA Agreement to the Governing Board for consideration, approval and adoption at the May 10, 2016 Board Meeting so that the employees who are subject to the CWA Agreement can have clear terms of employment prior to the end of the 2015-2016 school year.
3. At the time of the Salary Tentative Agreement, there remained the potential for additional funding to be received by TUSD through the May 17, 2016 public vote on Proposition 123 (“Vote”).
4. The parties entered into the Salary Tentative Agreement prior to the end of the legislative session which can still address potential legislation that may affect the TUSD budget for the 2016-2017 fiscal year (“End of Legislative Session”).
5. The parties thereafter learned that the District submitted a Board Agenda Item which will recommend a salary step increase pending Governing Board approval (“Step Increase”) for all employees who are subject to the CWA Agreement for the 2016-2017 contract year as a result of the state of Arizona’s confirmation that the District will not be required to transition to current year funding in the 2016-2017 fiscal year.
6. The parties understand that the terms of revised 2014-2017 CWA Agreement will be presented to the Governing Board for consideration, approval and adoption at the May 10, 2016 Board Meeting prior to the Vote and the End of Legislative Session.
7. This Amended and Restated Salary Tentative Agreement addresses that Step Increase as a contingency in addition to the contingencies addressed in the Salary Tentative Agreement dated April 26, 2016.
8. In consideration of CWA’s agreement to present the revised 2014-2017 CWA Agreement prior to the end of the 2015-2016 school year, and to forego its right to wait for the Vote and

End of Legislative Session before entering into a revised 2014-2017 CWA Agreement that would address the salary contingencies contained herein, and to avoid the need to return to negotiations after the Vote and End of Legislative Session, the parties have agreed to reach this Salary Tentative Agreement to address each of the contingencies now known that may come to fruition through the Vote and/or End of Legislative Session, the appropriate one of which will be presented by the District to the Governing Board for amendment to Article 10 of the revised 2014-2017 CWA Agreement as described in Article 10-1(D) of revised 2014-2017 CWA Agreement, if and only if the Vote and End of Legislative Session result in additional funding that may be used by TUSD for salaries for the 2016-2017 contract year.

9. The parties agree to the following terms for contingent provisions the appropriate one of which the District will present to the Governing Board for inclusion in Article 10 of the revised 2014-2017 CWA Agreement if and only if the Vote and the End of the Legislative Session result in additional funding that may be used by TUSD for salaries for the 2016-2017 contract year.
- If Proposition 123 passes and House Bill 2480 fails, and the funding for Proposition 123 is received by the District during the 2016-2017 contract year, then the base salary for all employees who are subject to the CWA Agreement will increase by 1%.
  - If any one of the following three (3) scenarios happens, then there will not be any increase to the base salary or any additional steps permitted to employees who are subject to the CWA Agreement beyond the Step Increase for the 2016-2017 contract year that will be recommended by Dr. Sanchez at the May 10<sup>th</sup> Board meeting:
    1. If Proposition 123 fails and House Bill 2480 fails;
    2. If Proposition 123 passes and House Bill 2480 passes, and the funding for Proposition 123 is received by the District during the 2016-2017 contract year; or
    3. If Proposition 123 fails and House Bill 2480 passes.
8. This Memorandum of Agreement may not be disclosed by TUSD and/or CWA unless and until the Vote and the End of the Legislative Session result in additional funding that may be used by TUSD for salaries for the 2016-2017 contract year.

Tucson Unified School District

  
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Michelle Tong, TUSD Chief Negotiator

5/16/16  
Date

Communication Workers of America

  
\_\_\_\_\_  
Linda Hatfield, CWA President

5-6-16  
Date