

# HEA CONTRACT WAIVER CRITERIA CHECKLIST

## **I. Areas which should be addressed by the building/program in seeking contract waivers should include statements of:**

- A. Specific contract provisions from which the building/program is seeking a waiver.
- B. Why the waiver is necessary in order for the objectives of the proposal to be met including:
  - 1. Specifically how the existing contract language impedes the achievement of the objectives.
  - 2. What, if any, alternatives to the contract waiver were considered, and why those options were rejected.
- C. The degree of staff involvement in development of the proposal including:
  - 1. A full description of the process used for involving the staff in the development of the proposal.
  - 2. The process used for seeking final approval of the proposal from the full staff.
  - 3. A description of how minority dissent among HEA represented staff is to be managed.
  - 4. The number of HEA represented employees at the site and how many of those employees were directly involved in the proposal development.
  - 5. A statement of exactly how many HEA represented employees have formally endorsed the proposal and how that endorsement was obtained (open or secret balloting, signature on "contract," consensus process, etc.)
  - 6. A statement of how many HEA represented employees formally dissented from the proposal, and the name of a contact person among those dissenting employees.
- D. How the interests (economic, well-being, security, stability and predictability, individual rights, minority rights, health and safety, fair-play, etc.), which are met by the contract provision proposed for waiver, will be met without the specific contract language.

## **II. Other factors which will be considered by the HEA Executive Board include:**

- A. The extent to which the contract waiver potentially jeopardizes the rights and security of the minority and individuals in the building/program.
- B. The impact, if any, on HEA represented members in other buildings/programs.
- C. The level of minority opposition to the waiver in the building/program.