

ARTICLE 16 MANAGEMENT RIGHTS

Section 1: Except as otherwise provided in an express provision in this Agreement, the University retains the exclusive right to direct, control, manage and schedule its operations, and to make all decisions affecting the University consistent with its educational and research mission (“Management Rights”).

Section 2: Management Rights include, but are not limited to, the right to:

- (a) Establish, plan, direct and control the University’s organizational structure, missions, programs, objectives, services, resources and priorities;
- (b) Establish and administer procedures, policies and rules to direct and control University operations, including the subcontracting of all or any portion of any operations;
- (c) Alter, extend or discontinue existing equipment, facilities, and location of operations;
- (d) Recruit, hire, appoint, assign, schedule, transfer, train, supervise, evaluate or promote employees;
- (e) Determine or modify the number, qualifications, scheduling, responsibilities and assignments of employees;
- (f) Establish, maintain, modify and enforce standards of performance, conduct, order and safety, and as well disciplinary policies that address violations of these standards, consistent with Article 7 [Discharge and Discipline];
- (g) Determine the content of evaluations, and the processes and criteria by which employees’ performance is evaluated;
- (h) Establish and require employees to observe University rules and regulations;
- (i) Establish or modify the holidays and holiday scheduling;
- (j) Assign work locations;
- (k) Schedule hours of work;
- (l) Decide matters related to research methodology and materials;
- (m) Decide matters related to grants including, but not limited to, application, selection, funding, administration, usage, accountability and termination;
- (n) Decide whether to create, eliminate, combine, or modify research programs;

Section 3: The exercise or non-exercise of rights shall not constitute a waiver of any such rights by the University.