

Article 30 MANAGEMENT RIGHTS

- A. It is understood and agreed by the parties that the Employer possesses the sole power, duty and right to operate and manage its departments, agencies, and programs and carry out constitutional, statutory and administrative policy mandates and goals. The powers, authority and discretion necessary for the Employer to exercise its rights and carry out its responsibilities shall be limited only by the express written terms of this Agreement, and then only to the extent so specifically limited. Any term or condition of employment other than the wages, benefits, and other terms and conditions of employment specifically established or modified by this Agreement shall remain solely within the discretion of the Employer to determine, establish or modify.
- B. Management rights include, by way of illustration and not by way of limitation, the right without engaging in negotiations with the Union, to:
1. Determine matters of managerial policy, mission of the agency, budget, the method, means and personnel by which the Employer's operations are to be conducted; organization structure; standards of service and maintenance of efficiency; the right to select, promote, assign or transfer employees; discipline employees for just cause; and in cases of temporary emergency, to take whatever action management deems necessary to carry out the agency's mission.
 2. Utilize personnel, methods and means in the most appropriate and efficient manner as determined by the Employer.
 3. Determine the size and composition of the work force, determine the work of unit employees, determine the amount and type of work needed and, in accordance with such determination, relieve unit employees from duty.
 4. To devise the means and methods to continue its operations and to determine the methods and schedules of operation, the means, methods, and processes of carrying on the work including changes therein, the institution of new and/or improved methods or changes therein.
 5. Adopt rules and regulations affecting the operation of the work place.
 6. Determine without restriction the qualification of unit employees for any and all positions to be filled by the State.
 7. Determine the location or relocation of its facilities, including the establishment or relocations of new buildings, Departments, divisions or subdivisions thereof; and the location and/or relocation or closing of offices, Departments, divisions or subdivisions, buildings or other facilities.

8. Determine the financial policies, including all accounting and expenditure procedures, and all matters pertaining to public relations.
9. Determine the size of the management organization, its functions, authority, amount of supervision and table of organization.
10. To take whatever action deemed necessary to carry out governmental functions in event of emergency.