

ARTICLE 4

MANAGEMENT RIGHTS

4.1 Policy. ~~The Board of Trustees, on its own behalf and on behalf of the University of Central Florida, hereby retains and reserves unto itself all rights, powers, duties, and authority vested in it to plan, govern, manage, and control the University of Central Florida, and in all respects carry out the ordinary and customary functions of management. Recognizing that Florida law vests full authority and responsibility for the operation of the University in the Board of Trustees (“Board”) and restricts the power of the Board to delegate its authority and responsibility, the Board, acting by and through its duly constituted authorities, retains and reserves exclusively to itself all rights, powers, prerogatives, responsibilities, and authority vested in it, whether exercised or not.~~

~~Without limiting the generality of the foregoing, it is understood and agreed that, except as otherwise expressly provided in this Agreement, the Board has the right to adopt new or modify or terminate existing rules, policies, regulations, and procedures to further and accomplish its statutorily mandated authorities and responsibilities.~~

~~The Board shall also have the right to take any action it considers necessary and proper to determine matters of inherent managerial policy which include, but are not limited to, areas such as the functions and programs of the public employer, standards of services, its overall budget, utilization of technology, and organizational structure.~~

4.2 Examples of Management Rights. ~~The sole and exclusive rights of the University include, but are not limited to, the rights to:~~

- ~~a) Plan, direct and control all operations and services of the University, including its mission, budget, strategic direction, service levels, staffing levels and resource requirements;~~
- ~~b) Develop, interpret, amend and enforce written policies (applicable to all campuses), procedures, and rules governing the University and the workplace;~~
- ~~c) Determine the methods, means, and organization by which University operations and services shall be undertaken and accomplished;~~
- ~~d) Determine the number, kind, location or relocation of facilities and equipment, and install, maintain, remove and retire such facilities or equipment;~~
- ~~e) Adopt and enforce policies, rules and regulations covering health and safety matters on University premises, in the performance of University-related activities, and at University-sponsored activities;~~
- ~~f) Discipline or discharge employees during the term of their appointment for just cause;~~
- ~~g) Assign and schedule work;~~
- ~~h) Schedule courses and alter course schedules;~~
- ~~i) Establish the duties and responsibilities of faculty and other employees;~~
- ~~j) Establish and implement policies and procedures for evaluating the performance of faculty and other employees consistent with this Agreement;~~
- ~~k) Establish, modify, and manage the University’s programs and offerings;~~
- ~~l) Determine class size;~~
- ~~m) Determine all academic policies, procedures, rules, and regulations;~~
- ~~n) Determine program or course curriculum, content, style, and mode of instruction;~~
- ~~o) Determine and require appropriate training; and~~
- ~~p) Recruit, hire and promote faculty and other employees based on standards established by the University.~~

4.3 No Waiver of Rights. ~~The Board’s failure to exercise any right, prerogative, or function hereby reserved to it, or the Board’s exercise of any such right, prerogative or function in a particular way, shall not be considered as a waiver of the Board’s right to exercise such right, prerogative or function or to preclude it from exercising the same in some other way not in conflict with the express provisions of this Agreement.~~

4.2 Limitations. ~~All such rights, powers, duties, and authority are retained and reserved by the Board, subject to those limitations imposed by this Agreement. Only violations of such limitations shall be subject to Article 20, Grievance Procedure.~~