

## ARTICLE 5

### **MANAGEMENT RIGHTS**

- 5.1 CEFA recognizes and agrees that the exercise of the expressed and implied legal powers, rights, duties and responsibilities, e.g., the adoption of policies, rules, regulations, and practices in furtherance of these powers and the use of judgment and discretion in connection therewith, shall be limited by the specific and expressed terms of this Agreement.
- 5.2 CEFA recognizes and agrees that the District powers, rights, authority, duties, and responsibilities include, but without limiting the generality of the foregoing, the exclusive right to manage its operation; direct, select, decrease, and increase the workforce, including but not limited to hiring, demotion, suspension, layoff, or discharge; to maintain discipline and efficiency of employees, to prescribe rules to that effect, to establish and change standards, to determine the qualifications of employees; the right to make all plans and decisions on matters involving its operations; to determine solely the extent to which the facilities of any department thereof shall be operated, the additions thereto, the removal of equipment, the outside purchase of products or services, the scheduling of operations, the means and processes of operations, the materials to be used, and the right to introduce new, or improved, methods and facilities, and to change or alter any existing methods and facilities; to regulate quality and quantity of services, and to otherwise take any actions desired to run the entire operation efficiently.
- 5.3 CEFA recognizes and agrees that the District retains its rights to amend, modify, or rescind policies and practices referred to in this Agreement in case of emergency. An emergency is considered an act of God, a natural disaster, man-made disaster or mandates imposed by other government agencies, or other interruption of the District program beyond its control. Where an emergency is declared, District shall immediately notify and consult with CEFA. CEFA agrees it will abide by such emergency decisions of the Board during the declared emergency.
- 5.4 District agrees that in regard to a declared emergency and decisions made therein within the scope of representation, that CEFA shall have the right to subject such declaration and decisions to the provisions of the Grievance Procedure, Article 8.