

Article ___ : Management Rights

Section 1. Except as may be modified by a specific term of this Agreement, it is expressly understood that the rights and powers of Oregon Tech, and only Oregon Tech, to exercise independently shall include, but are not limited to, the sole and exclusive right and power to:

- a) determine the mission of the university, its organizational and administrative structure, and the methods and means, and take actions necessary to fulfill that mission;
- b) determine the financial policy of the university, adopt and amend budgets, and make budgetary allocations and reallocations affecting the university as a whole or any of its divisions, departments or units;
- c) establish qualifications for appointments, reappointments, promotions, transfers, and awards of tenure
- d) determine the appointment fractions, duration of employment, and terms and conditions of employment upon appointment, reappointment, promotion, transfer, and awards of tenure for all bargaining unit members;
- e) determine the number of bargaining unit members to be appointed, reappointed, promoted, transferred, and awarded tenure;
- f) determine, assign, schedule, and direct the type and amount of work to be performed by bargaining unit members, including the location of a bargaining unit member's work;
- g) establish, modify, combine, or eliminate positions;
- h) determine the number, location or relocation of facilities, buildings and rooms, and ancillary facilities such as parking lots, including the policies regarding the use of such buildings, rooms, and facilities;
- i) determine the health, safety, and property protective measures and procedures;
- h) take disciplinary action against a bargaining unit member for cause up to and including dismissal;

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- j)k) select, hire, direct, supervise, train, and evaluate bargaining unit members;
- k)l) determine office space, materials, and equipment to be utilized by bargaining unit members, and the methods, processes and means by which work shall be performed and services provided;
- l)m) establish quality, performance, and evaluation standards for bargaining unit members;
- m)n) make and enforce policies, rules, and regulations, including policies, rules, and regulations governing safety, discipline, tuition and fees, human resources functions, and the work, training, and conduct of bargaining unit members;
- n)o) perform all other functions inherent in the direction, operation, management, and administration of the university; and,
- o)p) hold sole authority to exercise the rights and powers above by making and implementing decisions and policies with respect to those rights and powers.

In addition to the above, Oregon Tech retains and reserves to itself all rights, powers, duties, authority, and responsibilities conferred on and vested in it by the laws of the State of Oregon and the policies and procedures of the Board of Trustees of Oregon Tech.

Section 2. The failure of Oregon Tech to exercise any right or power, above, shall not be deemed a waiver of the right of Oregon Tech to exercise such right or power, or preclude Oregon Tech from exercising the same in some other manner, so long as it does not conflict with a specific term of this Agreement.

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