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Management Rights

Section 1. Statutory Rights

A. Subject to subsection (B) of this section, nothing in this Agreement shall affect the authority of any management official of any agency--

1. to determine the mission, budget, organization, number of employees and internal security practices of the agency; and
2. in accordance with applicable laws--
 - a. to hire, assign, direct, layoff and retain employees in the agency or to suspend, remove, reduce in grade or pay, or take other disciplinary action against such employees;
 - b. to assign work, to make determinations with respect to contracting out, and to determine the personnel by which agency operations shall be conducted;
 - c. with respect to filling positions, to make selections for appointments from--
 - (1) among properly ranked and certified candidates for promotion; or

24 (2) any other appropriate source; and

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26 d. to take whatever actions may be necessary to carry out the agency mission

27 during emergencies.

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29 B. Nothing in this section shall preclude any agency and any labor organization from

30 negotiating--

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32 1. at the election of the agency, on the numbers, types and grades of employees or
33 positions assigned to any organizational subdivision, work project, or tour of duty,
34 or on the technology, methods and means of performing work;

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36 2. procedures which management officials of the agency will observe in exercising
37 any authority under this section; or

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39 3. appropriate arrangements for employees adversely affected by the exercise of any
40 authority under this section by such management officials.

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