

UA Counterproposal 1 (redlined against the existing CBA)  
Presented 10/18/21

## **ARTICLE 18** ***Management Rights***

- 18.1 Except as specifically limited by law or this Agreement, the University reserves all rights and privileges heretofore exercised by the University or granted to it by law. Examples of management rights include the right to:
- a. enact policy or regulation for the governance of the University;
  - b. appoint officers, administrators, supervisors, and other employees who are not ~~UNAC bargaining unit~~ members;
  - c. establish policies and procedures in support of the educational, research, and service missions of the University;
  - d. establish and direct programs of instruction at the University;
  - e. declare and respond to financial exigency;
  - f. administer the University;
  - g. select, direct, set the number, assign, evaluate, tenure, and promote ~~UNAC bargaining unit~~ members;
  - h. adopt and enforce work rules and regulations applicable to ~~bargaining unit UNAC~~ members;
  - i. ~~provide and~~ utilize technology in areas including, but not limited to, distance education;
  - j. determine the organizational structure of the University;
  - k. set performance and productivity standards;
  - l. establish, modify, reduce, or eliminate academic positions, programs, departments, colleges, schools, centers, or other units of the University;
  - m. transfer ~~bargaining unit UNAC~~ members across academic programs, departments, colleges, schools, centers, geographic locations, or other units of the University, and
  - n. discipline ~~bargaining unit UNAC~~ members including, but not limited to, the right to reprimand, suspend, or discharge.
- 18.2 The University's exercise or failure to exercise any right, prerogative, responsibility, or function hereby reserved to management shall not be considered a waiver of the University's right to exercise such right, prerogative, responsibility or function or preclude

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it from exercising the same in some other way not in conflict with the express provisions  
of this Agreement.

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October 19, 2021

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