

ARTICLE 5. DISTRICT RIGHTS

- 5A. District Authority and Duties.** It is understood and agreed that the District retains its power and authority to direct, manage and administer as provided by PERB regulations and relevant decisions of courts of competent jurisdiction. Among those duties and powers are the right to: determine its organization; direct the work of its employees; determine the times and hours of operation; determine the kinds and levels of services to be provided, and the methods and means of providing them; establish its educational policies, goals and objectives; determine staffing patterns; determine the number and kinds of personnel required; maintain the efficiency of District operations; determine the curriculum; build, move or modify facilities; establish budget procedures and determine budgetary allocation; determine the methods of revenue; contract out work except as limited herein; and take action on any matter in the event of an emergency such as fire, earthquake or other acts of God. In addition, the Board of Trustees retains the rights to select, hire, classify, assign, evaluate, terminate and discipline employees. The Faculty Association shall be given the opportunity to consult with the District before any decision is made by the District to contract out work. The District and the Faculty Association shall negotiate over the impacts and effects of contracting out work. Further, the District shall not contract out work if such contracting out will result in the termination of employment of full-time faculty members (i.e., full-time faculty members employment will be terminated because of the decision to contract out their jobs).
- 5B. District Limitations.** The exercise of the foregoing rights by the District shall be limited only by the specific and express terms of this Agreement and by the legal requirements imposed by PERB regulations and rulings and relevant decisions made by courts of competent jurisdiction.