

ARTICLE II -- RECOGNITION

Section 1. Labor Contract Supremacy

All the provisions of this Contract shall be subject to Florida Statutes, Chapter 447, including its prohibitions against strikes. The Board further agrees that this Contract shall supersede any Board Rules in conflict with the provisions of this Contract.

Section 2. Managerial/Confidential Exemptions

The Union recognizes the authority of the Board and/or the Superintendent to designate new administrative or supervisory positions as managerial or confidential. The Union further recognizes the authority of the Board and/or Superintendent to designate persons in an acting capacity for a maximum of one fiscal year to fill administrative or supervisory positions.

The parties agree to establish a Managerial/Confidential Exempt Review Committee which will include a representative from Labor Relations a representative from Human Resources, and a representative of the exclusive bargaining agent. The purpose of this Committee is to review recommendations for managerial/ confidential exempt status and determine if identified job descriptions and/or duties are consistent with statutorily-required criteria for managerial/confidential exempt status. Office employee unit members shall not be designated as confidential exempt employees, except by mutual agreement of all the representatives above.

Section 3. Position Classification

The Board recognizes the Union as the sole and exclusive bargaining agent for employees in the position classifications listed in the Appendix F attached hereto. The Board agrees not to change the position classification of any employee in this bargaining unit or to otherwise change its organizational structure, for the purpose of either removing employees from the bargaining unit (except by promotion) or affecting their rights under this Contract without the mutual consent of both parties to this Contract.

Section 4. Post-Ratification Amendment

The Board agrees to accept and incorporate in this Contract, as an addendum, any other statutory rights granted the exclusive bargaining agent and/or employees by rule, order or decision of the Florida Public Employees Relations Commission and/or the Legislature of the State of Florida during the course of these negotiations and terms of this Contract.