

ARTICLE IV -- EMPLOYER RIGHTS

The provisions of this Contract are not to be interpreted in any way or manner to change, amend, modify, or in any other way to delimit the exclusive authority of the Board and the Superintendent for the management of the total school system and any part of the school system. It is expressly understood and agreed that all rights and responsibilities of the Board and Superintendent, as established now and through subsequent amendment or revision by constitutional provision, state and federal statutes, state regulations, and School Board Rules, shall continue to be exercised exclusively by the Board and the Superintendent without prior notice or negotiations with DCSMEC, except as specifically and explicitly provided for by the stated terms of this Contract. Such rights thus reserved exclusively to the Board, the Superintendent, and their designated representatives, by way of illustration and not by way of limitation, include the following: selection, promotion, assignment, and transfer of employees; the evaluation of performance of employees; the separation, suspension, dismissal, and termination of personnel for just and good cause; the designation of the organizational structure of the M-DCPS; and the lines of administrative authority of M-DCPS.

It is understood and agreed that management possesses the sole right, duty and responsibility for operation of the schools and that all management rights repose in it, but that such rights must be exercised consistently with the other provisions of the Agreement. These rights include, but are not limited to, the following:

- Discipline or discharge of any employee for just and good cause.
- Direct the work force.
- Hire, assign, and transfer employees. Transfer of journeypersons and apprentices will be in location only, not in job classification, unless mutually agreed upon by both the employee and the Miami-Dade County Public Schools.
- Determine the missions of the Board agencies.
- Determine the methods, means, number of personnel needed or desirable for carrying out the Board's missions.
- Introduce new or improved methods or facilities.
- Change existing methods or facilities.
- Relieve employees because of lack of work.
- Contract out for goods or services.
- Such other rights, normally consistent with management's duty and responsibility for operation of the Board's services.