

Management Rights

Section 1. The City shall exercise sole responsibility for management of the City and direction of its work force, except as expressly limited by the terms of this Agreement. To fulfill this responsibility, the rights of the City include but are not limited to: establishing and directing activities of its employees; determining standards of service and methods of operation, including contracting out and introducing new equipment; establishing procedures and standards for employment and promotions, layoffs, and transfers; to discipline or discharge for just cause; determine job descriptions; determine work schedules; assign work; and any other rights, except as expressly limited by the terms of this agreement.

The City's management rights also include the ability to assign or modify duties and methods of operation as necessary to continue to provide services during emergencies and other exigent circumstances. This includes the right to assign employees work normally performed by striking employees in other bargaining units, provided that the work is similar to tasks ordinarily performed by employees in the classification of the employee who is given an assignment.

The City shall have no obligation to bargain over the decision or impacts of exercising the management rights described in this agreement.

Section 2. Contracting Out. The City reserves the right to contract out work to outside partners. Where contracting out work performed by bargaining unit members will result in a layoff, reduction of scheduled work hours, or substantial increase in workload for employees within the bargaining unit, the City will notify CPPW of the decision to contract out at least thirty (30) days prior to implementation, unless an emergency or other exigent circumstances exist. The City will comply with any duty to bargain over the impacts of contracting out that arises under state law. Any bargaining over the impacts of contracting out will occur under ORS 243.698.