ARTICLE 28
MANAGEMENT RIGHTS

A. Except as otherwise limited by this MOU, the UC-AFT agrees that the University has the right to establish, plan, direct, and control the University's missions, programs, objectives, activities, resources, and priorities, including Affirmative Action plans and goals; to establish and administer procedures, rules and regulations, and direct and control University operations; to alter, extend, or discontinue existing equipment, facilities, and location of operations; to determine or modify the number, qualifications, scheduling, responsibilities and assignments of NSF; to establish, maintain, modify or enforce standards of performance, conduct, order and safety; to determine the processes and criteria by which NSF performance are evaluated; to establish and require NSF to observe current University rules and regulations; to discipline or dismiss NSF; to establish or modify the academic calendars; to assign work locations; to schedule hours of work; or to recruit, hire, or transfer NSF. Such management of the University is vested exclusively in the University, its officers, agents and bodies as delegated by the Board of Regents.

B. The foregoing enumeration of management rights is not inclusive and does not exclude other management rights not specified, nor shall the exercise or non-exercise of rights retained by the University be construed to mean that any right is waived.

C. The foregoing provisions shall not preclude consultation with NSF through normal academic channels.

D. No management right shall be subject to Article 32 — Grievance Procedure or Article 33 — Arbitration or exclusive claim in a collateral suit unless the exercise thereof violates an express written provision of this MOU.