

ARTICLE 45 WORK RULES

A. GENERAL PROVISIONS

1. The University has the sole, non-grievable, non-arbitrable right to promulgate, supplement, alter, modify, amend, and rescind, work rules. For the purposes of this Article, work rules are defined as rules promulgated by the University which regulate employees relative to and affecting their employment.
2. Work rules promulgated by the University may not be inconsistent with the provisions of this Agreement, and must be related to the orderly and efficient operation of the University, including - but not limited to - as an ordinary and proper means of maintaining discipline and efficiency, of directing the conduct, appearance and actions of the employees and of ensuring the health and safety of employees and others.

B. NOTICE

At least forty-five (45) calendar days prior to the implementation of new or changed work rules, the University shall inform AFSCME. Upon receipt of a written request from AFSCME, made within thirty (30) calendar days from the above notice, the campus/hospital/laboratory shall schedule a meeting to meet and discuss the proposed work rule(s) with AFSCME prior to the proposed implementation date.

C. APPLICATION AND GRIEVABILITY

1. The University will reasonably enforce its work rules for employees during working hours and/or when they are on University premises. The University may enforce work rules governing employees during non-working hours only for reasons of bona-fide business and/or health and safety necessity.
2. In the event the University's enforcement/application of its work rules is inconsistent with any portion of this Article, a grievance may be filed in accordance with the provisions of Article 9 - Grievance Procedure, and appealed to Arbitration in accordance with the provisions of Article 3 - Arbitration Procedure of this Agreement.
3. In the event the application of a work rule is appealed to arbitration, the Arbitrator shall have no authority to newly fashion or to modify the work rule, although s/he may consider the reasonableness of the grieved work rule when rendering her/his decision and related remedy.