



# Management Rights:

## 5 US Code 7106

(a) Subject to subsection (b) of this section, nothing in this chapter shall affect the [authority](#) of any [management official](#) of any [agency](#)—(1) to determine the mission, budget, organization, number of [employees](#), and internal security practices of the [agency](#); and (2) in accordance with applicable laws—

(A)

to hire, assign, direct, layoff, and retain [employees](#) in the [agency](#), or to suspend, remove, reduce in grade or pay, or take other disciplinary action against such [employees](#);

(B)

to assign work, to make determinations with respect to contracting out, and to determine the personnel by which [agency](#) operations shall be conducted;

(C)

with respect to filling positions, to make selections for appointments from—(i) among properly ranked and certified candidates for promotion; or (ii) any other appropriate source; and

(D)

to take whatever actions may be necessary to carry out the [agency](#) mission during emergencies.

(b) Nothing in this section shall preclude any [agency](#) and any [labor organization](#) from negotiating—(1)

at the election of the [agency](#), on the numbers, types, and grades of [employees](#) or positions assigned to any organizational subdivision, work project, or tour of duty, or on the technology, methods, and means of performing work; (2)

procedures which [management officials](#) of the [agency](#) will observe in exercising any [authority](#) under this section; or (3)

appropriate arrangements for [employees](#) adversely affected by the exercise of any [authority](#) under this section by such [management officials](#).