
Please see below.

ARTICLE 2

Governing Laws and Regulations

Section 1 - Precedence of Laws and Regulations

In the administration of all matters covered by this Agreement, officials and employees are governed by existing or future laws and regulations of appropriate authorities; by published Department and/or Agency policies and regulations in existence at the time this Agreement was approved; and by subsequently published Department and/or Agency

policies and regulations required by law or by the regulations of appropriate authorities.

Section 2 - Prescribing Regulations

In prescribing Department and/or Agency regulations relating to personnel policies and practices and matters affecting working conditions, Management shall have due regard for the obligation to meet and confer with the NCFLL. The obligation, however, to meet and confer does not include matters with respect to the mission of the Department; its budget; its organization; the number of employees; or its internal security practices; and consistent with Article 54, Management Rights, the numbers, types, and grades of positions or employees assigned to an organizational unit, work project, or tour of duty; or the technology of performing its work. This does not preclude Management or the NCFLL from negotiating agreements providing appropriate arrangements for employees adversely affected by the exercise of any authority under this Section by Management.

Section 3 - Agreement Governs

Where existing provisions of Department and/or Agency regulations are in conflict with this Agreement, the provisions of this Agreement shall govern.

Section 4 - Mandated Changes of Agreement or Regulation

- A. Management agrees to issue no regulation which alters the terms or conditions of this Agreement without being mandated by law, Executive Order, higher regulation, judicial decision by a court of appropriate jurisdiction, or other higher authority.
- B. Amendment(s) to this Agreement or Departmental and/or Agency regulations may be required by mandated changes after the effective date of this Agreement. Amendment(s) to this Agreement or published Departmental and/or Agency regulations may be required by changes in applicable laws, Executive Orders, higher regulations, judicial decision by a court of appropriate jurisdiction, or other higher authority made after the effective date of this Agreement. The Department agrees to transmit to the NCFLL changes proposed during the term of the Agreement but not specifically covered by the Agreement which relate to conditions of employment of employees in the bargaining unit and/or which may adversely affect such conditions.

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- C. Management will notify the NCFLL after receipt of notice of a required change. Upon receipt of such notification from Management, the NCFLL may, within 10 workdays, request negotiations concerning the amendment.
 - D. Upon timely request from the NCFLL, the parties shall meet and confer within 30 calendar days concerning any negotiable aspects of the required change and/or its impact on bargaining unit employees.
 - E. Any changes of regulations or amendments to this Agreement which are negotiated and agreed to pursuant to this Section will be duly executed by the parties and will become an integral part of this Agreement and subject to all of the terms and conditions of this Agreement.

Section 5 - Management Proposals for Change During the Term of the Agreement

- A. Management agrees to transmit to the NCFLL proposed changes relating to personnel policies, practices, and matters affecting working conditions of bargaining unit employees, or which impact on them, proposed during the term of this Agreement and not covered by this Agreement, as far in advance as possible.
- B. Upon receipt of such a proposed change from Management, the NCFLL may, within 10 working days, request negotiations concerning the proposed change.
- C. Upon timely request from the NCFLL, the parties shall meet and confer within 30 calendar days concerning any negotiable aspects of the proposed change and/or its impact on bargaining unit employees.
- D. Any changes of regulations or amendments to this Agreement which are negotiated and agreed to pursuant to this Section will be duly executed by the parties and will become an integral part of this Agreement and subject to all of the terms and conditions of this Agreement.

Section 6 - Past Practices

It is agreed and understood that any prior working conditions and practices and understandings which are not specifically covered by the Agreement or in conflict with it shall not be changed unless mutually agreed to by the parties.