

MEMORANDUM

TO: County Council

FROM: Robert H. Drummer, Senior Legislative Attorney 

SUBJECT: **Introduction:** Expedited Bill 30-10, Personnel – Equal Benefits – Fire and Rescue Employees

Expedited Bill 30-10, Personnel – Equal Benefits – Fire and Rescue Employees, sponsored by the Council President at the request of the County Executive, is scheduled to be introduced on May 4, 2010. A public hearing is tentatively scheduled for June 15 at 1:30 p.m.

The County has a longstanding policy, in law and practice, against employment discrimination based on sexual orientation. Bill 28-99, effective March 1, 2000, extended equal benefits to a same sex domestic partner of a County employee that is offered to an employee's spouse. As a result of collective bargaining in 2001, the Executive agreed with the union representing police officers, the Fraternal Order of Police, Lodge 35 (FOP), to extend equal benefits for an opposite sex domestic partner of a police officer. This collective bargaining agreement was approved by the Council and enacted into law.

The Executive agreed to a similar provision with the union representing fire and rescue employees, the Montgomery County Career Fire Fighters Association, International Association of Fire Fighters, Local 1664 (IAFF) in 2002. However, this agreement was never approved by the Council and enacted into law. The Office of Human Resources has been following the collective bargaining agreement with the IAFF since 2002. There are currently 49 members of the fire and rescue bargaining unit who are receiving benefits for a domestic partner of the opposite sex and 7 members who are receiving benefits for a same sex domestic partner.

Bill 30-10 would amend the law to implement the 2002 collective bargaining agreement with the IAFF by providing health and insurance benefits to opposite sex domestic partners of employees in the fire and rescue services bargaining unit.

This packet contains:	<u>Circle #</u>
Expedited Bill 30-10	1
Legislative Request Report	3
Memo from County Executive	4

Expedited Bill No. 30 -10
Concerning: Personnel – Equal Benefits
– Fire and Rescue Employees
Revised: April 12, 2010 Draft No. 1
Introduced: May 4, 2010
Expires: November 4, 2011
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN EXPEDITED ACT to:

- (1) provide benefits to an opposite sex domestic partner of a member of the fire and rescue bargaining unit; and
- (2) generally amend the law regarding benefits for domestic partners.

By amending

Montgomery County Code
Chapter 33, Personnel and Human Resources
Sections 33-22

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

LEGISLATIVE REQUEST REPORT

Expedited Bill 30-10
Personnel – Equal Benefits – Fire and Rescue Employees

DESCRIPTION: The legislation provides health and insurance benefits to opposite sex domestic partners for members of the fire and rescue services bargaining unit.

PROBLEM: The collective bargaining agreement between the County and the Montgomery County Career Fire Fighters Association, International Association of Fire Fighters, Local 1664, AFL-CIO, that became effective July 1, 2002, provides that all health and insurance benefits shall be extended to opposite-sex domestic partners of employees covered under the agreement. While reviewing Council Bill 37-09, which relates to providing benefits to same sex domestic partners of employees of County contractors, it came to light that the County had never amended Sec. 33-22(c)(1)(a) of the County Code to add opposite sex domestic partnerships for members of the fire bargaining unit.

GOALS AND OBJECTIVES: To correct an oversight that occurred in 2002.

COORDINATION: Office of Human Resources and Finance

FISCAL IMPACT: Office of Management and Budget

ECONOMIC IMPACT: Office of Management and Budget

EVALUATION: N/A

EXPERIENCE ELSEWHERE: N/A

SOURCE OF INFORMATION: Stuart Weisberg, Office of Human Resources (240-777-5154)

APPLICATION WITHIN MUNICIPALITIES: N/A

PENALTIES: N/A



OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

2010 APR -9 AM 9:44

RECEIVED
MONTGOMERY COUNTY
COUNCIL

TO: Nancy Floreen, President
Montgomery County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Expedited Bill to Provide Benefits for Opposite Sex Domestic Partners

I am attaching for Council introduction an Expedited Bill to provide health and insurance benefits to opposite sex domestic partners of employees in the fire and rescue services bargaining unit.

This bill corrects an oversight that occurred in 2002. The collective bargaining agreement between the County and the Montgomery County Career Fire Fighters Association, International Association of Fire Fighters, Local 1664, AFL-CIO, that became effective July 1, 2002, provides that all health and insurance benefits shall be extended to opposite-sex domestic partners of employees covered under the agreement. While reviewing Council Bill 37-09, which relates to providing benefits to domestic partners of County contractors, it came to light that the County had never amended Sec. 33-22(c)(1)(a) of the County Code to add opposite sex domestic partnerships for members of the fire bargaining unit.

Attachments

IL: sw