



July 2012
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Labor & Employee Relations Management Guidance Bulletin

Topic: LMRC

Background

Labor Management Relations Committees (LMRCs) are joint committees that offer the parties the opportunity to guide the labor-management relationship in a positive direction, to facilitate communication between the parties, and to address issues and concerns in a proactive fashion. LMRCs manage the labor-management relationship during those periods between contract negotiations periods. An effective LMRC can be an investment that can help avoid the expenditure of much greater resources in conflict, miscommunication and litigation.

The MCGEO-Montgomery County collective bargaining agreement (CBA) requires that there be a County-wide LMRC and LMRCs at the department level. The existence of division-level LMRCs satisfies the requirement for a department LMRC.

Department LMRC Structure and Operation

The CBA provides that each party shall designate three representatives to the LMRC and is allowed up to an additional three persons as necessary, from time to time. These additional persons may be observers, subject matter experts present to address particular agenda items, OHR representatives there to assist or facilitate the meeting, or other appropriate persons. Departments should designate representatives to the LMRC who are familiar with the issues that normally arise, who have reasonable authority to address issues and who can contribute to a productive labor management relationship.

LMRCs may meet up to six times per contract year but must meet a minimum of twice per contract year. (The minimum requirement was added to the CBA for the 2012-2015 CBA. MCGEO and the County agreed that a functional and functioning LMRC is in everyone's interest and that at least an occasional meeting will contribute to a positive labor management relationship.)

Designated union representatives may attend LMRC meetings at no loss of pay in accordance with Article 36.6. Union representatives are expected to notify their supervisors as far in advance of the meeting as possible. Supervisory approval is required although denial of attendance should be based only on compelling operational needs.

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LMRCs should collaboratively establish operating guidelines that address, among other issues, frequency, scheduling and cancellation of meetings, location of meetings, quorums, decision-making processes, facilitation of meetings, official minutes/notes, etc. Assistance is available for the LMRC to develop operating guidelines (see below).

Agendas and their development

The CBA requires that the Union and Management exchange proposed agenda items two weeks in advance of each meeting. Exchanging agenda items in advance of the meeting allows the parties to better prepare for the meeting and discussion and helps ensure a fruitful outcome. If neither party has identified any possible agenda items, the parties may mutually agree to cancel that meeting.

Appropriate and non-appropriate topics for LMRC agendas

The CBA specifically precludes LMRCs from negotiating matters affecting working conditions or discussing specific grievances. Nevertheless, if there is an issue or a matter, in general, that has become a subject of various grievances, the parties may discuss that issue and attempt to resolve the overriding issue.

The CBA identifies several areas that are appropriate for LMRC agendas, including, departmental issues, issues referred to the departmental LMRCs from the County-wide LMRC, issues referred to departmental LMRCs as a result of bargaining, and providing action items/reports to the County-wide LMRC.

The LMRC provides management with the opportunity to pro-actively communicate with the Union about possible policy or program changes, reorganizations, etc., to obtain the Union's feedback or support for management initiatives, and to discuss concerns or problems where the Union may be helpful.

Relationship between County-wide and Departmental LMRCs

The County-wide LMRC oversees all joint committees. Issues that are not resolved at the departmental LMRC may be referred to the County-wide LMRC by any party. The County-wide LMRC may also refer issues to departmental LMRCs for discussion and attempt at resolution. Managers/supervisors who are members of their department LMRC and want to refer an issue to the County-wide LMRC should contact their OHR Labor Team contact.

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Ensuring an effective LMRC

LMRCs are most effective and productive when they are highly collaborative. The parties should address any issues in a collaborative way with an intent to resolve the issue, if possible, without sacrificing their basic rights. In addition, no agreements should be made that in any way conflict with the CBA, personnel regulations, or statute.

It is important that LMRC members understand the role of the LMRC as well as the roles and responsibilities of LMRC members. To help ensure that, the 2012-2015 CBA provides LMRC effectiveness training for all LMRCs. The County and the Union will follow up with departmental LMRCs regarding this training. (The Federal Mediation and Conciliation Service (FMCS), a federal government agency, provides free training to LMRCs. OHR Labor Team Specialists are available, as well, to work with department LMRCs.)

(Management Guidance Bulletins represent OHR's interpretation of collective bargaining agreement language. They do not necessarily represent labor-management agreement and are intended to provide guidance to those who administer the contracts.)