

Bill No. 10-00
Concerning: Collective Bargaining -
Police - Sergeants
Revised: 6-6-00 Draft No. 6
Introduced: March 14, 2000
Enacted: June 6, 2000
Executive: June 19, 2000
Effective: September 18, 2000
Sunset Date: None
Ch. 16, Laws of Mont. Co. 2000

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmembers Berlage, Andrews, Leggett, Silverman, and Ewing

AN ACT to:

- (1) bring police sergeants within the scope of collective bargaining;
- [[(2) divide the police collective bargaining unit into two bargaining units;]] [[and]]
- [[(3) limit the scope of collective bargaining for members of the police sergeants bargaining unit;]] and
- [[(4)]] (2) generally amend the law regarding collective bargaining with County police officers.

By amending

Montgomery County Code
Chapter 33, Personnel and Human Resource
Sections 33-76, [[and]] 33-78, and 33-80

[[By adding

Chapter 33, Personnel and Human Resource
Section 33-78A]]

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:

21 (b) The employer [shall have the duty to] must extend to the certified
 22 representative the exclusive right to represent the employees [[in that
 23 bargaining unit]] for the purposes of collective bargaining, including the
 24 orderly processing and settlement of grievances as agreed by the parties.

25 (c) A certified representative [shall] must serve as the bargaining agent for
 26 all employees [[in the unit for which it is certified]] and [shall have the
 27 duty to] must represent fairly and without discrimination all employees
 28 [[in that unit]] without regard to whether the employees are [or are not]
 29 members of the employee organization, [or are paying] pay dues or
 30 other contributions to it, or [participating] participate in its affairs. [;
 31 provided, however, that it shall not be deemed] However, it is not a
 32 violation of this duty for a certified representative to seek enforcement
 33 of an agency shop provision in a valid collective bargaining agreement.

34 * * *

35 **[[33-78A. Bargaining units.]]**

36 [[For purposes of certification and collective bargaining, employees subject to
 37 this Article must be divided into 2 bargaining units, composed of the following
 38 employees:

- 39 (1) sergeants;
 40 (2) all other covered employees.]]

41 **33-80. Collective Bargaining.**

42 (a) **Duty to bargain; matters subject to bargaining.** [[Upon certification
43 of an]] A certified employee organization[[, as provided in section 33-
44 79,]] and the employer [[and the said certified representative shall have
45 the duty, through their designees, to]] must bargain collectively [[with
46 respect to those]] on the following subjects [[as follows]]:

47 * * *

48 (7) The effect on employees of the employer's exercise of rights
49 [[enumerated]] listed in subsection (b) [[hereof]][, but this
50 paragraph does not apply to the bargaining unit composed of
51 sergeants]].

52 * * *

53 *Approved:*

54 /S/ 6/7/00

Michael L. Subin, President, County Council Date

55 *Approved:*

56 /S/ 6/19/00

Douglas M. Duncan, County Executive Date

57 *This is a correct copy of Council action.*

58 /S/ 6/19/00

Mary A. Edgar, CMC, Clerk of the Council Date