

Expedited Bill No. 11-05  
Concerning: Collective Bargaining –  
[[Corrections]] Correction Department -  
Sergeants  
Revised: 5-6-05 Draft No. 2  
Introduced: April 26, 2005  
Enacted: June 28, 2005  
Executive: July 10, 2005  
Effective: July 10, 2005  
Sunset Date: None  
Ch. 8, Laws of Mont. Co. 2005

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the Request of the County Executive

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**AN EXPEDITED ACT** to:

- (1) include uniformed Sergeants in the Department of ~~[[Corrections]]~~ Correction and Rehabilitation in the Office, Professional, and Technical bargaining unit; and
- (2) generally amend the law regarding County employees collective bargaining.

By amending

Montgomery County Code  
Chapter 33, Personnel and Human Resources  
Section 33-102

<b>Boldface</b>	<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:*

1           **Sec. 1. Section 33-102 is amended as follows:**

2   **33-102.     Definitions.**

3           The following terms have the meaning indicated when used in this Article:

4                                   \*     \*     \*

5           (4)   *Employee* means any person who works for the County  
6                                   government, except:

7                                   \*     \*     \*

8           (L)   a uniformed officer in the Department of ~~[[Corrections]]~~  
9                                   Correction and Rehabilitation at the rank of [sergeant]  
10                                  Lieutenant or higher;

11                                  \*     \*     \*

12           (O)   a supervisor, [meaning an employee who has the  
13                                  authority to:

14                                  (i)   hire, assign, transfer, lay off, recall, promote,  
15                                                evaluate, reward, discipline, suspend, or discharge  
16                                                employees, or effectively recommend any of these  
17                                                actions;

18                                  (ii)  direct the activity of 3 or more employees; or

19                                  (iii) adjust or recommend adjustment of grievances]  
20                                                other than a Sergeant in the Department of  
21                                                ~~[[Corrections]]~~ Correction and Rehabilitation;

22                                  \*     \*     \*

23           (10) Supervisor means an employee who has the authority to:

24                                  (A)  hire, assign, transfer, lay off, recall, promote, evaluate,  
25                                                reward, discipline, suspend, or discharge another

26 employee, or effectively recommend any of these  
27 actions;

28 (B) direct the activity of 3 or more employees; or

29 (C) adjust or recommend adjustment of any grievance.

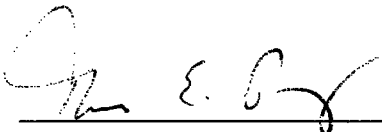
30 [(10)] (11) *Unit* means either of the units defined in Section 33-105.

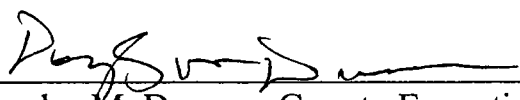
31 [(11) When either the female or the male pronoun appears herein, it is  
32 to be read to include both genders.]

33 **Sec. 2. Expedited Effective Date.**

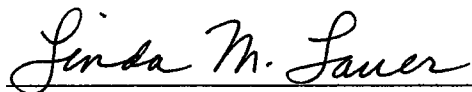
34 The Council declares that this legislation is necessary for the immediate  
35 protection of the public interest. This Act takes effect on the date on which it  
36 becomes law.

37 *Approved:*

38  6/30/05  
Thomas E. Perez, President, County Council Date

39  7/12/05  
Douglas M. Duncan, County Executive Date

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

41  7/11/05  
Linda M. Lauer, Clerk of the Council Date