

Resolution No.: 17-119
Introduced: May 3, 2011
Adopted: May 9, 2011

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Government Operations and Fiscal Policy Committee

SUBJECT: Collective Bargaining Agreement with Fraternal Order of Police

Background

1. Section 510 of the County Charter requires the County Council to provide by law for collective bargaining with binding arbitration with an authorized representative of the County police officers.
2. Chapter 33, Article V of the County Code implements Section 510 of the Charter and provides for collective bargaining with representatives of certain police officers and for review of the resulting agreement by the County Council.
3. On April 1, 2011, the County Executive submitted to the Council a “reopener” agreement between the County government and Fraternal Order of Police to amend the existing collective bargaining agreement between the parties effective July 1, 2011 through June 30, 2012. The Agreement is the result of an arbitration award in favor of the union. A copy of the Agreement is attached to this Resolution.
4. The County Executive outlined the terms and conditions of the collective bargaining agreement that require or may require an appropriation of funds or changes in any County law or regulation.
5. The Government Operations and Fiscal Policy Committee considered the agreement at a worksessions on April 25, 2011 and May 5, 2011. The Committee recommended action on each provision subject to Council review on May 5.
6. The County Council has considered these terms and conditions and is required by law to indicate on or before May 15 its intention regarding the appropriation of funds or any legislation or regulations required to implement the agreement.

Action

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

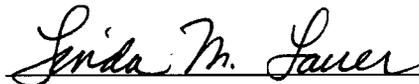
The County Council intends to reject full funding and disapprove the following contract provisions:

1. 3.5% service and longevity increments for bargaining unit members.
2. Retirement benefits for bargaining unit members.
3. Health, dental, vision, and prescription drug benefits for bargaining unit members.
4. Life and long-term disability insurance benefits for bargaining unit members.

The Council intends to approve the following provisions:

1. Tuition assistance up to \$135,000.
2. No general wage adjustment for FY12.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

**MEMORANDUM OF AGREEMENT
BETWEEN
THE MONTGOMERY COUNTY GOVERNMENT
AND THE**

FRATERNAL ORDER OF POLICE MONTGOMERY COUNTY LODGE No. 35, INC.

The Montgomery County Government (Employer) and the Fraternal Order of Police, Lodge 35 (Union), agree that their collective bargaining agreement effective July 1, 2010, through June 30, 2011, is extended through June 30, 2012, and is subject to the amendments shown on the following pages.

Please use the key below when reading this agreement:

Underlining
[Single boldface brackets]
* * *

Added to existing agreement.
Deleted from existing agreement.
Existing language unchanged by parties.

* * *

Article 5 Tech Pay

* * *

Section C. Multilingual Pay Differential.

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- 6. For FY12, at the County's option, no new officers will be tested for entry in to the Multilingual program.

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Article 28 Service Increments

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Section I. FY12 Increment and Longevity Step Increases. For FY12 only, qualified unit members shall continue to defer one (1) 3.5% step. Qualified unit members shall receive one (1) 3.5% step on their service increment date. Increment and Longevity steps will not be paid if not funded by the County Council.

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Article 31 Reopener

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Section F. Reopener Matters.

Second Year. Reopen for bargaining in the first year of the agreement for 2nd year of the contract on or before November 1, 2010 with timetable and impasse procedures set forth in PLRA, Section 33-81 on the following subjects:

1. Cash Compensation for FY 12
2. Whether a third year with a reopener on cash compensation will be added.

[If the parties have no reached agreement by January 20, 2011, an impasse shall be deemed to exist, and the impasse procedure provided in PLRA Section 33-81 shall be implemented.]

* * *

Article 36 Wages

Section A. Wages. Effective July 1, 2007, the salary schedule shall be increased by adding \$3,151 at Step 0, Year 1 with increments and promotions for all other steps and pay grades calculated from the new Step 0, Year 1 basis. Increments and longevity shall continue to be calculated as required by Article 28. The percentage increases upon promotion shall continue (up to the maximum for each rank) to be: 5% between PO I and PO II; 5% PO II and PO III; 5% between PO III and MPO; 10% between MPO and Sergeant; and, subject to Section D, *infra*, 5% between POC and POI. (Appendix T).

The four and one-quarter (4.25) percent wage increase scheduled to take effect in the first full pay period following July 1, 2009 shall be postponed, and shall not be effective during fiscal year 2010 [and], 2011, and 2012.

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Article 47 Duration of Contract

This agreement shall become effective on July 1, 2010, and terminate on June 30, 2012, [, unless extended to June 30, 2013 pursuant to Article 31 *Reopener*]

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