

Resolution No.:	<u>20-127</u>
Introduced:	<u>April 25, 2023</u>
Adopted:	<u>April 25, 2023</u>

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: Government Operations and Fiscal Policy Committee

SUBJECT: Collective Bargaining Agreement with Fraternal Order of Police – Fiscal Year 2024

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 3, 2023, the County Executive submitted to the Council the collective bargaining agreement (the “Agreement”) between the County government and the Fraternal Order of Police, Montgomery County Lodge 35, Inc. (“FOP”), for the term July 1, 2023 through June 30, 2025.
4. The County Executive outlined the terms and conditions of the Agreement that require or may require an appropriation of funds or changes in any County law or regulation in FY24.
5. The County Council is required by law to indicate on or before May 1, 2023 its intention regarding the appropriation of funds or any legislation or regulations required to implement the Agreement or to extend the time to do so.

Action

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

- A. For FY2024, the County Council intends to **approve** the following provisions of the Agreement, for which the Executive has identified fiscal impacts in FY2024:
1. *Administrative Leave - Bereavement.* The Agreement increases from 3 workdays to 40 hours the amount of administrative leave an eligible employee would receive in the event of the death of an immediate family member. The anticipated fiscal impact of this provision for FY2024 is indeterminate.
 2. *Administrative Leave – Pending Investigation or Removal.* The Agreement would entitle an eligible employee to administrative leave when the employee is relieved of police powers pending an investigation or removal. Under the prior collective bargaining agreement, the employee would receive administrative leave only if the employee was relieved of police powers in excess of 90 days pending investigation or removal. The fiscal impact of this provision is indeterminate.
 3. *Temporary Duty Pay.* The Agreement would provide that an individual temporarily assigned to a higher classified job for more than one week is entitled to higher pay. This is a change from the current agreement, which provides that the individual would need to work at the higher classification for more than two weeks to qualify for the higher pay. The fiscal impact of this change is indeterminate.
 4. *Uniforms.* The Agreement would require the issuance of polo shirts, long sleeve uniform shirts, and high-visibility jackets to eligible employees. The anticipated fiscal impact for FY2024 is \$675,151.
 5. *Personal Patrol Vehicles.* The Agreement would expand the use of personal patrol vehicles (“PPVs”) to within 10 miles of the County’s border. The prior collective bargaining agreement provided for the use of PPVs to within 5 miles of the County’s border. The anticipated fiscal impact of this provision for FY2024 is \$944,362.
 6. *Centralized Traffic Vehicles.* The Agreement would require the issuance of certain “ghost graphic” centralized traffic vehicles. The FY2024 fiscal impact of these vehicles would be \$116,800.
 7. *General Wage Adjustments.* The Agreement would require a 4% general wage adjustment (“GWA”) in July 2023; and a 3% GWA in January 2024. The anticipated FY2024 fiscal impact of these wage adjustments is \$6,696,703.

8. *Lump Sum Payments.* Under the Agreement, each eligible employee would receive a lump sum payment of \$1,500 for the first full pay period following January 1, 2024. The anticipated fiscal impact for FY2024 is \$1,634,874.
 9. *Signing Bonuses.* The Agreement also would allow for \$20,000 signing bonuses for certain new recruits and lateral candidates. The anticipated fiscal impact of the signing bonuses for FY2024 is \$408,000.
 10. *Shift Differentials.* The Agreement would increase from \$1.42 to \$2.00 the shift differential that applies to work shifts starting on or after 12:00 p.m. and before 7:59 p.m.; and would increase from \$1.87 to \$4.25 the shift differential that applies to work shifts starting on or after 8:00 p.m. and before 5:59 a.m. The anticipated fiscal impact of the increases to shift differentials is \$1,309,791 in FY2024.
 11. *Multilingual Pay.* The Agreement would require multilingual pay at \$1.00 per hour for recertified multilingual employees. The FY2024 fiscal impact of the multilingual pay would be \$205,633.
 12. *Service Increments.* The Agreement requires 3.5% service increments for eligible members. The anticipated FY2024 fiscal impact of the increments is \$953,829.
 13. *Longevity adjustments.* The Agreement requires a 3.5% longevity step increase for eligible members. The anticipated fiscal impact of these adjustments for FY2024 is \$85,046.
- B. Contingent upon the enactment of Council Bill 19-23, the Council intends to **approve** FY2024 funding for alterations to retirement eligibility and benefits for Group F under Article 57, Section Y of the Agreement, including:
1. making any Group F member who has reached normal retirement age to participate in the DRSP/DROP; and
 2. effective January 1, 2025, increasing the multiplier to 2.6 of average final earnings up to 25 years and to 2.4 of average final earnings from 25 years to 34 years.
- The anticipated fiscal impact of these alterations for FY2024 is \$1,220,578.
- C. For FY2024, the County Council intends to **approve** any provision of the Agreement:
1. that the Council approved for a prior fiscal year; and
 2. for which the Executive has not identified an increased fiscal impact for FY2024 over FY2023.

This is a correct copy of Council action.



Judy Rupp, Clerk of the Council