

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

Underlining

[Single boldface brackets]

Double underlining

[[Double boldface brackets]]

* * *

Heading or defined term.

Added to existing law by original bill.

Deleted from existing law by original bill.

Added by amendment.

Deleted from existing law or the bill by amendment.

Existing law unaffected by bill.

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 naragraph does not anply to the hargaining unit composed of
51 sergeants]].

52 * * *

53 *Approved:*

54 
Michael L. Subin, President, County Council

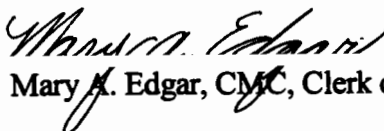
6/17/00
Date

55 *Approved:*

56 
Douglas M. Duncan, County Executive

June 19, 2000
Date

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

58 
Mary A. Edgar, CMC, Clerk of the Council

June 19, 2000
Date