

Article - Housing and Community Development

§16–401.

(a) In this subtitle the following words have the meanings indicated.

(b) (1) “Adversely affect” means:

(i) the elimination of more than two employee positions assigned to perform bargaining unit work if the positions are authorized, fully funded, and either vacant for less than 90 calendar days or occupied at the time the Montgomery Commission solicits a service contract;

(ii) a permanent and involuntary reduction below the number of hours for regular full–time employment for more than five employees currently assigned to a regular full–time work schedule to perform bargaining unit work when the Montgomery Commission solicits a service contract;

(iii) a permanent and involuntary reduction in the pay grade for more than five employees currently assigned to a regular full–time work schedule to perform bargaining unit work when the Montgomery Commission solicits a service contract; or

(iv) a permanent and involuntary reduction in the base pay or fringe benefits otherwise applicable to a job classification covering more than five employees currently assigned on a full–time basis to perform bargaining unit work when the Montgomery Commission solicits a service contract.

(2) “Adversely affect” does not include any action by the Montgomery Commission taken in accordance with:

(i) a bona fide disciplinary proceeding;

(ii) a collective bargaining agreement then applicable in accordance with § 16–312 of this title; or

(iii) a reallocation or reassignment to other bargaining unit work or other duties that does not result in a change in job classification or grade.

(c) “Bargaining unit work” means work duties assigned or allocated to any position occupied within the preceding 90 calendar days by an employee who is represented by a certified representative.

(d) “Certified representative” means an employee organization certified as the collective bargaining representative of Montgomery Commission employees in accordance with § 16–306 of this title.

(e) “Executive Director” means the Executive Director of the Montgomery Commission.

(f) “Service contract” means a procurement contract for services that will be provided to the Montgomery Commission.