

HOUSE BILL 15

D2

8lr0452

(PRE-FILED)

By: **Delegates Lisanti, Cassilly, and Reilly**

Requested: August 4, 2017

Introduced and read first time: January 10, 2018

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Harford County Sheriff – Deputy Sheriffs and Correctional Officers –**
3 **Organization and Negotiation**

4 FOR the purpose of providing that certain deputy sheriffs and correctional officers in the
5 Office of the Sheriff of Harford County have the right to organize and negotiate with
6 the Harford County Executive and Harford County Sheriff with regard to certain
7 wages and employee health care premium share; requiring the right to organize and
8 negotiate to be conducted in accordance with certain provisions of the Harford
9 County Code unless otherwise provided in this Act; requiring the terms of any
10 agreement with regard to certain wages and employee health care premium share to
11 be set forth in a memorandum of agreement entered into between the Sheriff, the
12 County Executive, and the employee organization; providing that an agreement with
13 regard to certain wages and employee health care premium share is not effective
14 until the agreement is ratified by the Sheriff, the County Executive, and the
15 employee organization; providing that a modification to an existing memorandum of
16 agreement is not valid except under certain circumstances; requiring certain
17 procedures set forth in the Harford County Code to apply if certain parties are unable
18 to reach a certain agreement; providing for the construction of this Act; and generally
19 relating to the salaries and negotiation rights of sworn law enforcement officers and
20 correctional officers of the Harford County Sheriff's Office.

21 BY adding to
22 Article – Courts and Judicial Proceedings
23 Section 2–309(n)(9) and (10)
24 Annotated Code of Maryland
25 (2013 Replacement Volume and 2017 Supplement)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
27 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Courts and Judicial Proceedings

2–309.

(n) **(9) (I) THIS PARAGRAPH APPLIES ONLY TO ALL FULL-TIME DEPUTY SHERIFFS IN THE OFFICE OF THE SHERIFF OF HARFORD COUNTY AT THE RANK OF CAPTAIN AND BELOW.**

(II) SWORN LAW ENFORCEMENT OFFICERS SUBJECT TO THIS PARAGRAPH SHALL HAVE THE RIGHT TO ORGANIZE AND NEGOTIATE WITH THE HARFORD COUNTY EXECUTIVE AND THE HARFORD COUNTY SHERIFF WITH REGARD TO WAGES AND EMPLOYEE HEALTH CARE PREMIUM SHARE NOT REGULATED BY THE SHERIFF.

(III) UNLESS OTHERWISE PROVIDED IN THIS PARAGRAPH, THE RIGHT TO ORGANIZE AND NEGOTIATE SHALL BE CONDUCTED IN ACCORDANCE WITH §§ 38–5 THROUGH 38–8 OF CHAPTER 38, ARTICLE I OF THE HARFORD COUNTY CODE.

(IV) THE TERMS OF ANY AGREEMENT WITH REGARD TO WAGES AND EMPLOYEE HEALTH CARE PREMIUM SHARE NOT REGULATED BY THE SHERIFF SHALL BE SET FORTH IN A MEMORANDUM OF AGREEMENT ENTERED INTO BETWEEN THE SHERIFF, THE COUNTY EXECUTIVE, AND THE EMPLOYEE ORGANIZATION.

(V) AN AGREEMENT WITH REGARD TO WAGES AND EMPLOYEE HEALTH CARE PREMIUM SHARE NOT REGULATED BY THE SHERIFF IS NOT EFFECTIVE UNTIL THE AGREEMENT IS RATIFIED BY:

- 1. THE SHERIFF;**
- 2. THE COUNTY EXECUTIVE; AND**
- 3. THE EMPLOYEE ORGANIZATION.**

(VI) A MODIFICATION TO AN EXISTING MEMORANDUM OF AGREEMENT IS NOT VALID UNLESS THE MODIFICATION IS IN WRITING AND RATIFIED BY:

- 1. THE SHERIFF;**
- 2. THE COUNTY EXECUTIVE; AND**
- 3. THE EMPLOYEE ORGANIZATION.**

1 (VII) IF THE SHERIFF, THE COUNTY EXECUTIVE, AND THE
2 EMPLOYEE ORGANIZATION ARE UNABLE TO REACH AN AGREEMENT BY THE DATES
3 SET IN CHAPTER 38, ARTICLE I OF THE HARFORD COUNTY CODE, THE
4 PROCEDURES SET FORTH IN § 38-8(B) OF THE HARFORD COUNTY CODE SHALL
5 APPLY, WITH THE COUNTY EXECUTIVE AND THE EMPLOYEE ORGANIZATION AS
6 PARTIES TO THE PROCEEDINGS DESCRIBED UNDER § 38-8(B) OF THE HARFORD
7 COUNTY CODE.

8 (10) (I) THIS PARAGRAPH APPLIES ONLY TO ALL FULL-TIME
9 CORRECTIONAL OFFICERS IN THE OFFICE OF THE SHERIFF OF HARFORD COUNTY
10 AT THE RANK OF CAPTAIN AND BELOW.

11 (II) CORRECTIONAL OFFICERS SUBJECT TO THIS PARAGRAPH
12 SHALL HAVE THE RIGHT TO ORGANIZE AND NEGOTIATE WITH THE HARFORD
13 COUNTY EXECUTIVE AND THE HARFORD COUNTY SHERIFF WITH REGARD TO
14 WAGES AND EMPLOYEE HEALTH CARE PREMIUM SHARE NOT REGULATED BY THE
15 SHERIFF.

16 (III) UNLESS OTHERWISE PROVIDED IN THIS PARAGRAPH, THE
17 RIGHT TO ORGANIZE AND NEGOTIATE SHALL BE CONDUCTED IN ACCORDANCE WITH
18 §§ 38-5 THROUGH 38-8 OF CHAPTER 38, ARTICLE I OF THE HARFORD COUNTY
19 CODE.

20 (IV) THE TERMS OF ANY AGREEMENT WITH REGARD TO WAGES
21 AND EMPLOYEE HEALTH CARE PREMIUM SHARE NOT REGULATED BY THE SHERIFF
22 SHALL BE SET IN A MEMORANDUM OF AGREEMENT ENTERED INTO BETWEEN THE
23 SHERIFF, THE COUNTY EXECUTIVE, AND THE EMPLOYEE ORGANIZATION.

24 (V) AN AGREEMENT WITH REGARD TO WAGES AND EMPLOYEE
25 HEALTH CARE PREMIUM SHARE NOT REGULATED BY THE SHERIFF IS NOT
26 EFFECTIVE UNTIL THE AGREEMENT IS RATIFIED BY:

- 27 1. THE SHERIFF;
- 28 2. THE COUNTY EXECUTIVE; AND
- 29 3. THE EMPLOYEE ORGANIZATION.

30 (VI) A MODIFICATION TO AN EXISTING MEMORANDUM OF
31 AGREEMENT IS NOT VALID UNLESS THE MODIFICATION IS IN WRITING AND RATIFIED
32 BY:

- 33 1. THE SHERIFF;

1 **2. THE COUNTY EXECUTIVE; AND**

2 **3. THE EMPLOYEE ORGANIZATION.**

3 **(VII) IF THE SHERIFF, THE COUNTY EXECUTIVE, AND THE**
4 **EMPLOYEE ORGANIZATION ARE UNABLE TO REACH AN AGREEMENT BY THE DATES**
5 **SET IN CHAPTER 38, ARTICLE I OF THE HARFORD COUNTY CODE, THE**
6 **PROCEDURES SET FORTH IN § 38-8(B) OF THE HARFORD COUNTY CODE SHALL**
7 **APPLY, WITH THE COUNTY EXECUTIVE AND THE EMPLOYEE ORGANIZATION AS**
8 **PARTIES TO THE PROCEEDINGS DESCRIBED UNDER § 38-8(B) OF THE HARFORD**
9 **COUNTY CODE.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That the application of the
11 procedures specified in §§ 38-5 through 38-8 of Chapter 38, Article I of the Harford County
12 Code during the negotiations authorized under Section 1 of this Act may not be construed
13 to create an employer-employee relationship between Harford County and the deputy
14 sheriffs and correctional officers.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2018.