

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1724
Appropriations

(Delegate Malone, *et al.*)

Finance

Baltimore County - Sheriff's Office - Collective Bargaining

This bill authorizes all full-time Baltimore County deputy sheriffs at or below the rank of lieutenant to collectively bargain with the Baltimore County Administration or its designee for wages and benefits. Any additional funding required as a result of a negotiated collective bargaining agreement is subject to approval by the county council. The bill does not authorize the Baltimore County deputy sheriffs to engage in a strike.

The bill takes effect July 1, 2006.

Fiscal Summary

State Effect: None.

Local Effect: Any increase in personnel expenditures for Baltimore County resulting from authorizing the Baltimore County deputy sheriffs to collectively bargain with the Baltimore County Administration or its designee for wages and benefits cannot be reliably quantified at this time. Revenues would not be affected.

Small Business Effect: None.

Analysis

Bill Summary: The bill authorizes full-time Baltimore County deputy sheriffs at or below the rank of lieutenant to: (1) take part in or refrain from taking part in forming, joining, or participating in a labor organization; (2) select a labor organization as their exclusive representation unit; (3) engage in collective bargaining with the county administration or its designee concerning wages and benefits not regulated by the sheriff

through their exclusive representation unit; (4) enter into a collective bargaining agreement, with the provision that any additional funding required as a result of this agreement be subject to the approval of the county council; and (5) decertify a labor organization as their exclusive representation unit.

A labor organization is deemed to be the exclusive representation unit if at least 51% of the deputy sheriffs at or below the rank of lieutenant sign a petition indicating their desire to have the labor organization be their exclusive representation unit. The petition must be submitted to the administration. If, after 10 days from the date the petition is submitted to the administration the administration does not challenge the validity of the petition, the labor organization will be deemed certified as the exclusive representation unit. If the administration challenges the validity of the petition, the American Arbitration Association will be asked to appoint a third party to conduct an election and certify the exclusive representation unit by a majority of votes cast. The arbitration costs will be shared equally by the parties involved.

After the certification of an exclusive representation unit, the parties must meet at reasonable times and engage in collective bargaining in good faith. Every reasonable effort must be made to conclude negotiations in a timely manner to allow for inclusion by the sheriff of matters agreed on in its budget request to the county council. A collective bargaining agreement must contain all matters of agreement reached in the collective bargaining process, and it may contain grievance procedures providing for nonbinding arbitration of grievances. The agreement must be signed by the designated representative of the parties involved. The agreement, however, is not effective until ratified by a majority of votes cast by the deputy sheriffs in the bargaining unit and the Baltimore County Administration.

Current Law: Statute does not specifically authorize the Baltimore County deputy sheriffs at or below the rank of lieutenant to collectively bargain for wages and benefits with the Baltimore County Administration.

Background: The Baltimore County Administration currently performs all negotiations with recognized labor groups within the county. According to Baltimore County, the deputies in the sheriff's office are currently organized as the Fraternal Order of Police Lodge 25. This bargaining unit includes schedule I uniformed employees of the sheriff's office from the rank of deputy sheriff up to and including the rank of lieutenant. No agreement was reached between the union and the county administration last year.

As of January 23, 2006, there were 71 Baltimore County deputy sheriffs. **Exhibit 1** shows the number of deputies in the Baltimore County Sheriff's Office by rank.

Exhibit 1
Composition of Baltimore County Sheriff's Office

<u>Rank</u>	<u>Number</u>
Chief Deputy	1
Deputy - Captain	1
Deputy - Lieutenant	2
Deputy - Sergeant	6
Deputy	61
Total	71

Source: Baltimore County Sheriff's Office (January 23, 2006)

Local Fiscal Effect: Baltimore County advises that it would not likely need to hire a labor relations specialist to conduct collective bargaining negotiations with the deputy sheriffs.

Any fiscal effect resulting from the deputy sheriffs collectively bargaining for wages and benefits would depend on the items included in the memorandum of understanding between the parties, and whether funding for these items are approved by the county council.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore County, Department of Legislative Services

Fiscal Note History: First Reader - March 17, 2006
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