

Chapter 602

(Senate Bill 731)

AN ACT concerning

Cecil County – Emergency Medical Services – Collective Bargaining

FOR the purpose of authorizing the representatives of certain employees in the Division of Emergency Medical Services to bargain collectively with the Cecil County Commissioners on certain issues; authorizing the County Commissioners to recognize or withdraw recognition of a certain representative under certain circumstances; providing for the subject of, the time frame of, the rules of conduct for, and the process and remedies for violations of the collective bargaining agreement; requiring a certain memorandum between the County Commissioners and a certain representative; authorizing the County Commissioners to also have a certain representative; establishing certain actions not authorized by this Act; defining certain terms; and generally relating to collective bargaining of emergency medical services employees in Cecil County.

BY adding to

The Public Local Laws of Cecil County

Section 15–13

Article 8 – Public Local Laws of Maryland

(1989 Edition and July 2009 Supplement, as amended)

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

Article 8 – Cecil County

15–13.

A. (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (A) “COLLECTIVE BARGAINING” MEANS TO MEET IN GOOD FAITH AT REASONABLE TIMES TO ATTEMPT TO NEGOTIATE AN AGREEMENT CONCERNING SUBJECTS OF BARGAINING AUTHORIZED BY LAW.

(B) “COLLECTIVE BARGAINING” DOES NOT INCLUDE A MEETING IN WHICH ONLY REPRESENTATIVES OF THE BOARD OF COUNTY

COMMISSIONERS ARE IN ATTENDANCE OR A MEETING IN WHICH ONLY REPRESENTATIVES OF THE EXCLUSIVE REPRESENTATIVE ARE IN ATTENDANCE.

(3) “EMPLOYEE” MEANS A REGULAR, NONEXEMPT, UNIFORMED EMPLOYEE WITHIN THE CECIL COUNTY DIVISION OF EMERGENCY MEDICAL SERVICES AT THE RANK OF CAPTAIN OR BELOW.

(4) “EMPLOYEE ORGANIZATION” MEANS AN ORGANIZATION OF EMPLOYEES THAT, AS ONE OF ITS PRIMARY PURPOSES, REPRESENTS EMPLOYEES IN COLLECTIVE BARGAINING WITH THE EMPLOYER.

(5) “EXCLUSIVE REPRESENTATIVE” MEANS THE EMPLOYEE ORGANIZATION THAT HAS BEEN CERTIFIED THROUGH AN ELECTION BY ELIGIBLE EMPLOYEES OR OTHERWISE RECOGNIZED BY THE BOARD OF COUNTY COMMISSIONERS TO REPRESENT AND NEGOTIATE FOR THOSE EMPLOYEES WITH THE BOARD OF COUNTY COMMISSIONERS TERMS AND CONDITIONS OF EMPLOYMENT.

B. THE BOARD OF COUNTY COMMISSIONERS MAY ENACT AN ORDINANCE TO:

(1) AUTHORIZE RECOGNITION OF AN EXCLUSIVE REPRESENTATIVE BY ELECTION OR VOLUNTARY RECOGNITION THROUGH A CHECK OF AUTHORIZATION CARDS AT THE BOARD’S OPTION AND PROVIDE A PROCESS FOR SUCH AUTHORIZATION;

(2) AUTHORIZE WITHDRAWAL OF RECOGNITION OF AN EXCLUSIVE REPRESENTATIVE BASED ON CIRCUMSTANCES SPECIFIED IN THE ORDINANCE AND PROVIDE A PROCESS FOR THE WITHDRAWAL;

(3) ALLOW COLLECTIVE BARGAINING BETWEEN THE BOARD OF COUNTY COMMISSIONERS AND THE EXCLUSIVE REPRESENTATIVE OF ITS EMPLOYEES CONCERNING TERMS AND CONDITIONS OF EMPLOYMENT, AND A PROCESS TO RESOLVE DISAGREEMENTS CONCERNING THE INTERPRETATION OF ANY AGREEMENT MADE BETWEEN THE EXCLUSIVE REPRESENTATIVE AND THE BOARD;

(4) SET FORTH THE SUBJECTS OF COLLECTIVE BARGAINING AND THE RIGHTS RESERVED BY THE BOARD FROM THOSE SUBJECTS;

(5) SET FORTH THE TIME FRAMES OF THE COLLECTIVE BARGAINING PROCESS;

**(6) PROVIDE RULES OF CONDUCT FOR COLLECTIVE BARGAINING;
AND**

**(7) PROVIDE A PROCESS AND REMEDIES FOR VIOLATIONS OF
ESTABLISHED RULES.**

**C. ONCE AUTHORIZED BY AN ORDINANCE, COLLECTIVE BARGAINING
BETWEEN THE BOARD OF COUNTY COMMISSIONERS AND THE EXCLUSIVE
REPRESENTATIVE SHALL INCLUDE A MEMORANDUM OF UNDERSTANDING
CONCERNING THE AGREEMENTS MADE AS A RESULT OF BARGAINING.**

**D. SUBJECT TO AN ANNUAL EXERCISE OF AUTHORITY CONCERNING
FISCAL PROCEDURES IN STATE LAW OR COUNTY ORDINANCE, A MEMORANDUM
OF UNDERSTANDING BETWEEN THE BOARD OF COUNTY COMMISSIONERS AND
AN EXCLUSIVE REPRESENTATIVE SHALL BE BINDING ON THE BOARD AND THE
EXCLUSIVE REPRESENTATIVE.**

**E. THE BOARD OF COUNTY COMMISSIONERS MAY RETAIN OR
DESIGNATE INDIVIDUALS TO NEGOTIATE ON ITS BEHALF WITH THE EXCLUSIVE
REPRESENTATIVE.**

F. THIS SECTION DOES NOT:

**(1) AUTHORIZE OR OTHERWISE PERMIT AN EMPLOYEE TO
ENGAGE IN A STRIKE AS DEFINED IN § 3-303 OF THE STATE PERSONNEL AND
PENSIONS ARTICLE OF THE ANNOTATED CODE OF MARYLAND;**

**(2) AUTHORIZE OR OTHERWISE PERMIT THE COUNTY TO ENGAGE
IN A LOCKOUT AS DEFINED IN § 3-304 OF THE STATE PERSONNEL AND
PENSIONS ARTICLE OF THE ANNOTATED CODE OF MARYLAND;**

**(3) REQUIRE ANY METHOD, MEANS, OR SCOPE OF BARGAINING
BETWEEN THE BOARD OF COUNTY COMMISSIONERS AND AN EXCLUSIVE
REPRESENTATIVE;**

(4) AUTHORIZE BINDING INTEREST ARBITRATION; AND

**(5) AUTHORIZE THE COLLECTION OF MANDATORY MEMBERSHIP
FEES FROM NONMEMBERS OF THE EMPLOYEE ORGANIZATION.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
October 1, 2010.

Approved by the Governor, May 20, 2010.