

SENATE BILL 1099

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2lr3448
CF HB 1474

By: **Senator Edwards**

Constitutional Requirements Complied with for Introduction in the last 35 Days of
Session

Introduced and read first time: March 16, 2012

Rules suspended

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Allegany County – Sheriff's Office Employees – Labor Organizations**

3 FOR the purpose of authorizing deputies of the Sheriff's Office of Allegany County to
4 organize and bargain collectively with the Sheriff of Allegany County through a
5 certain labor organization; authorizing the officers and civilian employees of the
6 Sheriff's Office of Allegany County to organize and bargain collectively with the
7 Sheriff of Allegany County through a certain labor organization; requiring the
8 Sheriff to meet with certain labor organizations and engage in good faith
9 negotiations to reach separate written agreements with certain labor
10 organizations regarding certain matters; making certain conforming changes;
11 and generally relating to the Sheriff's Office of Allegany County.

12 BY repealing and reenacting, with amendments,
13 Article – Courts and Judicial Proceedings
14 Section 2–309(b)(7)
15 Annotated Code of Maryland
16 (2006 Replacement Volume and 2011 Supplement)

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

19 **Article – Courts and Judicial Proceedings**

20 2–309.

21 (b) (7) (i) This subsection does not apply to officers in the Sheriff's
22 Office at a rank of lieutenant or above.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) 1. [Deputies, officers, and civilian employees]
2 **DEPUTIES** of the Sheriff's Office, including the Allegany County jail, have the right to
3 organize and bargain collectively with the Sheriff concerning wages and benefits,
4 hours, working conditions, discipline procedures, and job security issues through a
5 labor organization selected by the majority of the [deputies, officers, and civilian
6 employees] **DEPUTIES**.

7 **2. OFFICERS AND CIVILIAN EMPLOYEES OF THE**
8 **SHERIFF'S OFFICE, INCLUDING THE ALLEGANY COUNTY JAIL, HAVE THE RIGHT**
9 **TO ORGANIZE AND BARGAIN COLLECTIVELY WITH THE SHERIFF CONCERNING**
10 **WAGES AND BENEFITS, HOURS, WORKING CONDITIONS, DISCIPLINE**
11 **PROCEDURES, AND JOB SECURITY ISSUES THROUGH A LABOR ORGANIZATION**
12 **SELECTED BY THE MAJORITY OF THE OFFICERS AND CIVILIAN EMPLOYEES.**

13 (iii) The Sheriff shall meet with the labor organization
14 **SELECTED BY THE DEPUTIES AND THE LABOR ORGANIZATION SELECTED BY THE**
15 **OFFICERS AND CIVILIAN EMPLOYEES** and engage in good faith negotiations to reach
16 a **SEPARATE** written agreement **WITH EACH LABOR ORGANIZATION** on **THE** wages
17 and benefits, hours, working conditions, discipline procedures, and job security issues
18 **OF THE EMPLOYEES REPRESENTED BY EACH LABOR ORGANIZATION.**

19 (iv) If [the] A labor organization and the Sheriff are unable to
20 reach an agreement during the collective bargaining process, either the labor
21 organization or the Sheriff may seek nonbinding mediation through the Federal
22 Mediation and Conciliation Service by giving at least 15 days notice to the other party
23 and to the Federal Mediation and Conciliation Service.

24 (v) 1. If the Sheriff and [the] A labor organization are
25 unable to agree to the interpretation or application of a written agreement entered
26 under this subsection, the Sheriff or the labor organization may demand arbitration
27 before a neutral labor arbitrator in accordance with this paragraph.

28 2. An arbitration initiated under this paragraph shall be
29 conducted before a single arbitrator.

30 3. The arbitrator shall be selected to hear the dispute
31 from a panel of seven arbitrators who are members of the National Academy of
32 Arbitrators. The panel shall be requested from the Federal Mediation and Conciliation
33 Service.

34 4. The parties shall select an arbitrator by alternative
35 strikes from the panel.

36 5. The arbitrator selected may schedule a hearing, issue
37 subpoenas to compel the testimony of witnesses and the production of documents,
38 administer oaths, and declare the record closed.

1 6. The written decision of the arbitrator shall be:

2 A. Final and binding on the Sheriff, employee, and the
3 labor organization to the extent the decision addresses wages and benefits; and

4 B. Nonbinding to the extent the decision addresses
5 hours, working conditions, discipline procedures, and job security issues.

6 7. The Sheriff and labor organization shall share equally
7 in the costs of the arbitration proceeding.

8 (vi) This subsection may not be construed to authorize an
9 employee of the Sheriff's Office or of the Allegany County jail to engage in a strike.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2012.