

HOUSE BILL 1224

P4

4lr2788

By: **Delegate DeBoy**

Introduced and read first time: February 7, 2014

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel – Collective Bargaining – Sworn Police Officers – Binding**
3 **Arbitration**

4 FOR the purpose of authorizing a designated representative of a system institution of
5 the University System of Maryland, Morgan State University, St. Mary's
6 College of Maryland, or Baltimore City Community College, or the exclusive
7 representative of sworn police officers employed by a system institution of the
8 University System of Maryland, Morgan State University, St. Mary's College of
9 Maryland, or Baltimore City Community College, to request that an arbitrator
10 be employed under certain circumstances; requiring the arbitrator to be
11 employed no later than a certain date; providing for the appointment of the
12 arbitrator; authorizing the arbitrator to give certain notice, hold certain
13 hearings, administer oaths, take testimony, and issue subpoenas; requiring the
14 arbitrator to make certain written findings before a certain date; requiring the
15 Secretary of Budget and Management to deliver the written final decision of the
16 arbitrator to certain persons on or before a certain date; providing that certain
17 final decisions are binding on certain parties; and generally relating to collective
18 bargaining and binding arbitration for sworn police officers employed by system
19 institutions, Morgan State University, St. Mary's College of Maryland, and
20 Baltimore City Community College.

21 BY adding to

22 Article – State Personnel and Pensions

23 Section 3–501(g)

24 Annotated Code of Maryland

25 (2009 Replacement Volume and 2013 Supplement)

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

28 **Article – State Personnel and Pensions**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 3-501.

2 (G) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
3 IF THE PARTIES DURING COLLECTIVE BARGAINING BETWEEN DESIGNATED
4 REPRESENTATIVES OF A SYSTEM INSTITUTION, MORGAN STATE UNIVERSITY,
5 ST. MARY'S COLLEGE OF MARYLAND, OR BALTIMORE CITY COMMUNITY
6 COLLEGE AND THE EXCLUSIVE REPRESENTATIVE OF SWORN POLICE OFFICERS
7 EMPLOYED BY A SYSTEM INSTITUTION, MORGAN STATE UNIVERSITY, ST.
8 MARY'S COLLEGE OF MARYLAND, OR BALTIMORE CITY COMMUNITY COLLEGE,
9 DO NOT CONCLUDE NEGOTIATIONS FOR THE NEXT FISCAL YEAR BEFORE
10 OCTOBER 1, EITHER PARTY MAY REQUEST THAT AN ARBITRATOR BE EMPLOYED
11 TO RESOLVE THE ISSUES.

12 (2) THE ARBITRATOR SHALL BE EMPLOYED NO LATER THAN
13 OCTOBER 15.

14 (3) THE ARBITRATOR SHALL BE A NEUTRAL PARTY APPOINTED
15 BY ALTERNATE STRIKING FROM A LIST BY THE PARTIES PROVIDED:

16 (I) BY THE FEDERAL MEDIATION AND CONCILIATION
17 SERVICE; OR

18 (II) UNDER THE LABOR ARBITRATION RULES OF THE
19 AMERICAN ARBITRATION ASSOCIATION.

20 (4) THE ARBITRATOR:

21 (I) MAY GIVE NOTICE AND HOLD HEARINGS IN
22 ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT;

23 (II) MAY ADMINISTER OATHS AND TAKE TESTIMONY AND
24 OTHER EVIDENCE;

25 (III) MAY ISSUE SUBPOENAS; AND

26 (IV) BEFORE DECEMBER 1, SHALL MAKE WRITTEN
27 FINDINGS, ACCEPTING OR DECLINING THE PARTIES' FINAL BEST OFFER
28 REGARDING WAGES, HOURS, AND WORKING CONDITIONS, AND ANY OTHER
29 TERMS AND CONDITIONS OF EMPLOYMENT THAT MAY BE IN DISPUTE.

30 (5) (I) ON OR BEFORE DECEMBER 15, THE SECRETARY SHALL
31 DELIVER THE WRITTEN FINAL DECISION OF THE ARBITRATOR TO THE
32 GOVERNOR, THE EXCLUSIVE REPRESENTATIVE, THE PRESIDENT OF THE

1 SENATE, THE SPEAKER OF THE HOUSE OF DELEGATES, AND THE PRESIDENT OF
2 A SYSTEM INSTITUTION OR THE GOVERNING BOARDS OF MORGAN STATE
3 UNIVERSITY, ST. MARY'S COLLEGE OF MARYLAND, OR BALTIMORE CITY
4 COMMUNITY COLLEGE.

5 (II) ALL FINAL DECISIONS OF THE ARBITRATOR UNDER
6 SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE BINDING ON THE EXCLUSIVE
7 REPRESENTATIVE AND THE PRESIDENT OF A SYSTEM INSTITUTION OR THE
8 GOVERNING BOARDS OF MORGAN STATE UNIVERSITY, ST. MARY'S COLLEGE OF
9 MARYLAND, AND BALTIMORE CITY COMMUNITY COLLEGE.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 July 1, 2014.