

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2010 Legislative Session

Bill No. CB-25-2010

Chapter No. 23

Proposed and Presented by The Chairman (by request – County Executive)

Introduced by Council Members Dernoga, Harrison and Turner

Co-Sponsors _____

Date of Introduction June 15, 2010

BILL

1 AN ACT concerning

2 Collective Bargaining Agreement – Prince George’s Correctional

3 Officers’ Association, Inc. (Correctional Officers)

4 For the purpose of amending the labor agreement by and between Prince George's County,

5 Maryland and Prince George’s Correctional Officers’ Association, Inc. (PGCOA) (Correctional
6 Officers).

7 BY repealing and reenacting with amendments:

8 SUBTITLE 16. PERSONNEL.

9 Section 16-233(f)(12),

10 The Prince George's County Code

11 (2007 Edition, 2009 Supplement).

12 WHEREAS, the labor agreement between the County and the PGCOA, covering July 1,
13 2007 through June 30, 2009, was adopted pursuant to CB-62-2008 (“Agreement”); and

14 WHEREAS, the Unfair Labor Practice Panel of the Prince George’s County Public
15 Employee Relations Board (the “Board”), on January 8, 2010, issued a decision (AAA No. 16
16 390 L 00696 08) finding that the County and PGCOA, in negotiating the terms of the
17 Agreement, had agreed to include a provision allowing appeals of a disciplinary action of the
18 Director to arbitration; and

19 WHEREAS, the Board, in rendering its decision, ordered the County to include in the
20 Agreement the agreed upon provisions on binding arbitration and to submit legislation
21 implementing that amendment to the County Council.

1 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 2 Maryland, that Section B.2 of Article 16 of the Agreement is amended, pursuant to the
 3 Board's decision (AAA No. 16 390 L 00696 08), to state in full that:

4 The disciplinary action of the Director may be appealed to arbitration in
 5 accordance with Step 3 of the Grievance Procedure, within seven (7) days after
 6 receipt of the Director's decision, including a decision rendered by the Director
 7 after a hearing board, if any, has been completed. In a termination case, if the
 8 matter does not proceed to arbitration, the employee may appeal to the Circuit
 9 Court for Prince George's County, Maryland pursuant to the Maryland Rules,
 10 Section 7-201 et seq. Any party aggrieved by the decision of the Circuit Court
 11 may appeal to the Court of Special Appeals.

12 SECTION 2. BE IT FURTHER ENACTED that Section 16-233 (f)(12) of the Prince
 13 George's County Code be and the same is hereby repealed and reenacted with the following
 14 amendments:

15 **SUBTITLE 16. PERSONNEL.**

16 **DIVISION 19. COLLECTIVE BARGAINING.**

17 Sec. 16-233. General.

18 (f) The following collective bargaining agreements are hereby adopted and approved:

19 (12) **Declaration of Approval - Prince George's Correctional Officers'**
 20 **Association, Inc. (PGCOA) (Correctional Officers).**

21 The County Council of Prince George's County, Maryland, having fully considered the
 22 labor agreement concluded between Prince George's County, Maryland and Prince George's
 23 Correctional Officers' Association, Inc., on September 2, 2008, as amended pursuant to
 24 CB-25-2010, hereby approves said agreement in accordance with the provisions of Section 13A-
 25 109 of the Prince George's County Code.

26 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
 27 calendar days after it becomes law and shall be retroactively effective to July 1, 2007.

Adopted this 13th day of July, 2010.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Thomas E. Dernoga
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Jack B. Johnson
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.