

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2000 Legislative Session

Bill No. CB-26-2000

Chapter No. _____

Proposed and Presented by Council Member Estep

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

BILL

1 AN ACT concerning

2 Personnel Law - Employee Advisory Council

3 For the purpose of providing collective representation to employees not represented by a labor
4 organization and providing an employee - management conference board to facilitate employee
5 relations with non - union County employees.

6 BY adding:

7 SUBTITLE 16. PERSONNEL.

8 Sections 16-234, 16-235, and 16-236,

9 The Prince George's County Code

10 (1999 Edition).

11 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
12 Maryland, that Sections 16-234, 16-235, and 16-236 of the Prince George's County Code be and
13 the same are hereby added:

14 SUBTITLE 16. PERSONNEL.

15 DIVISION 19. COLLECTIVE BARGAINING.

16 **Sec. 16-234. Employee Advisory Council.**

17 (a) The Employee Advisory Council is created and shall consist of representatives elected
18 by employees in Classified Service positions not governed by a collective bargaining agreement
19 negotiated and approved pursuant to the provisions of Subtitle 13A.

20 (b) Employees in Classified Service positions not represented by a labor organization
21 or not governed by a collective bargaining agreement negotiated and approved pursuant to the

1 provisions of Subtitle 13A may participate in discussions with management relating to pay,
 2 benefits, status, and working conditions through the Employee Advisory Council. It is the policy
 3 of the County that employees shall be provided the opportunity to participate, or decline to
 4 participate, in the functions and activities of the Employee Advisory Council, and that no
 5 employee shall be discriminated against in any way in the terms and conditions of employment
 6 or be the subject of any adverse action which is based in whole or in part upon the employee's
 7 participation in the functions and activities of the Employee Advisory Council.

8 (c) Each department, agency, office, or separate organizational unit within a department,
 9 agency or office with twenty-five (25) or more employees in Classified Service positions not
 10 represented by a labor organization shall elect one representative to the Employee Advisory
 11 Council for each twenty-five (25) employees. Any department, agency, office or separate
 12 organizational unit with less than twenty-five (25) employees shall be combined with one or
 13 more appropriate departments, agencies, offices, or separate organizational units by the
 14 Personnel Officer in a combined unit of less than fifty (50) employees in a manner which will
 15 maintain a community of interest of the employees in the combined unit.

16 (d) The Employee Advisory Council shall adopt bylaws to govern the election of
 17 representatives, the election of officers, and the appointment of committees.

18 (e) The Employee Advisory Council shall be considered a "labor organization" for
 19 purposes of the County Human Relations Code, but not for purposes of Subtitle 13A Labor
 20 Code.

21 **Sec. 16-235. Employee - Management Conference Board.**

22 (a) The Employee - Management Conference Board is created and shall consist of four
 23 representatives selected by the Employee Advisory Council and management representatives
 24 consisting of the Chief Administrative Officer, the Personnel Officer, and two heads of
 25 departments in which at least one half of the Classified Service employees are not governed by a
 26 collective bargaining agreement negotiated and approved pursuant to the provisions of Subtitle
 27 13A.

28 (b) Prior to any change to the terms and conditions of employment affecting Classified
 29 Service employees not governed by a collective bargaining agreement negotiated and approved
 30 pursuant to the provisions of Subtitle 13A, the proposed action shall be presented to the

1 Employee - Management Conference Board for evaluation and recommendations. Proposed
 2 actions required to be submitted to the Employee - Management Conference Board shall include,
 3 but not be limited to, the proposed amendment of a salary plan or classification plan, the
 4 proposed amendment of Subtitle 16, the proposed amendment or suspension of personnel
 5 procedures and grievance procedures, including the suspension of desk audits, the proposed
 6 amendment of a pension or retirement plan, the proposed imposition of a reduction in force or
 7 furlough plan, and any other action which would affect the pay status or working conditions of
 8 such groups of Classified Service employees.

9 (c) The Employee - Management Conference Board shall meet at least once per quarter
 10 during regular business hours. Employee representatives shall be granted administrative leave to
 11 attend meetings of the Board. The Personnel Officer shall be responsible for providing
 12 administrative and clerical support to the Board. The Personnel Officer shall prepare and
 13 promulgate the agenda for each regular meeting of the Board at least three working days prior to
 14 the meeting. Any member of the Board who desires that the Board consider an issue shall
 15 identify the issue to the Personnel Officer, in writing, at least five working days prior to the
 16 meeting. Only those issues that are listed on the agenda shall be appropriate for consideration by
 17 the Board.

18 **Sec. 16-236. Recognition of labor organization.**

19 (a) If a labor organization seeks to represent a group of employees represented by the
 20 Employee Advisory Council pursuant to the provisions of Subtitle 13A, the Employee Advisory
 21 Council shall continue to represent the group of employees until the labor organization is
 22 certified as the exclusive representative of the employees.

23 b) During the period where certification as an exclusive representative is sought by a
 24 labor organization, members of the Employee Advisory Council shall remain neutral and no
 25 action of the Employee Advisory Council or of the Employee - Management Conference Board
 26 shall be deemed to be an unfair labor practice.

27 SECTION 2. BE IT FURTHER ENACTED that within forty-five (45) days after the
 28 effective date of this Act the County Executive shall prepare and submit to the County Council
 29 for approval a written implementation plan which provides for the election of representatives to
 30 the Employee Advisory Council.

1 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
2 calendar days after it becomes law.

Adopted this _____ day of _____, 2000.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Dorothy F. Bailey
Chair

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Wayne K. Curry
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.