

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2008, Legislative Day No. 9

Bill No. 49-08

Mr. Kevin Kamenetz, Chairman
By Request of County Executive

By the County Council, May 5, 2008

A BILL
ENTITLED

Arbitration Award - Implementation - Hearing Boards

FOR the purpose of implementing an award granted in binding arbitration between the County Administration and the exclusive representative of the bargaining unit for police personnel on pay schedule IV of the County Classification and Compensation Plan; providing that the decision of a hearing board is final; eliminating the right of the Chief of Police to review a decision of a hearing board and issue a final order thereon; providing for termination of this Act; and generally relating to hearing boards.

WHEREAS, Article 4, Title 5, Subtitle 5 of the Baltimore County Code, 2003 (hereinafter “the Code”) requires the exclusive representative of the bargaining unit for police personnel on pay schedule IV of the County Classification and Compensation Plan and the County Administration to submit certain disputes about subject areas of bargaining to binding arbitration under certain circumstances; and

WHEREAS, certain subject areas of bargaining related to the formation of the Current

Expense Budget for Fiscal Year 2009 were submitted to binding arbitration as required by the Code; and

WHEREAS, Section 4-5-505(f)(1)(iii)2. of the Code requires the arbitrator to “[a]dopt[] all of the final positions of either the County Administration or the exclusive representative”; and

WHEREAS, the arbitrator issued an opinion and award in which he adopted all of the final positions of the exclusive representative of police personnel; and

WHEREAS, Section 4-5-505(h)(3) of the Code provides “[i]n accordance with Article VII of the Charter, the County Executive shall submit to the County Council in a timely manner the provisions of the memorandum of understanding that require an appropriation of funds or the enactment of legislation”; now, therefore

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that, in accordance with the decision of the arbitrator, the decision of
3 a hearing board as defined in § 4-8-102, Special Rule 103b of the Baltimore County Code, 2003,
4 as to findings of fact and any penalty shall be final in accordance with § 3-108(c)(1)(ii) of the
5 Public Safety Article of the Annotated Code of Maryland. The decision is subject to appeal as
6 provided in § 3-108(c)(2) of the Public Safety Article of the Annotated Code of Maryland

7 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall expire on June 30,
8 2009 without the necessity of further action by the County Council.

9 SECTION 3. AND BE IT FURTHER ENACTED, that this Act, having been passed by
10 the affirmative vote of five members of the County Council, shall take effect on July 1, 2008.