

ANNE ARUNDEL COUNTY

PERSONAL CONCERN TO THE ATTENTION OF APPROPRIATE OFFICIALS, OR FROM CHOOSING HIS OWN REPRESENTATIVE IN A GRIEVANCE OR APPELLATE ACTION.

SECTION 1-257 - DECERTIFICATION OF EMPLOYEE ORGANIZATIONS

(A) (1) A DECERTIFICATION PETITION ALLEGING THAT A CERTIFIED EMPLOYEE ORGANIZATION IS NO LONGER THE MAJORITY REPRESENTATIVE OF EMPLOYEES IN AN APPROPRIATE REPRESENTATION UNIT MAY BE FILED WITH THE PERSONNEL OFFICER BY AN EMPLOYEE, A GROUP OF EMPLOYEES OR THEIR REPRESENTATIVE, OR AN EMPLOYEE ORGANIZATION. SUCH PETITION MUST BE ACCOMPANIED BY WRITTEN PROOF, DATED WITHIN SIX (6) MONTHS OF THE DATE ON WHICH THE PETITION IS FILED, OF EMPLOYEE APPROVAL EQUAL TO AT LEAST THIRTY PERCENT (30%) OF THE EMPLOYEES WITHIN THE REPRESENTATION UNIT.

(2) SUCH A PETITION MAY BE RECEIVED BY THE PERSONNEL OFFICER ONLY DURING THE MONTH OF OCTOBER OF EACH YEAR FOLLOWING THE FIRST FULL YEAR OF EXCLUSIVE REPRESENTATION; AND NO DECERTIFICATION PETITION FOR THE SAME REPRESENTATION UNIT SHALL BE RECEIVED MORE FREQUENTLY THAN EVERY TWO (2) YEARS. THE PERSONNEL OFFICER SHALL ARRANGE FOR A SECRET BALLOT ELECTION TO BE CONDUCTED BY THE MARYLAND STATE DEPARTMENT OF LICENSING AND REGULATION, DIVISION OF LABOR AND INDUSTRY, IN WHICH THE EMPLOYEES IN SUCH REPRESENTATION UNIT SHALL BE OFFERED A CHOICE BETWEEN EXCLUSIVE REPRESENTATION BY THE CERTIFIED EMPLOYEE ORGANIZATION OR NO EXCLUSIVE REPRESENTATION. PROVIDED HOWEVER, THAT IF AN INTERVENOR EMPLOYEE ORGANIZATION OR ORGANIZATIONS COMPLY FULLY WITH THE REQUIREMENTS SET FORTH IN SECTION 1-255 HEREOF, THEN THE BALLOT SHALL OFFER A CHOICE AMONG THE CERTIFIED EMPLOYEE ORGANIZATION, ANY INTERVENOR EMPLOYEE ORGANIZATION, OR OF NO EXCLUSIVE REPRESENTATION.

(3) THE DETERMINATION OF ELECTION RESULTS SHALL BE MADE IN ACCORDANCE WITH THE CRITERIA PROVIDED IN SECTION 1-255 (D) OF THIS ARTICLE. IN THE ABSENCE OF DECERTIFICATION, THE CERTIFICATION OF A RECOGNIZED EMPLOYEE ORGANIZATION SHALL CONTINUE ON A YEAR TO YEAR BASIS.

(B) WHEN A VALID MEMORANDUM OF AGREEMENT IS IN EFFECT ON THE EFFECTIVE DATE OF DECERTIFICATION OF AN EMPLOYEE ORGANIZATION WHICH IS A PARTY THERETO, THE COUNTY ADMINISTRATION, AND THE NEWLY CERTIFIED