

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland (as enacted by Chapter --- of the Acts of the General Assembly of 1978) be repealed, amended, or enacted to read as follows:

Article - Education

16-510.1. MONTGOMERY COUNTY PUBLIC EMPLOYMENT RELATIONS.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "AGREEMENT" MEANS A WRITTEN CONTRACT BETWEEN THE PUBLIC EMPLOYER AND AN EMPLOYEE ORGANIZATION.

(3) "ARBITRATION" MEANS A PROCEDURE WHEREBY PARTIES INVOLVED IN A GRIEVANCE DISPUTE SUBMIT THEIR DIFFERENCES TO AN IMPARTIAL THIRD PARTY FOR A FINAL AND BINDING DECISION.

(4) "COLLECTIVE BARGAINING" MEANS THE PERFORMANCE BY THE CERTIFIED EMPLOYEE ORGANIZATION THROUGH ITS DESIGNATED REPRESENTATIVE, AND THE PUBLIC EMPLOYER, OF THEIR MUTUAL OBLIGATIONS TO MEET AT REASONABLE TIMES AND TO NEGOTIATE IN GOOD FAITH WITH RESPECT TO WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT, OR THE NEGOTIATION OF AN AGREEMENT, OR ANY QUESTIONS ARISING UNDER AN AGREEMENT, AND THE EXECUTION OF VARIOUS AGREEMENTS INCORPORATING THE TERMS AGREED UPON BY BOTH PARTIES. IN THE PERFORMANCE OF THIS OBLIGATION NEITHER PARTY SHALL BE COMPELLED TO AGREE TO A PROPOSAL, OR BE REQUIRED TO MAKE A CONCESSION TO THE OTHER.

(5) "COMMISSIONER" MEANS THE STATE COMMISSIONER OF LABOR AND INDUSTRY OR HIS DESIGNEE.

(6) "CONFIDENTIAL EMPLOYEE" MEANS A PUBLIC EMPLOYEE WHOSE UNRESTRICTED ACCESS TO PERSONNEL, BUDGETARY OR FISCAL DATA SUBJECT TO USE BY THE PUBLIC EMPLOYER IN COLLECTIVE BARGAINING OR WHOSE CLOSE, CONTINUING WORKING RELATIONSHIP WITH THOSE RESPONSIBLE FOR NEGOTIATING ON BEHALF OF THE PUBLIC EMPLOYER WOULD MAKE HIS MEMBERSHIP IN AN EMPLOYEE ORGANIZATION AS A RANK AND FILE EMPLOYEE INCOMPATIBLE WITH HIS DUTIES.

(7) "EMPLOYEE ORGANIZATION" MEANS ANY ORGANIZATION OF PUBLIC EMPLOYEES WHICH HAS AS ONE OF ITS PRIMARY PURPOSES REPRESENTING SUCH EMPLOYEES IN COLLECTIVE BARGAINING.

(8) "EXCLUSIVE REPRESENTATIVE" MEANS AN EMPLOYEE ORGANIZATION WHICH HAS BEEN CERTIFIED BY THE COMMISSIONER AS REPRESENTING THE EMPLOYEES OF THE BARGAINING UNIT.

(9) "FACT-FINDING" MEANS IDENTIFICATION OF THE MAJOR ISSUES IN A PARTICULAR IMPASSE, REVIEW OF THE