

AND THE BARGAINING REPRESENTATIVE SHALL BE APPLICABLE TO EMPLOYEES OF THE MONTGOMERY COUNTY SHERIFF UNLESS DIFFERENT TERMS AND CONDITIONS OF EMPLOYMENT ARE NEGOTIATED BY THE SHERIFF IN ACCORDANCE WITH SUBSUBPARAGRAPH 4 OF THIS SUBPARAGRAPH.

4. A. The Sheriff shall be considered the employer for all other purposes and shall be considered the employer under the Montgomery County Code, Chapter 33, Article VII, for all other terms and conditions of employment.

B. IF A SINGLE BARGAINING REPRESENTATIVE REPRESENTS BOTH MONTGOMERY COUNTY GOVERNMENT EMPLOYEES AND MONTGOMERY COUNTY SHERIFF EMPLOYEES, THE SHERIFF SHALL BARGAIN ONLY OVER PARTICULAR MATTERS, NOT INVOLVING COMPENSATION, PENSION, FRINGE BENEFITS, AND HOURS, APPLICABLE TO EMPLOYEES OF THE MONTGOMERY COUNTY SHERIFF.

C. IF THE SHERIFF AND THE BARGAINING REPRESENTATIVE DISAGREE OVER WHETHER A MATTER IS APPLICABLE TO EMPLOYEES OF THE MONTGOMERY COUNTY SHERIFF, THE DISPUTE SHALL BE RESOLVED BY THE LABOR RELATIONS ADMINISTRATOR APPOINTED UNDER CHAPTER 33, ARTICLE VII OF THE MONTGOMERY COUNTY CODE, FOLLOWING THE PROCEDURES FOR THE RESOLUTION OF PROHIBITED PRACTICES CHARGES AND CONSISTENT WITH THE GENERAL ASSEMBLY'S INTENT TO PRESERVE A SINGLE MASTER COLLECTIVE BARGAINING AGREEMENT.

5. THERE SHALL BE ONLY ONE COLLECTIVE BARGAINING AGREEMENT COVERING BOTH MONTGOMERY COUNTY GOVERNMENT EMPLOYEES AND MONTGOMERY COUNTY SHERIFF EMPLOYEES AND ANY AGREEMENTS REACHED UNDER THIS SUBPARAGRAPH SHALL BE INCLUDED IN AN APPENDIX OR ADDENDUM TO THE AGREEMENT BETWEEN THE MONTGOMERY COUNTY GOVERNMENT AND THE BARGAINING REPRESENTATIVE.

(iv) Any required funding for [a collective bargaining] THE TERMS OF AN agreement negotiated by the Sheriff UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH is subject to the budget and fiscal policies of Montgomery County.

(v) ~~EXCEPT AS PROVIDED IN THE EXISTING AGREEMENT BETWEEN THE MONTGOMERY COUNTY GOVERNMENT AND THE MUNICIPAL AND COUNTY GOVERNMENT EMPLOYEES ORGANIZATION UNITED FOOD AND COMMERCIAL WORKERS LOCAL 1994 DATED JULY 1, 2004 AND ANY SUBSEQUENT AGREEMENT BETWEEN THE MONTGOMERY COUNTY GOVERNMENT AND THE MUNICIPAL AND COUNTY GOVERNMENT EMPLOYEES ORGANIZATION UNITED FOOD AND COMMERCIAL WORKERS LOCAL 1994,~~ THE MONTGOMERY COUNTY MERIT SYSTEM LAW, AND PERSONNEL REGULATIONS, THE provisions of subparagraph (iii) of this paragraph and any agreement made under it may not impair the right and responsibility of the Sheriff to:

1. Determine the overall mission of the Sheriff's Office and, subject to the budget and fiscal policies of Montgomery County, the Sheriff's Office budget;