

(1) AN EMPLOYEE ORGANIZATION CERTIFIED AS THE EXCLUSIVE REPRESENTATIVE OF A BARGAINING UNIT SHALL:

(I) SERVE AS THE ONLY BARGAINING AGENT FOR THE UNIT IN COLLECTIVE BARGAINING; AND

(II) REPRESENT ALL EMPLOYEES IN THE UNIT FAIRLY, WITHOUT DISCRIMINATION, AND WITHOUT REGARD TO WHETHER AN EMPLOYEE IS A MEMBER OF THE EMPLOYEE ORGANIZATION.

(2) AN EMPLOYEE ORGANIZATION MEETS THE REQUIREMENTS OF PARAGRAPH (1)(II) OF THIS SUBSECTION AS LONG AS ITS ACTIONS ARE NOT ARBITRARY, DISCRIMINATORY, OR IN BAD FAITH TOWARD:

(I) EMPLOYEES WHO ARE MEMBERS OF THE EMPLOYEE ORGANIZATION; OR

(II) EMPLOYEES WHO ARE NOT MEMBERS OF THE EMPLOYEE ORGANIZATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 44A, § 2-106(d) and (c)(2).

Defined term: "Montgomery Commission" § 16-101

16-304. LABOR RELATIONS ADMINISTRATOR.

(A) APPOINTMENT BY EXCLUSIVE REPRESENTATIVE OR REPRESENTATIVES AND MONTGOMERY COMMISSION.

THE EXCLUSIVE REPRESENTATIVE OR REPRESENTATIVES AND THE MONTGOMERY COMMISSION SHALL APPOINT A LABOR RELATIONS ADMINISTRATOR FROM A LIST OF FIVE NOMINEES ON WHOM THEY HAVE AGREED.

(B) TERM OF ADMINISTRATOR.

THE TERM OF THE LABOR RELATIONS ADMINISTRATOR IS 5 YEARS.

(C) REAPPOINTMENT.

A LABOR RELATIONS ADMINISTRATOR IS ELIGIBLE FOR REAPPOINTMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 44A, § 2-106(e).

In subsection (a) of this section, the provisions in former Art. 44A, § 2-106(e)(1) and (2) that required the Montgomery Commission to appoint an experienced neutral third party to serve as labor relations administrator before an administrator is appointed by the exclusive representative or representatives and the Montgomery Commission are deleted as obsolete. Similarly, former Art. 44A, § 2-106(e)(3), which required the Montgomery Commission to appoint the next labor relations administrator for a term not exceeding 1 year if no exclusive representative has been certified, is deleted as obsolete.