

IF THE MONTGOMERY COMMISSION AND AN EMPLOYEE ORGANIZATION DISPUTE THE ELIGIBILITY OF AN EMPLOYEE IN A BARGAINING UNIT, THE DISPUTE SHALL BE SUBMITTED TO THE LABOR RELATIONS ADMINISTRATOR.

(C) EVIDENCE ALLOWED AT HEARING.

THE LABOR RELATIONS ADMINISTRATOR SHALL HOLD EVIDENTIARY HEARINGS AT WHICH THE MONTGOMERY COMMISSION AND INTERESTED EMPLOYEE ORGANIZATIONS SHALL HAVE THE OPPORTUNITY TO PRESENT:

- (1) TESTIMONY;
- (2) DOCUMENTARY AND OTHER EVIDENCE; AND
- (3) ARGUMENTS.

(D) FINAL DECISION BY ADMINISTRATOR.

THE DECISION OF THE LABOR RELATIONS ADMINISTRATOR IS FINAL.

(E) COSTS OF HEARINGS.

THE MONTGOMERY COMMISSION AND THE EMPLOYEE ORGANIZATION SHALL SHARE THE COSTS OF THE HEARINGS EQUALLY.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law – that “employee eligibility” concerns the eligibility of Montgomery Commission employees to vote for an exclusive representative.

Subsections (b) through (e) of this section are new language derived without substantive change from former Art. 44A, § 2-106(i).

Defined term: “Montgomery Commission” § 16-101

16-308. COLLECTIVE BARGAINING SUBJECTS.

(A) IN GENERAL.

THE MONTGOMERY COMMISSION AND AN EMPLOYEE ORGANIZATION CERTIFIED AS EXCLUSIVE REPRESENTATIVE SHALL MEET AND ENGAGE IN COLLECTIVE BARGAINING IN GOOD FAITH ABOUT:

- (1) SALARY AND WAGES, INCLUDING THE PERCENTAGE OF AN INCREASE IN THE SALARY AND WAGES BUDGET THAT WILL BE DEVOTED TO MERIT INCREMENTS AND CASH AWARDS, BUT SALARIES AND WAGES SHALL BE THE SAME FOR ALL EMPLOYEES IN THE SAME CLASSIFICATION;
- (2) PENSION AND OTHER RETIREMENT BENEFITS FOR ACTIVE EMPLOYEES;
- (3) EMPLOYEE BENEFITS SUCH AS INSURANCE, LEAVE, HOLIDAYS, AND VACATIONS;
- (4) HOURS AND WORKING CONDITIONS;