

(5) MATTERS AFFECTING THE HEALTH AND SAFETY OF EMPLOYEES;

(6) THE EFFECT OF THE EXERCISE OF THE MONTGOMERY COMMISSION'S RIGHTS AND RESPONSIBILITIES UNDER § 16-314 OF THIS SUBTITLE ON EMPLOYEES; AND

(7) PROVISIONS FOR ORDERLY PROCESSING AND SETTLING GRIEVANCES ABOUT THE INTERPRETATION AND IMPLEMENTATION OF A COLLECTIVE BARGAINING AGREEMENT THAT MAY INCLUDE:

(I) PROVISIONS FOR THE EXCLUSIVITY OF FORUM;

(II) BINDING THIRD PARTY ARBITRATION, IF:

1. THE MONTGOMERY COMMISSION AND THE EMPLOYEE ORGANIZATION SHARE THE COSTS OF BINDING ARBITRATION EQUALLY; AND

2. THE ARBITRATOR DOES NOT HAVE AUTHORITY TO AMEND, ADD TO, OR SUBTRACT FROM THE COLLECTIVE BARGAINING AGREEMENT.

(B) PROPOSALS AND CONCESSIONS NOT REQUIRED.

THIS SECTION DOES NOT REQUIRE THE MONTGOMERY COMMISSION OR THE EMPLOYEE ORGANIZATION TO AGREE TO ANY PROPOSAL OR TO MAKE ANY CONCESSION.

(C) PERIOD FOR COLLECTIVE BARGAINING.

(1) THE MONTGOMERY COMMISSION AND AN EMPLOYEE ORGANIZATION CERTIFIED AS EXCLUSIVE REPRESENTATIVE:

(I) SHALL BEGIN COLLECTIVE BARGAINING ON OR BEFORE SEPTEMBER 1 IN THE FISCAL YEAR BEFORE THE BEGINNING OF A FISCAL YEAR FOR WHICH AN AGREEMENT HAS NOT BEEN REACHED; AND

(II) SHALL COMPLETE COLLECTIVE BARGAINING ON OR BEFORE THE FOLLOWING FEBRUARY 1.

(2) DURING THE PERIOD SET FORTH IN PARAGRAPH (1) OF THIS SUBSECTION, THE PARTIES SHALL NEGOTIATE IN GOOD FAITH.

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

In subsection (a)(7)(ii)2 of this section, the former phrase "the provisions of" the collective bargaining agreement is deleted as surplusage.

Defined term: "Montgomery Commission" § 16-101

16-309. NEGOTIABILITY DISPUTES.

(A) PETITION TO ADMINISTRATOR.

. IF A PARTY CONSIDERS THAT A BARGAINING PROPOSAL CONTRAVENES THE RIGHTS AND DUTIES OF THE MONTGOMERY COMMISSION UNDER § 16-314 OF THIS