

(XVII) SUSPEND, DISCHARGE, OR OTHERWISE DISCIPLINE EMPLOYEES FOR CAUSE, SUBJECT TO THE GRIEVANCE PROCEDURE SET FORTH IN THE COLLECTIVE BARGAINING AGREEMENT; AND

(XVIII) ISSUE AND ENFORCE RULES, POLICIES, AND REGULATIONS NECESSARY TO CARRY OUT THIS SUBSECTION AND ALL OTHER MANAGERIAL FUNCTIONS THAT ARE NOT INCONSISTENT WITH THIS DIVISION II, FEDERAL OR STATE LAW, OR THE TERMS OF A COLLECTIVE BARGAINING AGREEMENT.

(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THIS SUBTITLE AND ANY AGREEMENT MADE UNDER IT DO NOT IMPAIR THE RIGHT AND RESPONSIBILITY OF THE MONTGOMERY COMMISSION TO CREATE, ALTER, COMBINE, CONTRACT OUT, OR ABOLISH A JOB CLASSIFICATION, DEPARTMENT, OPERATION, UNIT, OR OTHER DIVISION OR SERVICE.

(II) THE MONTGOMERY COMMISSION MAY UNDERTAKE THE CONTRACTING OF WORK THAT WILL DISPLACE EMPLOYEES ONLY IF THE MONTGOMERY COMMISSION GIVES WRITTEN NOTICE TO THE CERTIFIED REPRESENTATIVE AT LEAST 90 DAYS BEFORE SIGNING THE CONTRACT OR WITHIN A DIFFERENT PERIOD THAT IS AGREED TO BY THE PARTIES.

(B) PROHIBITED ACTS.

(1) THE MONTGOMERY COMMISSION MAY NOT:

(I) INTERFERE WITH, COERCE, OR RESTRAIN AN EMPLOYEE IN THE EXERCISE OF RIGHTS UNDER THIS SUBTITLE;

(II) DOMINATE, INTERFERE WITH, OR ASSIST IN THE FORMATION, ADMINISTRATION, OR EXISTENCE OF ANY EMPLOYEE ORGANIZATION OR CONTRIBUTE FINANCIAL ASSISTANCE OR OTHER SUPPORT TO AN EMPLOYEE ORGANIZATION;

(III) ENCOURAGE OR DISCOURAGE MEMBERSHIP IN AN EMPLOYEE ORGANIZATION BY DISCRIMINATING AGAINST AN EMPLOYEE THROUGH HIRING, TENURE, PROMOTION, OR OTHER CONDITIONS OF EMPLOYMENT;

(IV) DISCHARGE OR DISCRIMINATE AGAINST AN EMPLOYEE BECAUSE THE EMPLOYEE HAS SIGNED OR FILED AN AFFIDAVIT, PETITION, OR COMPLAINT OR GIVEN ANY INFORMATION OR TESTIMONY UNDER THIS SUBTITLE; OR

(V) REFUSE TO BARGAIN IN GOOD FAITH WITH AN EMPLOYEE ORGANIZATION THAT IS CERTIFIED AS THE EXCLUSIVE REPRESENTATIVE OF A BARGAINING UNIT OVER ANY SUBJECT OF BARGAINING OR REFUSE TO PARTICIPATE IN GOOD FAITH IN THE MEDIATION, FACT-FINDING, OR GRIEVANCE PROCEDURE UNDER THIS SUBTITLE.

(2) PARAGRAPH (1)(II) OF THIS SUBSECTION DOES NOT PROHIBIT THE MONTGOMERY COMMISSION FROM ALLOWING EMPLOYEES TO NEGOTIATE OR TO CONFER WITH THE MONTGOMERY COMMISSION OVER LABOR MATTERS DURING WORK HOURS WITHOUT THE LOSS OF PAY OR TIME.