

**Article - Courts and Judicial Proceedings**

2-309.

(I) (5) (I) THIS PARAGRAPH APPLIES TO ALL FULL-TIME DEPUTY SHERIFFS IN THE FREDERICK COUNTY SHERIFF'S OFFICE AT THE RANK OF SERGEANT AND BELOW.

(II) 1. FULL-TIME DEPUTY SHERIFFS AT THE RANK OF SERGEANT AND BELOW MAY:

A. TAKE PART IN OR REFRAIN FROM TAKING PART IN FORMING, JOINING, SUPPORTING, OR PARTICIPATING IN A LABOR ORGANIZATION OR ITS LAWFUL ACTIVITIES;

B. SELECT A LABOR ORGANIZATION AS THEIR EXCLUSIVE REPRESENTATIVE;

C. ENGAGE IN COLLECTIVE BARGAINING WITH THE SHERIFF, OR THE SHERIFF'S DESIGNEE, CONCERNING WAGES AND BENEFITS, NOT REGULATED BY THE SHERIFF, THROUGH A LABOR ORGANIZATION CERTIFIED AS THEIR EXCLUSIVE REPRESENTATIVE;

D. SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, ENTER INTO A COLLECTIVE BARGAINING AGREEMENT, THROUGH THEIR EXCLUSIVE REPRESENTATIVE, COVERING THOSE WAGES AND BENEFITS NOT REGULATED BY THE SHERIFF; AND

E. DECERTIFY A LABOR ORGANIZATION AS THEIR EXCLUSIVE REPRESENTATIVE.

2. ANY ADDITIONAL FUNDING REQUIRED AS A RESULT OF A NEGOTIATED COLLECTIVE BARGAINING AGREEMENT SHALL BE SUBJECT TO APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY.

(III) 1. A LABOR ORGANIZATION SHALL BE DEEMED CERTIFIED AS AN EXCLUSIVE REPRESENTATIVE IF THE FOLLOWING CONDITIONS ARE MET:

A. A PETITION FOR THE LABOR ORGANIZATION TO BE RECOGNIZED BY THE SHERIFF IS SIGNED BY AT LEAST 51% OF THE DEPUTY SHERIFFS AT THE RANK OF SERGEANT AND BELOW INDICATING THEIR DESIRE TO BE EXCLUSIVELY REPRESENTED BY THE PETITIONER FOR THE PURPOSE OF COLLECTIVE BARGAINING; AND

B. THE PETITION IS SUBMITTED TO THE SHERIFF.

2. IF THE SHERIFF DOES NOT CHALLENGE THE VALIDITY OF THE PETITION WITHIN 10 CALENDAR DAYS FOLLOWING THE RECEIPT OF THE PETITION, THE LABOR ORGANIZATION SHALL BE DEEMED CERTIFIED AS THE EXCLUSIVE REPRESENTATIVE.

3. IF THE SHERIFF CHALLENGES THE VALIDITY OF THE PETITION, THE AMERICAN ARBITRATION ASSOCIATION SHALL BE REQUESTED TO