

USE BY THE PUBLIC EMPLOYER IN COLLECTIVE BARGAINING, OR WHOSE CLOSE, CONTINUING WORKING RELATIONSHIP WITH THOSE RESPONSIBLE FOR NEGOTIATING ON BEHALF OF THE PUBLIC EMPLOYER, WOULD MAKE THE EMPLOYEE'S MEMBERSHIP IN AN EMPLOYEE ORGANIZATION AS A RANK AND FILE EMPLOYEE INCOMPATIBLE WITH THE EMPLOYEE'S DUTIES.

(7) "EMPLOYEE ORGANIZATION" MEANS AN ORGANIZATION OF PUBLIC EMPLOYEES WHICH HAS AS ONE OF ITS PRIMARY PURPOSES REPRESENTING THOSE EMPLOYEES IN COLLECTIVE BARGAINING.

(8) "EXCLUSIVE REPRESENTATIVE" MEANS AN EMPLOYEE ORGANIZATION WHICH HAS BEEN CERTIFIED BY THE COMMISSIONER AS REPRESENTING THE EMPLOYEES OF A BARGAINING UNIT.

(9) "FACT-FINDING" MEANS A PROCESS WHICH INCLUDES:

(I) THE IDENTIFICATION OF THE MAJOR ISSUES IN A PARTICULAR IMPASSE;

(II) THE REVIEW OF THE POSITIONS OF THE PARTIES;

(III) A RESOLUTION OF FACTUAL DIFFERENCES BY AN IMPARTIAL INDIVIDUAL OR PANEL; AND

(IV) THE MAKING OF RECOMMENDATIONS FOR SETTLEMENT OF THE IMPASSE.

(10) "GRIEVANCE" MEANS A DISPUTE CONCERNING THE APPLICATION OR INTERPRETATION OF THE TERMS OF A COLLECTIVE BARGAINING AGREEMENT.

(11) "IMPASSE" MEANS A FAILURE BY THE PUBLIC EMPLOYER AND AN EXCLUSIVE REPRESENTATIVE TO ACHIEVE AGREEMENT IN THE COURSE OF COLLECTIVE BARGAINING.

(12) "MEDIATION" MEANS ASSISTANCE BY AN IMPARTIAL THIRD PARTY TO RECONCILE A DISPUTE ARISING OUT OF COLLECTIVE BARGAINING THROUGH INTERPRETATION, SUGGESTION, AND ADVICE.

(13) "PUBLIC EMPLOYEE" MEANS AN EMPLOYEE EMPLOYED BY THE PUBLIC EMPLOYER, EXCEPT:

(I) EMPLOYEES INVOLVED DIRECTLY IN THE DETERMINATION OF POLICY;

(II) SUPERVISORY OR CONFIDENTIAL EMPLOYEES; AND

(III) STUDENT ASSISTANTS; AND

(IV) FACULTY.

(14) "PUBLIC EMPLOYER" MEANS THE BOARD OF COMMUNITY COLLEGE TRUSTEES FOR PRINCE GEORGE'S COUNTY.