



Gregory J. Swain, County Attorney

MEMORANDUM

To: Members, Anne Arundel County Council

From: Lori L. Blair Klasmeier, Deputy County Attorney /s/

Via: Gregory J. Swain, County Attorney /s/

Date: September 8, 2020

Subject: Bill No. 71-20: Personnel – Employee Relations – Limitations on Joining Employee Organizations

Legislative Summary

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Bill No. 71-20, which allows Police Sergeants to participate in the same employee organization as employees under their direction or management.

Background. Section 6-1-105(b)(1) of the County Code general provides that, with certain exceptions, management employees may not participate in the same employee organization (or union) as the employees they manage. The exceptions include Fire Department Captains, Lieutenants, and Battalion Chiefs; Police Lieutenants; and Deputy Sheriff IIIs.

Police Sergeants and Police Lieutenants are currently in a bargaining unit known as the Police Supervisors Association. They have inquired about the possibility of merging the Police Supervisors Association with the Fraternal Order of Police (“FOP”) organization. The FOP members, Police Officers, Police Officers First Class, and Police Corporals, are supervised by Police Sergeants and Police Lieutenants. Police Lieutenants are currently able to be in a union with employees that they manage.

In addition, the definition of “Uniformed Public Safety Exclusive Representative” is outdated. It does not include several job classifications that are represented, including Police Lieutenants.

Note: This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

Purpose. The purpose of Bill No. 71-20 is to update the definition of “Uniformed Public Safety Exclusive Representative” to include all represented job classifications, including Police Lieutenant, and to allow Police Sergeants to be in the same employee organization as employees that they supervise.

Summary. In **Section 1** of the Bill, the definition of “Uniformed Public Safety Exclusive Representative” in § **6-1-104(16)** is updated to include job classifications that are currently represented, including Deputy Sheriff IIIs, Fire Battalion Chiefs, Police Corporals, and Police Lieutenants. **Subsection 6-4-105(b)(1)** is modified to allow Police Sergeants to be in the same employee organization that represents employees that they supervise.

Section 2 of the bill provides that it will take effect 45 days from the date it becomes law.

If there are any questions, please let me know.

cc: Honorable Steuart Pittman, County Executive
Kai Boggess-deBruin, Chief of Staff
Matthew Power, Chief Administrative Officer
Peter Baron, Legislative Liaison
Kaley Schultze, Legislative Liaison
William Lowry, Acting Chief, Police Department
Sherri Dickerson, Personnel Officer