



**CITY COUNCIL WORK SESSION AGENDA**  
**Public Education on Collective Bargaining Process**

**COUNCIL MEETING WILL BE ONLINE ONLY**

**Due to the COVID-19 precautions, the Council Meeting will be held online and is planned to be cablecast on Verizon 21, Comcast 71 and 996 and streamed to [www.greenbeltmd.gov/municipaltv](http://www.greenbeltmd.gov/municipaltv).**

**Resident participation:**

**<https://us02web.zoom.us/j/86361135217?pwd=bTFyUkZYQXZ4MER6T0ZkcllqWEdPZz09>**  
**Passcode: 227959**

**OR**

**Join By phone: (301) 715-8592**  
**Meeting ID: 863 6113 5217**  
**Passcode: 227959**

**In advance, the hearing impaired is advised to use MD RELAY at 711 to submit your questions/comments or contact the City Clerk at (301) 474-8000 or email**

**[banderson@greenbeltmd.gov](mailto:banderson@greenbeltmd.gov).**

**Monday, December 21, 2020**  
**8:00 PM**

**Work Session Packet**

Public Education on Collective Bargaining Process  
Suggested Action:

Agenda

- Introductions
- Presentation

- Comments
- Other Items

[Public Education on Collective Bargaining final 4840-3946-8501 v.1.pdf](#)

JacksonLewis

# Public Education on Collective Bargaining

An Overview For Greenbelt Residents

By: Stephen M. Silvestri

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- Collective Bargaining for the City
  - The Process

# Legal Requirements - Collective Bargaining

- The Labor Code for the City of Greenbelt authorizes police officers below the rank of Lieutenant to engage in collective bargaining through a representative of their choosing.
  - Fraternal Order of Police Lodge 32 – is the Union representing the officers
  - Lodge 32 is the “exclusive representative” – it alone speaks for the officers.
- The Labor Code requires the City to engage in good faith bargaining over wages hours and terms and conditions of employment with Lodge 32.
- The Code sets out time requirements for agreement.
  - The City and the FOP must reach agreement by March 31 of the year in which the agreement is to be in effect.
    - So the agreement can be presented to the City Council as part of the budget determination

# Collective Bargaining

# What is Collective Bargaining?

- The requirement to engage in collective bargaining means:
  - Meet at mutually agreeable dates and times
  - Exchange proposals for (language in the contract and economics)
  - Exchange information pertinent to the subjects discussed.
  - Place agreements in writing
- BUT there is no requirement that either side agree to the other's proposals.

# What are the parties required to discuss?

- The subjects of bargaining are:
  - Wages- pay rates, raises, salary scales
  - Hours/schedule
  - Benefits- pension, medical insurance, etc.
  - Other terms and conditions of employment such as
    - Take home cars
    - The discipline process
    - The promotion process
- “Excluded subjects” are the rights reserved to the City under the Labor Code
  - Set the policies and directions of the Department
  - Set the number of officers and assign them as necessary
  - Set the work rules through the General Order process
  - Discipline for just cause
  - Layoff or reduce forces
  - Determine the budget for the Department

# The Collective Bargaining Process in Greenbelt

# Who Negotiates?

- The City and the Union each appoint people to their bargaining committees. The City Council delegates this authority to the City Manager – it does not bargain directly with the Union.
- The City's Committee typically includes: the Human Resources Director, A member of the Police Command Staff, when necessary, the City's Treasurer and experienced external labor counsel.
- The Union selects its members by vote or appointment, and it also engages external labor counsel.
- Both sides are authorized to make and agree to proposals SUBJECT TO RATIFICATION BY THE UNION MEMBERS AND THE CITY COUNCIL.

# How Does The City Prepare For Collective Bargaining?

- Here are the actions that the City takes to prepare for bargaining:
  - Assemble its committee
  - Meet with the Chief of Police, the command staff, Human Resources, and the City Manager to review the contract for changes necessary
  - Meet with the City Manager and the Treasurer to review the City's financial position and plan for any economic changes to be negotiated.
  - Meet with the City Council to review recommended changes and economic proposals in advance of bargaining.

Each participant in this process has the opportunity to recommend changes to be negotiated.

- This process results in the City's initial proposals for changes in the CBA.

# What Happens At Negotiations?

- The Committees meet and agree on ground rule, such as when proposals are due and who is authorized to speak for each party
- The Committees exchange written proposals with one another.
- The Committees can and do take caucuses (periods where each side discusses and analyzes proposals privately).
- The Committees continue discussing each others proposals, counter proposals until they reach
- Either side may request information from the other.
- Negotiations can often take months of back-and-forth to reach an agreement.

# Why do negotiations take place in meetings not subject to the open meeting requirements

- Collective Bargaining are discussions and deliberations of personnel matters-not subject to the open meetings requirements. City has a duty to keep those confidential.
- The Parties discuss personnel issues in each negotiation
- Attorneys are providing advice in connection with bargaining and public participation will adversely affect the confidentiality and candor of that advice
- Each side benefits from candid and in depth discussion of issues and problems.
- Each side needs to have the ability to make compromises-float ideas and react nimbly to the other side
- All agreements are subject to approval by the Union members and the City Council.

# What if the Parties Cannot Reach Agreement?

- If the Parties, despite their good faith efforts, cannot reach an agreement, they have arrived at *impasse*.
- Under the City Code, *impasse* is resolved by the City Council.
- Both Parties submit their issues to the City Council, which then holds a hearing and issues a written decision within thirty (30) days.
- The City Council may take into consideration different factors, such as:
  - Comparative local government employees;
  - Cost-of-living information;
  - Value of benefits available to City employees; and
  - Availability of City funds.

# Comments on the process and the upcoming negotiations

Thank **you.**