

POLICY BOARD OF EDUCATION OF MONTGOMERY COUNTY

Related Entries: HDB, HDC, HDD
Responsible Office: Chief Operating Officer
Association Relations

Designation of the Montgomery County Education Association as Exclusive Representative

WHEREAS, On September 10, 1981, the Montgomery County Education Association complying with requirements of the *Annotated Code of Maryland, Education Article*, Section 6-405, requested the opportunity to enter into negotiations with the Montgomery County Board of Education (Board of Education) on the subject of redefining the composition of the bargaining unit; and

WHEREAS, The Montgomery County Federation of Teachers requested negotiations with the Board of Education on the subject of redesigning the composition of the bargaining unit; and

WHEREAS, The Montgomery County Association of Administrative and Supervisory Personnel requested negotiations with the Board of Education on the subject of redesigning the composition of the bargaining unit; and

WHEREAS, Separate negotiations have occurred between all organizations requesting negotiations on this issue and the representative of the Board of Education; and

WHEREAS, On November 10, 1981, the Board of Education determined that there will be two units of certificated employees in Montgomery County; and

WHEREAS, One of these units consists of all positions on the A to D salary schedule as of November 10, 1981, plus pupil personnel workers, social workers, psychologists, specialists and substitutes; and

WHEREAS, The superintendent of schools, those persons designated by the Board of Education to act in a negotiations capacity pursuant to the public school laws, and temporary employees, except for substitutes and home and hospital teachers, are excluded from any unit; and

WHEREAS, On November 24, 1981, the Montgomery County Education Association submitted certification that it has a membership enrollment of the majority of the public school employees in the unit named in this resolution as provided under the *Annotated Code of Maryland, Education Article*, Section 6-405; and

WHEREAS, Proof of such certification has been properly forwarded to the Maryland State Department of Education; and

WHEREAS, No other employee organizations have certified that they have a membership enrollment of at least 10 percent of the total number of employees in such unit; and

WHEREAS, The Montgomery County Education Association did not request an election under *The Annotated Code of Maryland, Education Article*, Section 6-405; now therefore be it

Resolved, That in accordance with the provisions of the *Annotated Code of Maryland, Education Article*, Section 6-405 (e) *Designation without an election*, the Board of Education hereby designates the Montgomery County Education Association as the exclusive representative of all public school employees in the unit named in this resolution; and be it further

Resolved, That the superintendent of schools and those persons designated by the Board of Education to act in a negotiations capacity consistent with Resolution 588-79, pursuant to the *Annotated Code of Maryland, Education Article*, Section 6-405 and temporary employees, except for substitutes and home and hospital teachers, are excluded from any unit.

Policy History: Adopted by Resolution No. 1106-81, November 30, 1981; amended by Resolution No. 451-11, September 13, 2011.