

**HR Liaisons & MLS Meeting
with the Office of Labor Relations
Labor Relations Refresher and Updates**

Friday, July 24, 2020

Welcome to the Live Event. Please make sure your audio is turned on.
The meeting will begin shortly.



Office of *Human Resources*

Introduction

Steven N. Blivess

Acting Chief Labor Relations Officer



Office of *Human Resources*

Agenda

- Performance Evaluations – Kimberly D. Williams
- Reminder: County Pay Equity Act – Melissa Davis
- Labor Relations Overview – Steven N. Blivess
- Management Rights – Daniel DiJames
- Discipline – George Lacy
- Grievances – Joslyn Sanders
- Employee Relations – Anthony C. Jones
- Labor-Management Relations Committees – Jitain Modi
- Question and Answer Session – Moderated by Katie Kasunic



Performance Evaluations

Kimberly D. Williams

Acting Business Operations and Performance Manager



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FY20 Performance Evaluations - Reminder

*In accordance with the Montgomery County Personnel Regulations (MCPR) “A supervisor must conduct the annual evaluation within 60 days after the review period ends” which was **June 30, 2020.***

All FY20 performance evaluations, for Management Leadership Services (MLS), Police Leadership Services (PLS), General Salary Schedule (GSS) and bargaining units must be submitted by **August 30, 2020**

- Ensure FY20 performance evaluations for all non-bargaining unit employees are completed and finalized in the Oracle Workforce Performance Management (WPM).
- Ensure FY20 performance evaluations for all bargaining unit employees are completed on the paper Performance Planning and Evaluation (PPE) forms.
- Utilize the Core HR/Records Manager SharePoint process to submit the completed FY20 PPE forms for bargaining unit employees.

If you have any questions, please contact Lystra Baird at performance.matters@montgomerycountymd.gov or via Microsoft Teams.



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Reminder: County Pay Equity Act

Melissa Davis

Chief, Recruitment and Selection Division



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REMINDER: The County Pay Equity Act

OHR provided information to HR Liaisons about the Act on July 30, 2019. The Act became effective on August 15, 2019.

Make sure that you and your hiring managers are following the Act, which prohibits:

- (1) seeking an applicant's salary history;
- (2) refusing to hire or retaliating against an applicant for refusing to disclose his or her salary history;
- (3) considering or relying on an applicant's salary to determine their salary or whether to offer them a job.

You may still discuss an applicant's salary expectations. An applicant may voluntarily disclose their salary. The County can still verify non-salary information disclosed or provided by an applicant. And the County can still rely on salary history that an applicant voluntarily provides if no pay equity is created.



Labor Relations Refresher and Updates

Steven N. Blivess

Acting Chief Labor Relations Officer



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Overview

- Interest-Based Bargaining
- Council Approval Process
 - No economic changes from FY20
- Where to Find the Collective Bargaining Agreements

<https://www.montgomerycountymd.gov/HR/LaborRelations/LaborCollectiveBargaining.html#1>

- Multi-Year Agreements on Working Conditions



Labor Relations: Management Rights

Daniel DiJames
Labor Specialist



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Management Rights

1. Determine budget and mission;
2. Maintain and improve efficiency and effectiveness of operations;
3. Determine services to be provided;
4. Determine organizational structure, process, personnel, and locations;
5. Direct and supervise employees;
6. Hire and set standards for promotion and classification;
7. Relieve employees for lack of work or funds;
8. Take action to carry out mission in an emergency;
9. Transfer, assign, schedule employees;
10. Determine size, grade, composition of workforce;
11. Set standards of productive and tech;
12. Establish performance standards and evaluate employees;
13. Reward for outstanding performance;



Management Rights

14. Introduce new or improved technology or County services;
 15. Control use of County property;
 16. Maintain internal security standards;
 17. Create, alter, combine, contract out, or abolish any job classification, department, unit or division or service (with limitations);
 18. Suspend, discharge, and discipline employees for cause;
 19. Issue rules and regulations.
- Temporary Employees (MOU)
 - Project with OHR to evaluate existing temporary employees for conversion to permanent positions.



Labor Relations: Discipline

George Lacy
Labor Manager



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Discipline

- Article 28.4(b) SOC response time not less than 10 work-days same as MCPR 33-6(b)(2)
- ADR
 - Art 10.12(a)(4)-ADR is voluntary and OLR decides for Department
 - Art 10.12 (a)(5) Presentation time increased from 25 minutes to 45 for dismissals and terminations and rebuttal from 5 to 10
 - Art 10.12(a)(6) NODA will be issued no later then 10 business days after the Department rejects panel recommendation



Labor Relations: Grievances

Joslyn Sanders
Labor Specialist



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Grievances

- No changes to MCGEO Article 10 – Grievances.
- Reminder: Departments **must** submit written response within 15 working days after receiving a grievance.
- Responses should be submitted to:
Joslyn.Sanders@montgomerycountymd.gov



Grievances – Expedited Arbitration

- Article 10.9 Expedited arbitration for dismissals and terminations
- MOU expands the above to include suspensions for 15 days or more
 - Applies only when ADR panel issues favorable decision Department rejects.
 - Union must invoke within 5 business days after receiving NODA/or after the expiration of 10-day window to issue NODA after rejecting ADR decision
 - Union's failure to timely invoke waives only expedited process
 - Arbitration to be held within 45 days of notice and decision within 15 calendar days of Arbitration
 - Once timely invoked discovery process starts including but not limited to
 - Within 15 calendar days County obligated to produce employees official personnel file, Department and Supervisor file, all documents action is based on and **a summary of five years of comparable disciplinary actions.**



Labor Relations: Employee Relations

Anthony C. Jones

Senior Labor Relations Specialist



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Employee Relations

Student Loan (MOA)

- Study Group to develop Student Loan Repayment Program

Employee Feedback (MOA)

- OHR & MCGEO will initiate a collaborative process to develop an employee feedback protocol

Promotion Process (Side-Letter – Article 23)

- OHR & MCGEO will work collaboratively assuring equity, integrity, and confidence to clarify and improve communication and understanding in the promotion process



Labor Relations: Labor Management Relations Committees

Jitain Modi
Labor Specialist



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LMRCs

New County-wide LMRC Topics

- Worksite Safety & Security (MOU)
 - Safety and Security will be a standing item on all Department LMRCs
- Work-Life and Green Initiative (Art. 29.7)
- Multilingual Pay (Art. 5.4(g))
- Light Duty program (Art. 33.4)
- Training (App. XXIV)
- Equipment and Uniform Issues (MOU)



Q & A

Moderated by Katie Kasunic



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Thank You for Attending

This presentation will be posted on the Weekly HR Liaisons & MLS Meeting Dashboard:

<https://www.montgomerycountymd.gov/HR/Misc/WeeklyHRLiaisonsMLSOHRMCTime.html>

For more information on Timekeeping, visit the MCTime Events - COVID-19:

<https://www.montgomerycountymd.gov/mctime/resources.html#Events>

OHR's Employee Coronavirus News Webpage:

<https://www.montgomerycountymd.gov/employeenewscovid19>



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