

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

**Labor Relations: Grievance Updates**

Thursday, September 3, 2020

Welcome to the Live Event. Please make sure your audio is turned on.

The meeting will begin shortly.



Office of *Human Resources*

# Introduction

Berke Attila

Director, Office of Human Resources



Office of *Human Resources*

# Agenda

- Office of Labor Relations Announcements – Steven N. Blivess
- Labor Relations: Grievance Updates – Joslyn Sanders
- Annual Free Flu Shot Campaign – Johnna L. Bryant
- FFCRA Timekeeping Reminders – Heather Black
- Question and Answer Session – Moderated by Katie Kasunic



# Office of Labor Relations (OLR) Announcements

Steven N. Blivess  
Acting Chief Labor Relations Officer  
OLR



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# Office of Labor Relations: About Us

- Creation of the Office of Labor Relations
  - [Expedited Bill No. 19-20](#)
  - Effective July 1, 2020
  - Part of the Office of the County Executive and headed by Chief Labor Relations Officer
- Purpose
  - Formulate and implement labor and employee relations policy
  - Represent the County in collective bargaining and before the Permanent Umpire or Labor Relations Administrator (LRA), including for prohibited practice charges
  - Advise on labor and employee relations, including implementation of CBAs and MCPR
  - Process grievances under the CBAs or MCPR



# Office of Labor Relations

- OLR Website:

<https://montgomerycountymd.gov/olr/>

- CBAs
- Management Guidance
- Conflict Facilitation Program
- Useful References
- Archives
- (And more to come)

## Office of Labor Relations

### About Us

The Office of Labor Relations fosters high-performing labor-management relationships through the use of collaborative and interest-based methods, that demonstrate the possibilities of effective labor-management partnership and confirm the value of the County's workforce.

Acting Chief Labor Relations Officer: Steven N. Blivess  
Address: 101 Monroe Street, 12th floor, Rockville, MD 20850  
Phone: 240-777-5053  
MPIA Contact: Steven.Blivess@montgomerycountymd.gov

### Quick Links

Below you will find information concerning laws and regulations relating to unions, collective bargaining, and other labor relations regulations.  
[Notice for FY2021 CBA](#)  
[Montgomery County Collective Bargaining Law](#)  
[Fire and Rescue Collective Bargaining Law](#)  
[Police Labor Relations Law](#)  
[Some Basics about Unions](#)  
[Archives](#)

### Collective Bargaining Agreements (CBAs)



### Management Guidance Bulletins

This information provides guidance to managers who oversee MCGEO employees on hot topics within the labor relations field.

#### Resources

Alternative Dispute Resolution (ADR)  
Annual Leave  
Notices to Employees  
Employee Participation in Union Activities  
Labor Management Relations Committees (LMRCs)

### Conflict Facilitation Program (CFP)

#### Montgomery County-MCGEO Conflict Facilitation Program

Program aims to resolve conflicts, claims of unfairness or personal /personality /conduct issues between:  
manager-employee, employee-employee, manager-manager

#### Resources

Conflict Facilitation Program, Article 52  
Conflict Facilitation Operating Guidelines  
Conflict Facilitation Request Form

Please send all completed Conflict Facilitation Request Forms to the Office of Human Resources, Labor and Employee Relations Team at:  
[Labor.Team@montgomerycountymd.gov](mailto:Labor.Team@montgomerycountymd.gov)



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# Labor Relations: Grievances

Joslyn Sanders  
Labor Specialist  
OLR



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# Grievances

- CBA changes discussed during July 24, 2020 Live Event
  - No changes to MCGEO CBA
  - Written response due within 15 working days after receiving grievance
  - Responses to: [Joslyn.Sanders@montgomerycountymd.gov](mailto:Joslyn.Sanders@montgomerycountymd.gov)
  - Expedited Arbitration for certain disciplinary matters
- Today's Discussion - Changes to [MCPR Section 34](#) pursuant to May 19, 2020 Council Resolution ([19-462](#))





# Grievances: Who Can Grieve Under This Process?

- Who can grieve under this process?
  - Merit system employees who have completed their probationary period and who have merit status, include temporary employees.
  - Probationary employees may grieve disciplinary proceedings to the CAO, but not MSPB.
- Who may not grieve under this process?
  - Bargaining unit employees.
  - County law enforcement officers if there is a remedy or appeal available under the LEOBR.



# Grievances: County Policy

- County Policy
  - Employees are free from restraint, interference, coercion, discrimination, and retaliation for filing a grievance.
  - Employees have a right to representation during each step of the process.
  - Employees are entitled to 4 hours of official time to prepare a grievance and may request more. Denials of official time are appealed to the CLRO.
  - Employees and employee representatives are entitled to time to present the grievance.
  - Witnesses receive regular hourly salary or comp time / OT.
  - Grievance documents are confidential.



# Grievances: What Is Not Grievable?

- Matters that are NOT grievable
  - A position classification
  - Performance ratings, except in case of failure to follow established procedure
  - Termination of a probationary employee
  - Termination of a term employee at the end of the term or completion of the work
  - Resignation
  - Employee awards
  - Matters subject to other County appeal's processes
  - Matters made not grievable by statute, regulation, or MSPB decision
  - Employment discrimination or harassment claims

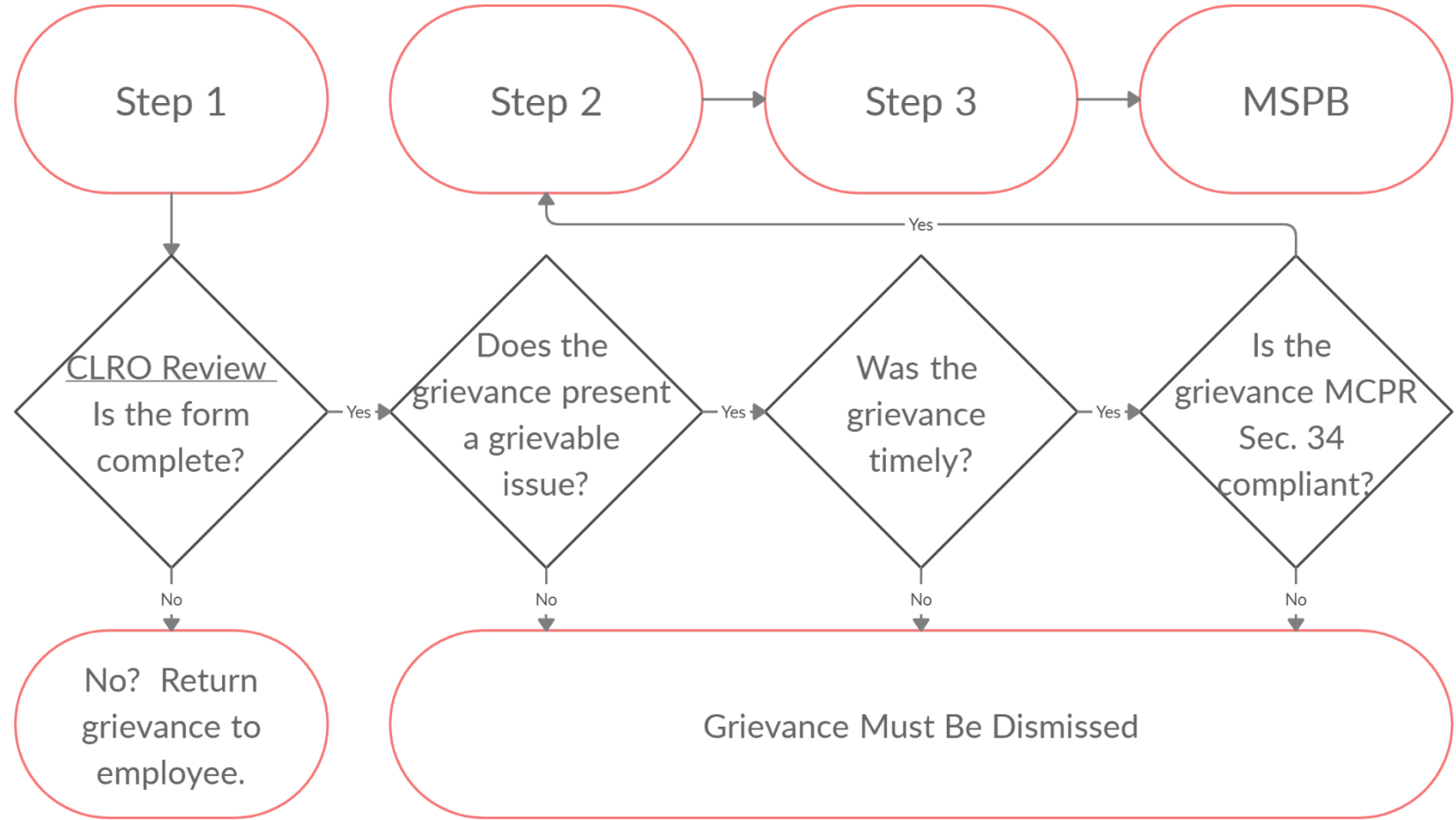


# Grievances: Things to Remember

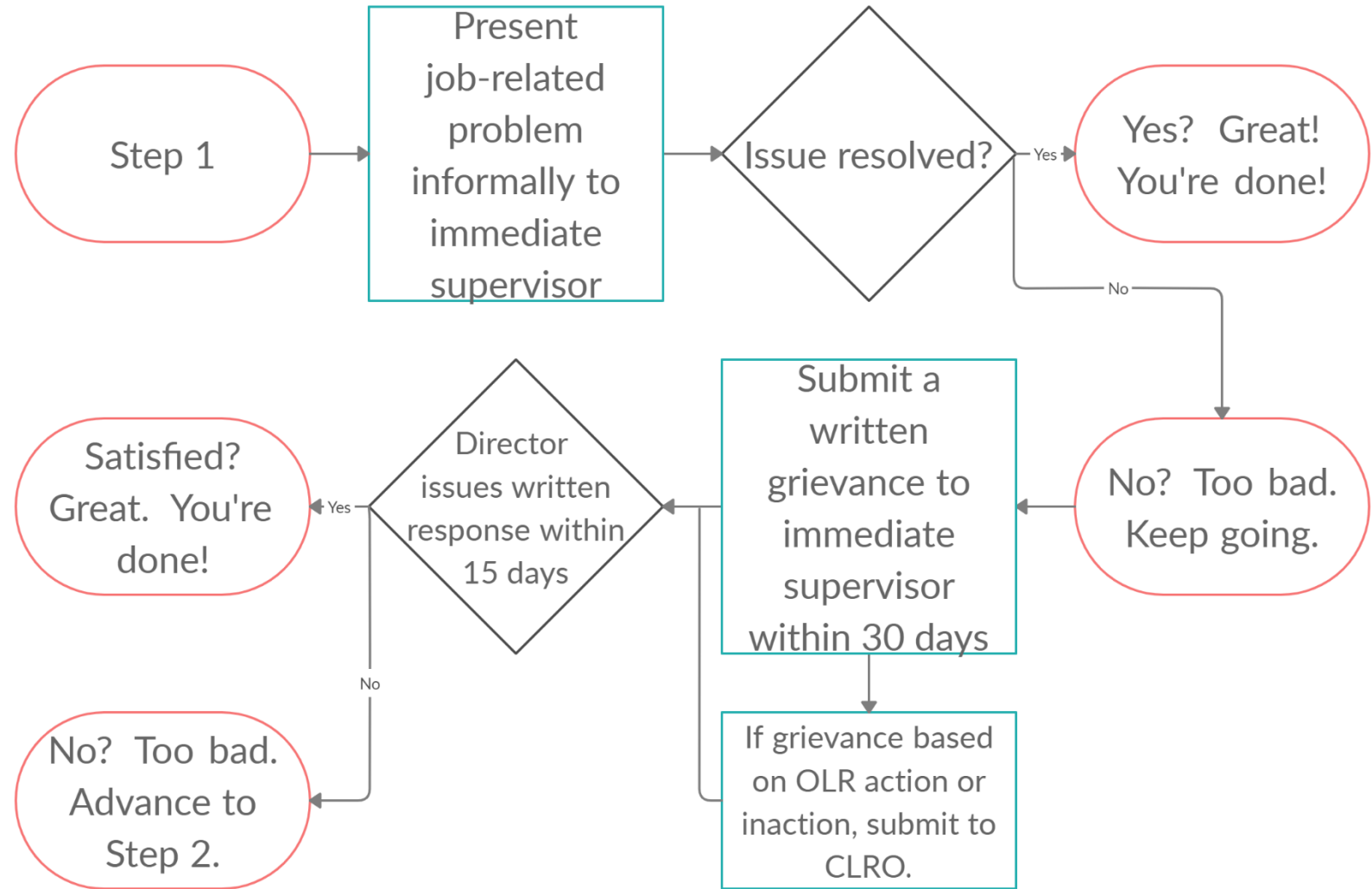
- Things Employees MUST Remember
  - Untimely grievances may be dismissed by the CLRO.
  - The employee must use the OLR-approved grievance form and provide all of the requested information. Failure to do so may result in grievance being returned.
  - The employee should send a copy of the grievance to OLR.
- Burden of Proof
  - County – overpayment/debt recovery, delay of service increment, involuntary/coerced resignation, termination, demotion or termination due to RIF, involuntary demotion, disciplinary action.
  - Employee – Anything else.



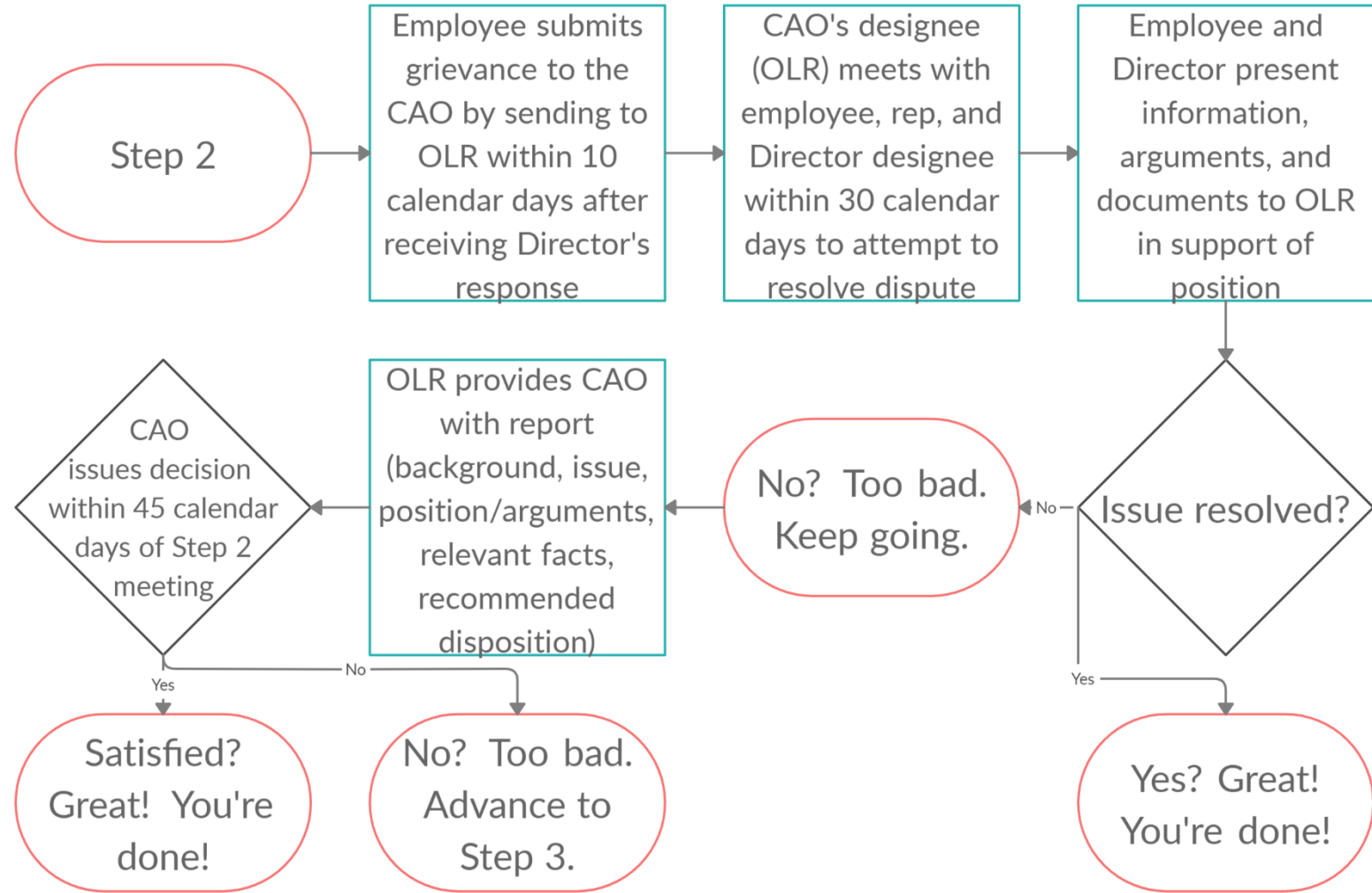
# Grievance Process Under MCPR Section 34



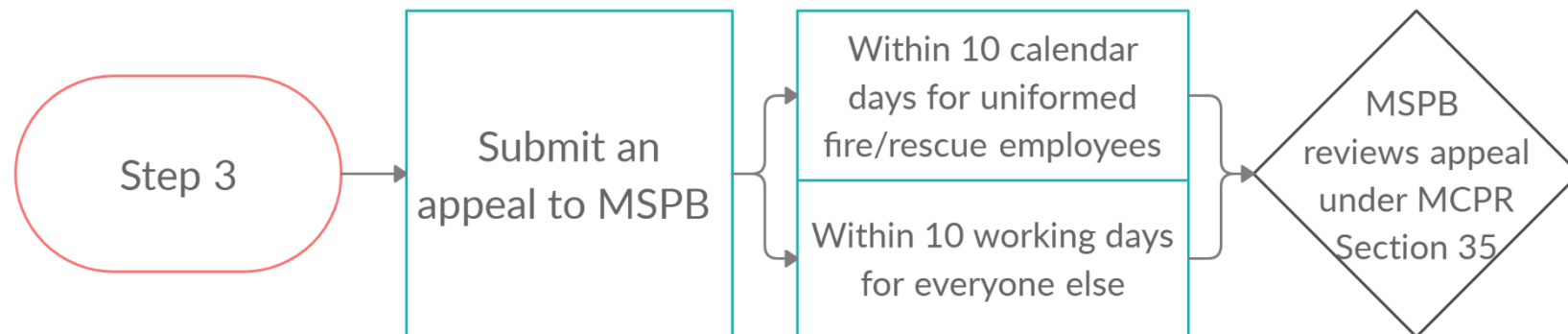
# Grievance Process Under MCPR Section 34



# Grievance Process Under MCPR Section 34



# Grievance Process Under MCPR Section 34



At each step of the grievance procedure, the parties to the grievance are encouraged to consider ADR methods to resolve the dispute.





# Grievances: Forms

- New forms
  - Forms will be updated to reflect MCPR changes.
  - Transition to Seamless Docs.
- Forms available on:
  - OHR website  
<https://www.montgomerycountymd.gov/HR/LaborRelations/PersonnelRegulation.html>
  - OLR website\*  
[www.montgomerycountymd.gov/olr](http://www.montgomerycountymd.gov/olr)

\*Will be added soon



# Annual Free Flu Shot Campaign

Johnna L. Bryant

Program Manager, Occupational Medical Services

OHR



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# Flu Vaccinations Beginning September 14

- This year all flu visits in our clinic will need to be scheduled in advance.
- Appointments will be made every 15 minutes.
- Employees must complete and submit the required CDC questionnaire **48 hours in advance** of their appointment.
  - Link to questionnaire will be included a forthcoming email to all employees
- Due to COVID safety protocols, employees must arrive on time.
  - Employees who arrive more than 10 minutes late or without submitting the required CDC questionnaire 48 hours prior to their appointment will need to be rescheduled.



# Free Flu Shots: Appointment Only

- OMS Clinic Office Hours: 8:00 a.m. – 3:30 p.m. Monday through Friday **by appointment only**.
  - Face coverings are required.
- Questions? Contact Medical Info OMS:  
[MedicalInfo.OMS@montgomerycountymd.gov](mailto:MedicalInfo.OMS@montgomerycountymd.gov)



# EOB Cafeteria Flu Shots Still Occurring

- Flu shots in the EOB Cafeteria:
  - **Wednesday, September 23, 8:30 a.m. to 12:30 p.m.**
  - **Tuesday, October 6, 1:30 – 4:30 p.m.**
- Large space enables safe social distancing. Masks are required.
- Flu vaccine type: inactivated viral, no preservatives



# FFCRA Timekeeping

Heather Black,  
MCtime Manager  
Finance

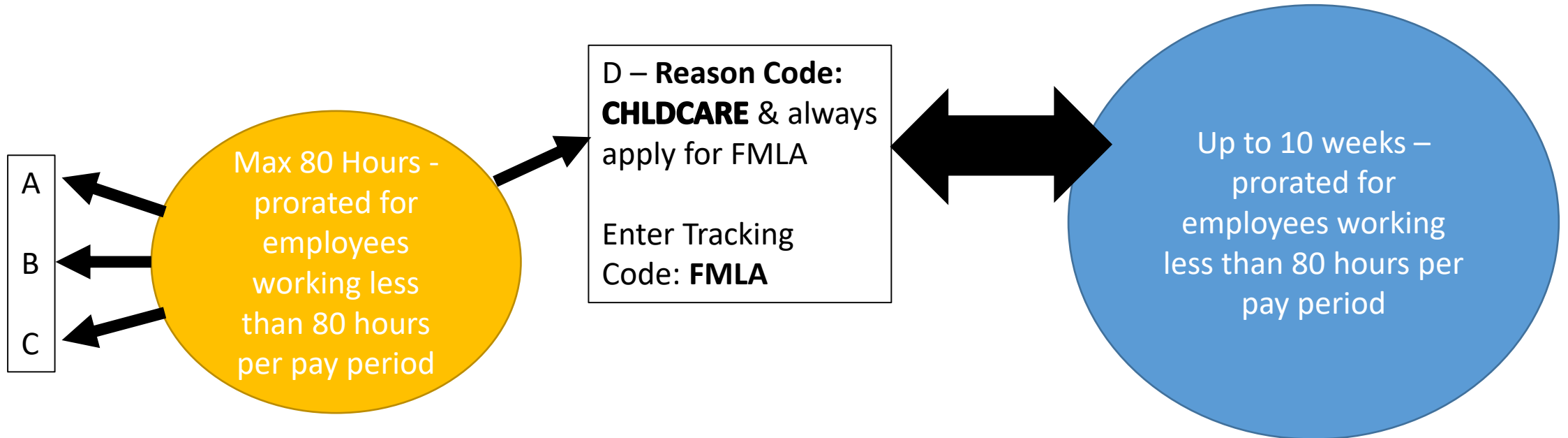


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# Families First Coronavirus Response Act (FFCRA)

**Example 8** - EPSL Pay Code:  
**FFCRA - 80 Hours Paid Sick Leave**

**Example 9** - EMFLA Pay Code:  
**FFCRA – Child Care**



**FFCRA Leave** can be used in future pay periods until Friday, December 31, 2020.



**Office of *Human Resources***

# Mctime Informational Website:

## [www.montgomerycountymd.gov/Mctime](http://www.montgomerycountymd.gov/Mctime)

The screenshot shows a web browser window with the address bar displaying [www.montgomerycountymd.gov/mctime](http://www.montgomerycountymd.gov/mctime). The page features a purple header with a COVID-19 update banner. Below this is the Montgomery County Government logo and a search bar. A navigation menu includes links for Services, Residents, Business, Government, County Executive, and County Council. A dark blue banner identifies the Department of Finance. The main content area includes logos for TransformMCG, a circular logo with 'Employee Resource Planning', the Mctime logo, and MC311. A green box highlights the 'Mctime Information and Support' section, which contains a menu with 'Home', 'FAQs for Employees', 'FAQs for Managers', 'Forms', and 'Resources'. A green arrow points to the 'Resources' link. Below the menu is a box with the text 'Access Mctime through Montgomery County's ePortal.' and a welcome message: 'Welcome to the Mctime support web site.'



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# MTime – Informational Website – Resources

## Resources

To go directly to a particular resource category, click on a link below or scroll down to view all available resources.

<a href="#">Events</a>	<a href="#">Leave Guidance</a>	<a href="#">Online Training</a>	<a href="#">New Employees</a>
<a href="#">General Guidance</a>	<a href="#">Holidays</a>	<a href="#">Department Specific Resources</a>	<a href="#">Pay Period Close Checklists</a>
<a href="#">Job Aids - HTML</a>	<a href="#">FMLA &amp; PARENTAL Guidance</a>	<a href="#">Timekeeping Toolkit Tips</a>	<a href="#">ABS Timeclocks</a>
<a href="#">Job Aids - JAVA (For Managers)</a>	<a href="#">Sick and Safe Leave</a>	<a href="#">County Employees Volunteer Election Worker Program</a>	



# Mctime – Informational Website – Events

## Events:

### COVID-19:

- Timekeeping Guidance August 16 2020 - August 29 2020 Pay Period
- COVID\_19\_Special\_Event\_Crosswalk\_July\_28\_2020
- COVID Employee Testing Job Aid
- COVID Site Coordinator Job Aid
- Reviewing COVID 19 Differentials Job Aid
- Timekeeping and Operating Expenses - COVID-19 Response March 10, 2020
- Employee News on Coronavirus - OHR Website - Frequently Updated *Read Me..!*
- Mctime Pay Period Close Checks - FFCRA Common mistakes *New...!*
- OEMHS - COVID-19 Declaration Fact Sheet - Update 1- March 26, 2020
- Technical Issues - Compatibility Checks
- Guidance for Recording Event Related Project/Task Codes

### PRIOR TIMEKEEPING GUIDANCE:

- Timekeeping Guidance August 2 2020 - August 15 2020 Pay Period
- Timekeeping Guidance July 19 2020 - August 1 2020 Pay Period
- Timekeeping Guidance July 5 2020 - July 18 2020 Pay Period
- Timekeeping Guidance June 21 - July 4 2020 Pay Period
- Timekeeping Guidance June 7 - June 20 2020 Pay Period
- Timekeeping Guidance May 24 - June 6 2020 Pay Period
- Timekeeping Guidance for May 10 - May 23, 2020 Pay Period
- Timekeeping Guidance for April 26 - May 09, 2020 Pay Period
- Timekeeping Guidance for April 12 - 25, 2020 Pay Period
- Timekeeping Guidance for March 29 – April 11 Pay Period (Revised Memo)
- Timekeeping Guidance for March 15 - 28, 2020 Pay Period

### OTHER:

- Liberal Leave Guidance



# Mctime FFCRA TOOLS

**REMEMBER:** MCGEO and unrepresented employees and temporary employees should **exhaust** the 80 hours of FFCRA Paid Sick Leave (for qualifying FFCRA reasons) before being granted any additional Administrative Leave – Other, with reason code ADMCOVID.

**HyperFinds**

FFCRA – 80Hours Paid SickLeave  
 FFCRA 80Hrs + Childcare  
 FFCRA-80Hrs Paid Sick L > 80Hr  
 FFCRA – Childcare

\_Admin Leave - Other Used

\_Reason Code Used = ChildCare

**Genie:** (FMLA LY 1.5.2020 – 1.2.2021) (FFCRA – effective 4.1.2020 – 12.31.2020)

[Timecard](#) | [Schedule](#) | [People](#) | [Reports](#)

FFCRA - 1.5.2020 - 12.31.2020

Last Refreshed: 10:26PM

Show    
 Time Period

[Actions](#) ▾ [Amount](#) ▾ [Accruals](#) ▾ [Schedule](#) ▾ [Person](#) ▾

Employee Name 2/	Emp ID	R T Seas	FT PT	Manager	FFCRA 80 Hours Paid Sick Leave	FFCRA Childcare	Total FFCRA 80 Hrs + Childcare	FMLA 1 ▾	Pay Rule	Job Title	Dept Division
	16	R-N	F		max 80	max 400	max 480	max 480	MCGEO Rg FT EX G-1 R8		
	67	R-N	F						85R UNRP Rg FT EX G-1 R8 S...		
	23	R-N	F						MCGEO Rg FT ML-B EX G-1 R8		



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# Timecard Reminders

- Follow Timekeeping Memo appropriate to the Pay Period
- Perform Pay Period Close Checklist (at Manager & Department level)
  - Meet Approval Deadlines
  - Follow up quickly to any Payroll/MCtime requests
  - Ensure appropriate Hours Towards Schedule for ALL employees
    - FT employees = 80 hours
- USE “COVID” Genies
  - Differentials – COVID 19 (Differentials in ADDITION to Hours Worked)
  - FFCRA
- USE Crosswalk to determine correct - Project Task & Expenditure Org, if required
- Technical Issues – Compatibility Checks job aid or call the Help Desk at 240-777-2828
- Need Help? Email us: [MCtime@montgomerycountymd.gov](mailto:MCtime@montgomerycountymd.gov)



# Labor Day Holiday – Monday, September 7

[www.montgomerycountymd.gov/MCtime](http://www.montgomerycountymd.gov/MCtime)

## Holidays:

- 2020 Payday - Holiday Calendar
- **Holiday Guidance for Regular, Full-time and Part-time Employees**
- Holiday Guidance for Transit Managers
- Editing Holiday Premium Pay for an Unscheduled Absence

Table 1 - Regular **Full Time** Employees:

	Holiday is on a regular scheduled work day	Holiday fell on <u>my</u> scheduled day off
I did not work on the Holiday	<a href="#">Scenario 1</a>	<a href="#">Scenario 3A, 3B, 3C</a>
I worked on the Holiday	<a href="#">Scenario 2</a>	<a href="#">Scenario 4A, 4B, 4C</a>

Table 2 - Regular **Part Time** Employees:

	Holiday is on a regular scheduled work day	Holiday fell on <u>my</u> scheduled day off
I did not work on the Holiday	<a href="#">Scenario 5</a>	<a href="#">Scenario 7</a>
I worked on the Holiday	<a href="#">Scenario 6</a>	<a href="#">Scenario 8</a>



# 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:

[www.montgomerycountymd.gov/HR/Misc/WeeklyHRLiaisonsMLSOHRMCTime.html](http://www.montgomerycountymd.gov/HR/Misc/WeeklyHRLiaisonsMLSOHRMCTime.html)

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

[www.montgomerycountymd.gov/mctime/resources.html#Events](http://www.montgomerycountymd.gov/mctime/resources.html#Events)

OHR's Employee Coronavirus News Webpage:

[www.montgomerycountymd.gov/employeenewscovid19](http://www.montgomerycountymd.gov/employeenewscovid19)

OLR Website:

<https://montgomerycountymd.gov/olr/>



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