



The Mayor and Commissioners
of the Town of Elkton

Resolution R12-2023

A RESOLUTION by the Mayor and Commissioners of the Town of Elkton amending the Charter of the Town of Elkton, Article IX., *Town Officers and Personnel.*, Section C9-4., *Compensation of Personnel.*

WHEREAS, the Mayor and Commissioners are empowered and authorized to amend the Charter of the Town of Elkton as provided under Article XI-E., Constitution of the State of Maryland, and Section 4-301., et seq., Subtitle 3, Title 4, Division II, Local Government Article; and

WHEREAS, the Mayor and Commissioners have determined that Article IX., Section C9-4, should be amended to provide certain employees the right to collectively bargain and further provide them an opportunity to develop their skills and commitment to public service with the Town.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commissioners of the Town of Elkton as follows:

Section 1. That the Charter of the Town of Elkton, Article IX., Section C9-4, shall be amended to read:

Charter of the Town of Elkton

Article IX., Town Officers and Personnel.

Section C9-4., Compensation of Personnel.

Paragraphs A. and B. (No revisions)

C. Employees of the Town of Elkton, excepting employees of the Police Department whose collective bargaining rights are otherwise provided by Charter provision, may organize and bargain collectively regarding the terms and conditions of employment, excepting managerial, confidential and supervisory employees. Town employees, in an appropriate bargaining unit in which employees present a reasonable common community of job function and skill interests, may participate through a representative in the formulation and implementation of personnel policies effecting their employment bargaining unit. They shall have the right to organize and bargain collectively through a representative of their choosing, and the right to choose not to be represented, all subject to procedural regulations that the Council shall establish.

The Council shall provide by law a labor code for such Town of Elkton employees which shall include the following: (1) the identity of managerial, supervisory and confidential employees excluded from collective bargaining, (2) the identity of bargaining units determined by the Council to be appropriate for collective bargaining, grouping together only those units in which employees share a commonality of skills and job functions, (3) the manner of affirmatively selecting a bargaining representative, or to affirmatively indicate a preference for no bargaining representative, or to remove a bargaining

representative; and (4) the identity of any conduct constituting an unfair labor practice by either the Town, the employee representative, or a Town employee.

Upon designation of a representative, the Council is authorized to negotiate through its Town-designated representative with the collective bargaining representatives of Town employees. In the event the Council's designated representatives and the representatives of the Town employees are unable, after good faith negotiations, to agree upon any term or condition of employment, such matter shall, within 30 days be submitted for mediation by a mutually agreed mediator, or in the absence of agreement, selected by random process from a panel maintained by the Federal Mediation and Conciliation Service of the United States Department of Labor.

Nothing herein shall be deemed to authorize a labor strike by any public employee. Neither shall anything herein be construed to compel the agreement of any party in negotiations to agree to any proposal presented by the other party, so long as the parties have conferred in good faith, and have failed to reach agreement. Under no circumstances shall the Council be empowered to negotiate any economic term or condition of employment, the implementation of which would exceed that amount deemed prudent and advisable by the Council, relative to the Town budget.

Section 2. That a Public Hearing on the proposed amendment will be held on the **6th day of December, 2023** at **12:00 p.m.**

Section 3. That upon adoption of this resolution a copy shall be posted at the Elkton Municipal Building, 100 Railroad Avenue, Elkton, Maryland, for a period of **not less than forty (40) days**.

Section 4. That upon adoption of this resolution a copy shall be published in the **Cecil Whig newspaper for four (4) consecutive weeks**.

Section 5. That this resolution amending the Charter of the Town of Elkton shall be effective upon the **fiftieth (50th) day** following its adoption, *unless otherwise provided by law*.

PASSED THIS 6th DAY OF December, 2023

Mayor and Commissioners
of the Town of Elkton

Mayor Robert J. Alt
Commissioner Jean A. Broomell
Commissioner Charles H. Givens, Sr.
Commissioner Robert M. Massimiano
Commissioner Earl M. Piner, Sr.