

1 Related Entries: HDA, HDB, HDC
2 Responsible Office: Chief Operating Officer
3 Association Relations
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6 Designation of the Montgomery County Association
7 of Administrative and Supervisory Personnel
8 as Exclusive Representative of Noncertificated Supervisory
9 Employees
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12 WHEREAS, In August 2006, the Montgomery County Association of
13 Administrative and Supervisory Personnel (MCAASP), in accordance
14 with the requirements of *The Annotated Code of Maryland,*
15 *Education*, Section 6-506, requested the opportunity to enter
16 into negotiations with the Board of Education on the subject of
17 establishing a bargaining unit of noncertificated supervisory
18 employees; and
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20 WHEREAS, On September 14, 2006, the Board of Education directed
21 the superintendent to enter into negotiations with any
22 interested employee organization to determine the composition of
23 a unit of noncertificated supervisory employees who were not
24 then currently in a bargaining unit; and
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26 WHEREAS, Both MCAASP and the Service Employees International
27 Union (SEIU) Local 500 requested negotiations with the Board of
28 Education on the subject of the composition of the bargaining
29 unit; and
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31 WHEREAS, Negotiations have occurred involving both organizations
32 requesting negotiations on this issue and the representatives of
33 the Board of Education; and
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35 WHEREAS, On March 26, 2007, the Board of Education approved the
36 formation of a bargaining unit of noncertificated supervisory
37 employees; and
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39 WHEREAS, The unit is to consist of noncertificated supervisory
40 employees who provide responsible direction to other employees
41 and exercise independent judgment, are responsible for the
42 evaluation of at least two other employees, and who do not
43 report to members of the SEIU Local 500 bargaining unit, and all
44 other similarly situated positions now and in the future; and
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46 WHEREAS, The unit shall include those positions identified in
47 the attachment to the Board's resolution of March 26, 2007, but
48 only to the extent those positions meet the description of the
49 unit set forth above and may include other positions meeting the
50 unit description in the future; and
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52 WHEREAS, Management personnel, confidential employees, and those
53 persons designated by the Board of Education to act in a
54 negotiations capacity, all pursuant to Section 6-501 of *The*
55 *Annotated Code of Maryland, Education*, and temporary employees
56 are excluded from any unit; and
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58 WHEREAS, On May 22, 2007, the MCAASP submitted certification
59 that it has membership enrollment of at least 30 percent of the
60 public school employees in the unit named in this resolution as

61 provided under *The Annotated Code of Maryland, Education,*
62 Section 6-506; and

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64 WHEREAS, On May 29, 2007, MCAASP submitted certification that it
65 has membership enrollment of the majority of the public school
66 employees in the unit named in this resolution as provided under
67 *The Annotated Code of Maryland, Education, Section 6-506;* and

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69 WHEREAS, As of the May 28, 2007, deadline no other employee
70 organization has certified having a membership enrollment of at
71 least 10 percent of the total number of employees in such unit;
72 and

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74 WHEREAS, MCAASP did not request an election under *The Annotated*
75 *Code of Maryland, Education, Section 6-506;* now therefore be it

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77 Resolved, That in accordance with the provisions of the
78 *Annotated Code of Maryland, Education, Section 6-506 (e)*
79 *Designation without an election,* the Board of Education hereby
80 designates the Montgomery County Association of Administrative
81 and Supervisory Personnel as the exclusive representative of all
82 public school employees in the unit named in this resolution
83 effective June 13, 2007, and continuing as provided by law; and
84 be it further

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86 Resolved, That management personnel, confidential employees, and
87 those persons designated by the Board of Education to act in a
88 negotiations capacity, all pursuant to Section 6-501 of *The*
89 *Annotated Code of Maryland, Education,* are excluded from this
90 unit, pursuant to *The Annotated Code of Maryland, Education,*

91 Section 6-506, and temporary employees are excluded from any
92 unit.

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