

**CITY OF BALTIMORE
COUNCIL BILL 06-0439
(Resolution)**

Introduced by: Councilmembers Curran, D’Adamo, Spector, Young, Harris, Kraft, Holton,
President Dixon, Councilmembers Conaway, Reisinger, Mitchell, Clarke, Rawlings Blake,
Welch, Branch

Introduced and read first time: May 15, 2006

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Civil Service
Commission, Board of Estimates

A RESOLUTION ENTITLED

1 A RESOLUTION OF THE MAYOR AND CITY COUNCIL concerning

2 **Charter Amendment – Grievance and Arbitration**

3 FOR the purpose of authorizing collective bargaining agreements to provide for grievance and
4 arbitration procedures for employees who have been discharged, reduced in pay or position,
5 or suspended for more than 30 days; correcting, clarifying, and conforming certain language;
6 and submitting this amendment to the qualified voters of the City for adoption or rejection.

7 By proposing an amendment to
8 Article VII - Executive Departments
9 Section(s) 95(f) and 100(a)
10 Baltimore City Charter
11 (1996 Edition)

12 **SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
13 City Charter is proposed to be amended to read as follows:

14 **Baltimore City Charter**

15 **Article VII. Executive Departments**

16 **§ 95. Civil Service Commission: powers and duties.**

17 The Commission:

- 18 (f) shall provide a hearing, [upon] ON written request, to any non-probationary member
19 of the Civil Service who has been discharged from the Civil Service, reduced in pay
20 or position, or suspended for longer than 30 days. If the Commission [shall find]
21 FINDS that the intent and spirit of a provision of [the] THIS Charter has been violated,
22 it shall report its findings to the Mayor[,]; and the appointing officer shall take [such]
23 WHATEVER action [as directed by] the Commission DIRECTS to rectify the violation.

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

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§ 100. Civil Service Commission: discharges, etc.; reductions in force.

(a) *Discharges, suspensions, reductions in pay or position.*

(1) No person [shall] MAY be discharged from the Civil Service, [or be] reduced in pay or position, or suspended [by the appointing officer] because of political opinions or affiliations, or for refusing to contribute to any political fund or refusing to render any political service[;]. [but] BUT nothing in [the provisions of the] THIS Charter relating to the Civil Service [shall forbid] FORBIDS the [removal, dismissal,] DISCHARGE, reduction IN PAY OR POSITION, or suspension of [any such] AN officer or employee for any just cause.

(2) [In all cases of] WHENEVER A NON-PROBATIONARY EMPLOYEE IS [discharge] DISCHARGED, [reduction] REDUCED IN PAY OR POSITION, or [suspension] SUSPENDED for more than [thirty] 30 days, the appointing officer shall furnish [the subordinate so discharged, reduced, or suspended, and also the Commission,] a copy of the order of discharge, reduction, or suspension, [and also] TOGETHER WITH A STATEMENT OF the reasons for [such] THE action, TO THE EMPLOYEE AND TO THE COMMISSION.

(3) THE EMPLOYEE MAY CONTEST THE ACTION BY:

(I) REQUESTING A HEARING BEFORE THE COMMISSION; OR

(II) PURSUING THE GRIEVANCE AND ARBITRATION PROCEDURES CONTAINED IN AN APPLICABLE COLLECTIVE BARGAINING AGREEMENT.

(4) [The] IN ALL CASES, Commission may, [in all cases,] and [upon] ON the written request of [any non-probationary] THE employee [discharged, reduced, or suspended for more than 30 days], THE COMMISSION shall investigate the disciplinary action[.], [and if it shall find]IF THE COMMISSION FINDS that the intent and spirit of the provisions of [the] THIS Charter have been violated in [such] THE discharge, reduction, or suspension, it shall report its findings to the Mayor[.]; and the appointing officer shall take [such] WHATEVER action [as directed by] the Commission DIRECTS to rectify the violation.

SECTION 2. AND BE IT FURTHER RESOLVED, That this proposed amendment to the City Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection, in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the City Solicitor.