



## OFFICE OF HUMAN RESOURCES

Douglas M. Duncan  
County Executive

Joseph Adler  
Director

May 5, 2003

Walter Bader, President  
Fraternal Order of Police, Lodge 35, Inc.  
18512 Office Park Drive  
Montgomery Village, MD 20886

Dear President Bader:

The Fraternal Order of Police, Lodge 35 (FOP) has proposed a resolution to the Prohibited Practice Charge filed on April 30, 2003, with Permanent Umpire Louis Aronin. Montgomery County is responding to your settlement proposal without prejudice to our position as expressed in my letter of April 30 in the event that we cannot reach a settlement on this matter.

In the event that the County Council indicates its intention is to reject or not fully fund any part of the proposed arbitrated agreement, the County Executive is amenable to mutually waiving the May 1<sup>st</sup> deadline and to providing an alternate ten day negotiations window under Section 33-80(g) of the Montgomery County Police Labor Relations Law. Based on limited prior experience, when Section 33-80(g) negotiations have been undertaken, we understand that the FOP's offer means that the only items subject to negotiations will be matters subject to Council review (i.e. appropriation of funds or enactment, repeal, or modification of a County law). All other items already in the proposed one year arbitrated contract (and, therefore, not subject to County Council action) will be considered settled and off the table unless both sides mutually agree to another course of action. Finally, if the Council agrees to the waiver of the dates, the Council would provide a representative to state its views in the negotiations as intended by the above cited statute. **Please confirm if our understanding is correct.**

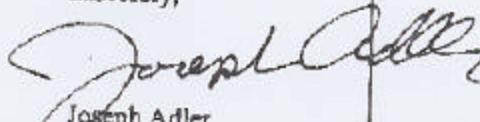
For the purpose of expediting these negotiations, should they become necessary, we agree that the ten consecutive days of negotiation should commence as of May 16<sup>th</sup>, assuming that May 15, 2003, is the date that the Council expresses its intent as to the status of the arbitrated Agreement, and due to the Memorial Day holiday, end on May 27, 2003.



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As noted above, it is our understanding that by agreeing to this process, the need to proceed with the prohibited practice is negated and that the FOP will notify Mr. Aronin of its withdrawal of the charge.

Sincerely,



Joseph Adler  
Director

JA/jw

cc: Douglas M. Duncan, County Executive  
Bruce Romer, Chief Administrative Officer  
Chuck Thompson, County Attorney  
Steve Farber, Council Staff Director  
Mike Fadden, Esq., Sr. County Council Attorney