

April 13, 2020

Statement of Grievance:

MCGEO hereby grieves the Commission's failure to honor various provisions of the collective bargaining agreement (CBA) during a declared worldwide pandemic and declared public health emergency by the Federal, State and Bi-County Government, i.e., Montgomery and Prince George's County Governments. By taking this action, the Commission has failed to implement adequate measures to protect the safety and health of bargaining unit members who are employed by the Commission and are still required to report to the worksite. MCGEO grieves the Commission's actions pursuant to the Purpose clause of the Collective Bargaining Agreement and Articles 5.7, 9.12, 35 and 60.

Specifically, MCGEO grieves the following:

1. MNCPPC has violated the General Emergency Provisions of Article 5.7.3 by requiring employees to work during the current coronavirus pandemic without the required emergency pay.
2. MNCPPC has violated Article 9.12.5 by failing and refusing to provide adequate Personal Protective Equipment and by failing and refusing to institute and observe mandated social distancing directives.
3. MNCPPC has violated Article 35.5 by failing to provide adequate safety equipment to employees during the current pandemic.
4. MNCPPC has violated Article 60 by failing to maintain a safe workplace for its employees and by failing to provide adequate testing for a communicable disease.

Based on the nature and immediacy of this class wide grievance and because the Commission's violations have created an imminent risk of serious bodily harm to bargaining unit members, this should be considered a Step 3 grievance pursuant to Article 12.7. Considering the urgency of the necessity of immediate action, we expect a response within five (5) calendar days of this grievance. After such time, we will proceed to immediate arbitration if this matter has not been resolved.

Relief Requested:

That MNCPPC retroactively pay, to March 20, 2020, all employees required to report to work at the worksites at the double-time and a half rate as outlined in the collective bargaining agreement.

That MNCPPC will restore all personal leave used and any lost wages, where appropriate, by employees required to report to the worksite starting March 20, 2020.