



CHARLES COUNTY GOVERNMENT  
**Department of Emergency Services**

**William Stephens**  
Director

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November 15, 2019

Mr. Aaron Kidder, Vice-President  
IAFF Local 4658  
PO Box 1532  
White Plains, MD 20695

Dear Mr. Kidder:

In accordance with section 10.3 of the Collective Bargaining Agreement, I am writing to provide you a response to the informal grievance filed by IAFF Local 4658 concerning the Leave Sell Back Program. This grievance is dated November 1, 2019, and was received by Alexis Blackwell on November 13, 2019.

In the grievance, IAFF local 4658 challenges the decision by the County to exclude bargaining unit employees from participation in the Fiscal Year 2020 Leave Sell Back Program. As stated in the October 22, 2019 email from Mark Belton to all Charles County employees (attached to the grievance), the Leave Sell Back Program was “approved by the Commissioners for Fiscal Year 2020 for all full-time and full-time reduced hour employees who are not part of a collective bargaining unit.”

As explained below, the grievance is denied for two reasons:

First, as stated in the October 22, 2019 email from Mr. Belton, the Leave Sell Back Program was approved by the County Commissioners. Under section 10.2.2 of the Collective Bargaining Agreement, “actions taken by the County Commissioners are not subject to grievance.” Therefore, this matter is not grievable.

Second, even if this matter were grievable, the grievance would be denied because the plain language of Chapter 17 of the Charles County Government Personnel Policy and Procedures Manual states that participation in the Leave Sell Back Program is contingent “upon budgeted funding or Commissioner approval.” For Fiscal Year 2020, the Commissioners did not fund or approve participation in the Leave Sell Back Program by employees who are covered by collective-bargaining agreements. Therefore, regardless of what actions were taken in Fiscal Year 2019, employees represented by IAFF Local 4658 are not entitled to participate in the Fiscal Year 2020 program.

In accordance with Section 10.3 of the Collective Bargaining Agreement, you are hereby advised that the Union has the right to further pursue this matter under the formal grievance procedure set forth in Section 10.4 of the contract.

Sincerely,  
  
W. D. Stephens, Director

Cc: John Filer, Chief of EMS

Alexis Blackwell, Director of Human Resources

Megan Donnick, Assistant Director of Human Resources

Ryan DeGruy, President, IAFF Local 4658

Eric Paltell