

HOUSE BILL 837

P4, F5

11r2028
CF SB 556

By: **Delegate Carr**

Introduced and read first time: January 29, 2021

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Collective Bargaining – Teachers at the Maryland School for the**
3 **Deaf – Separate Bargaining Unit**

4 FOR the purpose of establishing a separate bargaining unit for certain teachers at the
5 Maryland School for the Deaf; defining a certain term; and generally relating to
6 collective bargaining for employees of the Maryland School for the Deaf.

7 BY repealing and reenacting, with amendments,
8 Article – State Personnel and Pensions
9 Section 3–101 and 3–403(f)
10 Annotated Code of Maryland
11 (2015 Replacement Volume and 2020 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article – State Personnel and Pensions
14 Section 3–403(a) through (c)
15 Annotated Code of Maryland
16 (2015 Replacement Volume and 2020 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That the Laws of Maryland read as follows:

19 **Article – State Personnel and Pensions**

20 3–101.

21 (a) In this title the following words have the meanings indicated.

22 (b) “Board” means:

23 (1) with regard to any matter relating to employees of any of the units of

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



State government described in § 3–102(a)(1)(i) through (iv) and (vi) through (x) of this subtitle and employees described in § 3–102(a)(2) of this subtitle, the State Labor Relations Board; and

(2) with regard to any matter relating to employees of any State institution of higher education described in § 3–102(a)(1)(v) of this subtitle, the State Higher Education Labor Relations Board.

(c) “Collective bargaining” means:

(1) good faith negotiations by authorized representatives of employees and their employer with the intention of:

(i) 1. reaching an agreement about wages, hours, and other terms and conditions of employment; and

2. incorporating the terms of the agreement in a written memorandum of understanding or other written understanding; or

(ii) clarifying terms and conditions of employment;

(2) administration of terms and conditions of employment; or

(3) the voluntary adjustment of a dispute or disagreement between authorized representatives of employees and their employer that arises under a memorandum of understanding or other written understanding.

(d) “Employee organization” means a labor or other organization in which State employees participate and that has as one of its primary purposes representing employees.

(e) “Exclusive representative” means an employee organization that has been certified by the Board as an exclusive representative under Subtitle 4 of this title.

(f) “President” means:

(1) with regard to a constituent institution, as defined in § 12–101 of the Education Article, the president of the constituent institution;

(2) with regard to a center or institute, as those terms are defined in § 12–101 of the Education Article, the president of the center or institute;

(3) with regard to the University System of Maryland Office, the Chancellor of the University System of Maryland; and

(4) with regard to Morgan State University, St. Mary’s College of Maryland, and Baltimore City Community College, the president of the institution.

(g) “System institution” means:

(1) a constituent institution, as defined in § 12–101 of the Education Article;

(2) a center or institute, as those terms are defined in § 12–101 of the Education Article; and

(3) the University System of Maryland Office.

(H) (1) “TEACHERS” MEANS EMPLOYEES WHO HAVE BEEN DESIGNATED WITH TEACHER STATUS BY THE BOARD OF TRUSTEES OF THE MARYLAND SCHOOL FOR THE DEAF.

(2) “TEACHERS” DOES NOT INCLUDE OFFICERS OR SUPERVISORY EMPLOYEES AT THE MARYLAND SCHOOL FOR THE DEAF.

3–403.

(a) (1) Except as otherwise provided in this title, the Board shall determine the appropriateness of each bargaining unit.

(2) If there is no dispute about the appropriateness of the establishment of the bargaining unit, the Board shall issue an order defining an appropriate bargaining unit.

(3) If there is a dispute about the appropriateness of the establishment of the bargaining unit, the Board shall:

(i) conduct a hearing; and

(ii) issue an order defining an appropriate bargaining unit.

(b) If the appropriate bargaining unit as determined by the Board differs from the bargaining unit described in the petition, the Board may:

(1) dismiss the petition; or

(2) direct an election in the appropriate bargaining unit if the signatures included in the petition include those of at least 30% of the employees in the appropriate bargaining unit.

(c) A bargaining unit shall consist only of employees defined in regulations adopted by the Secretary and not specifically excluded by § 3–102(b) of this title.

(f) Notwithstanding any other provision of law[.]:

1 **(1)** Maryland Transportation Authority police officers at the rank of first
2 sergeant and below shall have a separate bargaining unit; **AND**

3 **(2)** **TEACHERS AT THE MARYLAND SCHOOL FOR THE DEAF SHALL**
4 **HAVE A SEPARATE BARGAINING UNIT.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2021.