

SENATE BILL 284

L6, L2

3lr2852
CF HB 116

By: **Senator Carter (By Request – Baltimore City Administration)**

Introduced and read first time: January 27, 2023

Assigned to: Finance and Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Trustees of the Walters Art Gallery – Collective Bargaining**

3 FOR the purpose of applying certain laws regarding labor relations and collective
4 bargaining to the Board of Trustees of the Walters Art Gallery and employees of the
5 Trustees of the Walters Art Gallery; establishing a bargaining unit for certain
6 employees of the Art Gallery; requiring the Labor Commissioner of Baltimore City
7 to certify an employee organization as the exclusive representative of the bargaining
8 unit under certain circumstances; prohibiting an employee organization from being
9 denied certification as the exclusive representative of the bargaining unit solely on
10 the basis that the employee organization admits certain individuals to membership;
11 and generally relating to collective bargaining for employees of the Trustees of the
12 Walters Art Gallery.

13 BY adding to

14 The Public Local Laws of Baltimore City
15 Section 28–1 through 28–3 to be under the new subtitle “Subtitle 28. Trustees of the
16 Walters Art Gallery – Collective Bargaining”
17 Article 4 – Public Local Laws of Maryland
18 (1979 Edition and 1997 Supplement and 2000 Supplement, as amended)

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

21 **Article 4 – Baltimore City**

22 **SUBTITLE 28. TRUSTEES OF THE WALTERS ART GALLERY – COLLECTIVE**
23 **BARGAINING.**

24 **28–1.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "BOARD" MEANS THE BOARD OF TRUSTEES OF THE WALTERS ART GALLERY.

(C) "CITY" MEANS THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY.

(D) "MUSEUM" MEANS THE TRUSTEES OF THE WALTERS ART GALLERY, AS ESTABLISHED BY CHAPTER 217 OF THE ACTS OF THE GENERAL ASSEMBLY OF 1933.

28-2.

THE GENERAL ASSEMBLY DECLARES THAT:

(1) THE MUSEUM IS A UNIT AND INSTRUMENTALITY OF THE STATE AND THE CITY; AND

(2) IT SHALL BE THE POLICY OF THE STATE TO ENCOURAGE AND PROTECT THE EXERCISE BY THE EMPLOYEES OF THE MUSEUM OF THE FULL FREEDOM OF ASSOCIATION, SELF-ORGANIZATION, AND DESIGNATION OF REPRESENTATIVES OF THE EMPLOYEES' CHOOSING, FOR THE PURPOSE OF NEGOTIATING THE TERMS AND CONDITIONS OF EMPLOYMENT OR OTHER MUTUAL AID OR PROTECTION.

28-3.

(A) EXCEPT AS PROVIDED IN THIS SUBTITLE, ARTICLE 12 OF THE BALTIMORE CITY CODE SHALL APPLY TO LABOR RELATIONS AND COLLECTIVE BARGAINING BETWEEN THE BOARD AND EMPLOYEES OF THE MUSEUM.

(B) THERE SHALL BE ONE BARGAINING UNIT CONSISTING OF ALL EMPLOYEES OF THE MUSEUM, EXCLUDING SUPERVISORY EMPLOYEES AS DEFINED IN ARTICLE 12, § 1-1 OF THE BALTIMORE CITY CODE.

(C) NOTWITHSTANDING ANY OTHER PROVISION OF ARTICLE 12 OF THE BALTIMORE CITY CODE, THE LABOR COMMISSIONER OF BALTIMORE CITY SHALL, IN LIEU OF AN ELECTION, CERTIFY AN EMPLOYEE ORGANIZATION AS THE EXCLUSIVE REPRESENTATIVE OF THE BARGAINING UNIT IF:

(1) A PETITION IS FILED WITH THE LABOR COMMISSIONER UNDER ARTICLE 12, § 4-2(A)(1)(I) OF THE BALTIMORE CITY CODE ALLEGING THAT A SUBSTANTIAL NUMBER OF EMPLOYEES WANT THE EMPLOYEE ORGANIZATION

1 SPECIFIED IN THE PETITION TO BE THE EMPLOYEES' EXCLUSIVE REPRESENTATIVE
2 FOR COLLECTIVE NEGOTIATION; AND

3 (2) THE LABOR COMMISSIONER FINDS:

4 (I) A MAJORITY OF THE EMPLOYEES IN THE BARGAINING UNIT
5 SIGNED VALID AUTHORIZATIONS DESIGNATING THE EMPLOYEE ORGANIZATION AS
6 ITS EXCLUSIVE REPRESENTATIVE; AND

7 (II) NO OTHER EMPLOYEE ORGANIZATION IS CURRENTLY
8 CERTIFIED OR RECOGNIZED AS THE EXCLUSIVE REPRESENTATIVE OF THE
9 BARGAINING UNIT.

10 (D) AN EMPLOYEE ORGANIZATION MAY NOT BE DENIED CERTIFICATION AS
11 THE EXCLUSIVE REPRESENTATIVE OF THE BARGAINING UNIT SOLELY ON THE BASIS
12 THAT THE EMPLOYEE ORGANIZATION ADMITS, TOGETHER WITH OTHER EMPLOYEES,
13 TO MEMBERSHIP ANY INDIVIDUAL EMPLOYED TO ENFORCE RULES AGAINST
14 EMPLOYEES OR OTHER INDIVIDUALS THAT PROTECT THE PROPERTY OF THE
15 EMPLOYER OR THE SAFETY OF INDIVIDUALS ON THE EMPLOYER'S PREMISES.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
17 1, 2023.