

Article - State Personnel and Pensions

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§3–205.

(a) The Board is responsible for administering and enforcing provisions of this title relating to employees described in § 3–102(a)(1)(i) through (iv) and (vi) through (ix) and (2) of this title.

(b) In addition to any other powers or duties provided for elsewhere in this title, the Board may:

(1) (i) establish guidelines for creating new bargaining units that include a consideration of:

1. the effect of overfragmentation on the employer;
2. the administrative structures of the State employer;
3. the recommendations of the parties;
4. the recommendations of the Executive Director;
5. the desires of the employees involved;
6. the communities of interest of the employees involved; and
7. the wages, hours, and other working conditions of the

employees;

(ii) establish standards for determining an appropriate bargaining unit; and

(iii) investigate and resolve disputes about appropriate bargaining units;

(2) establish procedures for, supervise the conduct of, and resolve disputes about elections for exclusive representatives; and

(3) investigate and take appropriate action in response to complaints of unfair labor practices and lockouts.

(c) (1) The Board may not designate a unique bargaining unit for each of the units of government identified in § 3–102(a)(1)(vi) through (ix) of this title.

(2) At the request of the exclusive representative, the Board shall:

(i) determine the appropriate existing bargaining unit into which to assign each employee in the units of government identified in § 3–102(a)(1)(vi) through

(ix) of this title; and

(ii) accrete all positions to appropriate existing bargaining units.

(3) (i) Notwithstanding Subtitle 4 of this title, at the request of the exclusive representative, the Board shall conduct a self-determination election for each bargaining unit representative for the accreted employees in units of government identified in § 3-102(a)(1)(vi) through (ix) of this title.

(ii) All elections shall be conducted by secret ballot.

(iii) For each election, the Board shall place the following choices on the ballot:

1. the name of the incumbent exclusive representative; and
2. a provision for “no exclusive representative”.

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