

# HOUSE BILL 1250

P4, F2

7lr2823

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By: **Delegate Korman**

Introduced and read first time: February 10, 2017

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Student Employees – Collective Bargaining**

3 FOR the purpose of removing student employees at the University System of Maryland,  
4 Morgan State University, St. Mary's College of Maryland, and Baltimore City  
5 Community College from the list of employees who are ineligible to engage in  
6 collective bargaining; and generally relating to collective bargaining for student  
7 employees at the University System of Maryland, Morgan State University, St.  
8 Mary's College of Maryland, and Baltimore City Community College.

9 BY repealing and reenacting, with amendments,  
10 Article – State Personnel and Pensions  
11 Section 3–102  
12 Annotated Code of Maryland  
13 (2015 Replacement Volume and 2016 Supplement)

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

16 **Article – State Personnel and Pensions**

17 3–102.

18 (a) Except as provided in this title or as otherwise provided by law, this title  
19 applies to:

20 (1) all employees of:

21 (i) the principal departments within the Executive Branch of State  
22 government;

23 (ii) the Maryland Insurance Administration;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (iii) the State Department of Assessments and Taxation;
- 2 (iv) the State Lottery and Gaming Control Agency;
- 3 (v) the University System of Maryland, Morgan State University,  
4 St. Mary's College of Maryland, and Baltimore City Community College;
- 5 (vi) the Comptroller;
- 6 (vii) the Maryland Transportation Authority who are not police  
7 officers;
- 8 (viii) the State Retirement Agency; and
- 9 (ix) the State Department of Education; and

10 (2) all full-time Maryland Transportation Authority police officers at the  
11 rank of first sergeant and below.

12 (b) This title does not apply to:

13 (1) employees of the Maryland Transit Administration, as that term is  
14 defined in § 7-601(a)(2) of the Transportation Article;

15 (2) an employee who is elected to the position by popular vote;

16 (3) an employee in a position by election or appointment that is provided  
17 for by the Maryland Constitution;

18 (4) an employee who is:

19 (i) a special appointment in the State Personnel Management  
20 System; or

21 (ii) 1. directly appointed by the Governor by an appointment  
22 that is not provided for by the Maryland Constitution;

23 2. appointed by or on the staff of the Governor or Lieutenant  
24 Governor; or

25 3. assigned to the Government House or the Governor's  
26 Office;

27 (5) an employee assigned to the Board or with access to records of the  
28 Board;

- 1           (6)    an employee in:
- 2                   (i)    the executive service of the State Personnel Management  
3 System; or
- 4                   (ii)   a unit of the Executive Branch with an independent personnel  
5 system who is:
- 6                           1.    the chief administrator of the unit or a comparable  
7 position that is not excluded under item (3) of this subsection as a constitutional or elected  
8 office; or
- 9                           2.    a deputy or assistant administrator of the unit or a  
10 comparable position;
- 11           (7)    (i)    a temporary or contractual employee in the State Personnel  
12 Management System; or
- 13                   (ii)   a contractual, temporary, or emergency employee in a unit of the  
14 Executive Branch with an independent personnel system;
- 15           (8)    an employee who is entitled to participate in collective bargaining  
16 under another law;
- 17           (9)    an employee of the University System of Maryland, Morgan State  
18 University, St. Mary's College of Maryland, or Baltimore City Community College who is:
- 19                   (i)    a chief administrator or in a comparable position;
- 20                   (ii)   a deputy, associate, or assistant administrator or in a  
21 comparable position;
- 22                   (iii)   a member of the faculty, including a faculty librarian;
- 23                   (iv)   [a student employee, including a teaching assistant or a  
24 comparable position, fellow, or post doctoral intern;
- 25                   (v)]   a contingent, contractual, temporary, or emergency employee;
- 26                   [(vi)] (V)   a contingent, contractual, or temporary employee whose  
27 position is funded through a research or service grant or contract, or through clinical  
28 revenues; or
- 29                   [(vii)] (VI)   an employee whose regular place of employment is outside  
30 the State of Maryland;

1           (10) an employee whose participation in a labor organization would be  
2 contrary to the State's ethics laws;

3           (11) any supervisory, managerial, or confidential employee of a unit of State  
4 government listed in subsection (a)(1)(i) through (iv) and (vi) through (ix) of this section, as  
5 defined in regulations adopted by the Secretary;

6           (12) any supervisory, managerial, or confidential employee of a State  
7 institution of higher education listed in subsection (a)(1)(v) of this section, as defined in  
8 regulations adopted by the governing board of the institution; or

9           (13) any employee described in subsection (a)(2) of this section who is a  
10 supervisory, managerial, or confidential employee, as defined in regulations adopted by the  
11 Secretary.

12           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2017.