

HOUSE BILL 811

F5

8lr1572
CF 8lr1882

By: **Delegates Luedtke, Ebersole, Fennell, Tarlau, M. Washington, and Wilkins**
Introduced and read first time: February 1, 2018
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Collective Bargaining – Exclusive Representative’s Access to New**
3 **Employee Processing**

4 FOR the purpose of requiring public school employers to provide an exclusive
5 representative with access to a certain new employee processing; requiring the public
6 school employer to provide a certain notice to the exclusive representative within a
7 certain period of time; authorizing a certain exception under certain circumstances;
8 requiring the structure, time, and manner of certain access to be determined through
9 certain negotiations; authorizing certain parties to request that the Public School
10 Labor Relations Board declare a certain impasse under certain circumstances;
11 requiring a mediator or the Board to consider certain factors under certain
12 circumstances during a certain impasse proceeding; providing for the reopening of
13 certain collective bargaining agreements for certain purposes under certain
14 circumstances; authorizing certain parties to negotiate a separate agreement under
15 certain circumstances; providing that certain provisions of this Act do not prohibit
16 certain activities; providing that certain provisions of this Act do not abrogate certain
17 existing collective bargaining agreements; requiring the public school employer to
18 provide the exclusive representative with certain employee information within a
19 certain number of days under certain circumstances; authorizing the public school
20 employer to negotiate with the exclusive representative on certain topics; providing
21 for a certain exception; requiring a certain custodian to allow inspection by a certain
22 employee organization of a certain personnel record that contains certain
23 information; defining certain terms; and generally relating to access of an exclusive
24 representative to a public school employer’s new employee processing.

25 BY repealing and reenacting, with amendments,
26 Article – Education
27 Section 6–401, 6–408(c)(1), 6–501, and 6–510(c)(1)
28 Annotated Code of Maryland
29 (2014 Replacement Volume and 2017 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 BY adding to
2 Article – Education
3 Section 6–407.1, 6–407.2, 6–509.1, and 6–509.2
4 Annotated Code of Maryland
5 (2014 Replacement Volume and 2017 Supplement)

6 BY repealing and reenacting, with amendments,
7 Article – General Provisions
8 Section 4–311
9 Annotated Code of Maryland
10 (2014 Volume and 2017 Supplement)

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

13 **Article – Education**

14 6–401.

15 (a) In this subtitle the following words have the meanings indicated.

16 (b) “Board” means the Public School Labor Relations Board established under
17 Subtitle 8 of this title.

18 (b–1) “Day” means a calendar day unless otherwise indicated.

19 (c) “Employee organization” means an organization that:

20 (1) Includes certificated employees of a public school employer or
21 individuals of equivalent status in Baltimore City; and

22 (2) Has as one of its main purposes the representation of the employees in
23 their relations with that public school employer.

24 (d) (1) “Home and hospital teacher” means a teacher employed by a public
25 school employer to provide instructional services to a public school student who is unable
26 to function effectively in the classroom setting due to the student’s medical, physical, or
27 emotional condition.

28 (2) A home and hospital teacher may teach in:

29 (i) A private home;

30 (ii) A hospital;

31 (iii) A therapeutic center;

1 (iv) A school; or

2 (v) Any other appropriate site.

3 **(D-1) “NEW EMPLOYEE PROCESSING” MEANS THE PROCESS FOR A NEWLY**
4 **HIRED PUBLIC SCHOOL EMPLOYEE, WHETHER IN PERSON, ONLINE, OR THROUGH**
5 **OTHER MEANS, IN WHICH NEW EMPLOYEES ARE ADVISED OF THEIR EMPLOYMENT**
6 **STATUS, RIGHTS, BENEFITS, DUTIES, RESPONSIBILITIES, AND OTHER**
7 **EMPLOYMENT-RELATED MATTERS.**

8 (e) (1) “Public school employee” means a certificated professional individual
9 who is employed by a public school employer or an individual of equivalent status in
10 Baltimore City, except for a county superintendent or an individual designated by the
11 public school employer to act in a negotiating capacity as provided in § 6-408(c) of this
12 subtitle.

13 (2) In Montgomery County, “public school employees” include:

14 (i) Certificated and noncertificated substitute teachers employed by
15 the public school employer for at least 7 days before March 1 of the school fiscal year ending
16 June 30, 1978, and each year after; and

17 (ii) Home and hospital teachers employed by the public school
18 employer for at least 7 days before March 1 of the school fiscal year ending June 30, 2000,
19 and each year after.

20 (3) In Baltimore County, “public school employee” includes a secondary
21 school nurse, an elementary school nurse, and a special school nurse.

22 (4) In Frederick County, “public school employee” includes a social worker
23 employed by a public school employer.

24 (5) In Prince George’s County, “public school employee” includes home and
25 hospital teachers and Junior Reserve Officer Training Corps (JROTC) instructors.

26 (6) In Baltimore County, Calvert County, Charles County, and Garrett
27 County, “public school employee” includes Junior Reserve Officer Training Corps (JROTC)
28 instructors.

29 (7) In Carroll County, “public school employee” includes:

30 (i) A registered nurse; and

31 (ii) Supervisory noncertificated employees as defined under §
32 6-501(i) of this title.

33 (f) “Public school employer” means a county board of education or the Baltimore

1 City Board of School Commissioners.

2 **6-407.1.**

3 (A) (1) (I) EACH PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE
4 EXCLUSIVE REPRESENTATIVE ACCESS TO NEW EMPLOYEE PROCESSING.

5 (II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS
6 PARAGRAPH, THE PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE EXCLUSIVE
7 REPRESENTATIVE AT LEAST 10 DAYS' NOTICE IN ADVANCE OF A NEW EMPLOYEE
8 PROCESSING.

9 (III) THE PUBLIC SCHOOL EMPLOYER MAY PROVIDE THE
10 EXCLUSIVE REPRESENTATIVE WITH LESS THAN 10 DAYS' NOTICE IF THERE IS AN
11 URGENT NEED CRITICAL TO THE PUBLIC SCHOOL EMPLOYER'S NEW EMPLOYEE
12 PROCESSING THAT WAS NOT REASONABLY FORESEEABLE.

13 (2) (I) THE STRUCTURE, TIME, AND MANNER OF THE ACCESS
14 REQUIRED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE DETERMINED
15 THROUGH NEGOTIATIONS BETWEEN THE PUBLIC SCHOOL EMPLOYER AND THE
16 EXCLUSIVE REPRESENTATIVE IN ACCORDANCE WITH § 6-408 OF THIS SUBTITLE.

17 (II) WHEN NEGOTIATING ACCESS TO NEW EMPLOYEE
18 PROCESSING UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, IF ANY DISPUTE HAS
19 NOT BEEN RESOLVED WITHIN 45 DAYS AFTER THE FIRST MEETING OF THE PUBLIC
20 SCHOOL EMPLOYER AND THE EXCLUSIVE REPRESENTATIVE, OR WITHIN 60 DAYS
21 AFTER AN INITIAL REQUEST TO NEGOTIATE, WHICHEVER OCCURS FIRST, EITHER
22 PARTY MAY REQUEST THAT THE BOARD DECLARE AN IMPASSE UNDER § 6-408(E) OF
23 THIS SUBTITLE.

24 (III) IN AN IMPASSE PROCEEDING UNDER § 6-408(E) OF THIS
25 SUBTITLE, THE MEDIATOR OR BOARD SHALL CONSIDER:

26 1. THE ABILITY OF THE EXCLUSIVE REPRESENTATIVE
27 TO COMMUNICATE WITH THE PUBLIC SCHOOL EMPLOYEES IT REPRESENTS;

28 2. THE LEGAL OBLIGATIONS OF THE EXCLUSIVE
29 REPRESENTATIVE TO THE PUBLIC SCHOOL EMPLOYEES;

30 3. APPLICABLE STATE, FEDERAL, AND LOCAL LAWS;

31 4. ANY STIPULATIONS OF THE PARTIES;

1 **5. THE INTERESTS AND WELFARE OF THE PUBLIC**
2 **SCHOOL EMPLOYEES AND THE FINANCIAL CONDITION OF THE PUBLIC SCHOOL**
3 **EMPLOYER;**

4 **6. THE STRUCTURE, TIME, AND MANNER OF ACCESS OF**
5 **AN EXCLUSIVE REPRESENTATIVE TO NEW EMPLOYEE PROCESSING IN COMPARABLE**
6 **PUBLIC SCHOOL EMPLOYERS, INCLUDING THE ACCESS PROVISIONS IN OTHER**
7 **MEMORANDA OF UNDERSTANDING OR COLLECTIVE BARGAINING AGREEMENTS; AND**

8 **7. ANY OTHER FACTS ROUTINELY CONSIDERED IN**
9 **ESTABLISHING THE STRUCTURE, TIME, AND MANNER OF ACCESS OF AN EXCLUSIVE**
10 **REPRESENTATIVE TO NEW EMPLOYEE PROCESSING.**

11 **(3) (I) A REQUEST TO NEGOTIATE UNDER PARAGRAPH (2) OF THIS**
12 **SUBSECTION MADE BETWEEN JULY 1, 2018, AND THE EXPIRATION DATE OF AN**
13 **EXISTING COLLECTIVE BARGAINING AGREEMENT BETWEEN THE PARTIES SHALL**
14 **REOPEN THE EXISTING COLLECTIVE BARGAINING AGREEMENT ONLY FOR THE**
15 **PURPOSE OF NEGOTIATING THE ACCESS OF THE EXCLUSIVE REPRESENTATIVE TO**
16 **THE PUBLIC SCHOOL EMPLOYER'S NEW EMPLOYEE PROCESSING.**

17 **(II) EITHER PARTY MAY ELECT TO NEGOTIATE A SEPARATE**
18 **AGREEMENT ON THE ACCESS OF THE EXCLUSIVE REPRESENTATIVE TO THE PUBLIC**
19 **SCHOOL EMPLOYER'S NEW EMPLOYEE PROCESSING IN LIEU OF REOPENING THE**
20 **EXISTING COLLECTIVE BARGAINING AGREEMENT.**

21 **(B) THIS SECTION DOES NOT PROHIBIT A PUBLIC SCHOOL EMPLOYER AND**
22 **AN EXCLUSIVE REPRESENTATIVE FROM NEGOTIATING ACCESS TO NEW EMPLOYEE**
23 **PROCESSING THAT VARIES FROM THE REQUIREMENTS OF THIS SECTION.**

24 **(C) NOTHING IN THIS SECTION SHALL ABROGATE EXISTING COLLECTIVE**
25 **BARGAINING AGREEMENTS BETWEEN PUBLIC SCHOOL EMPLOYERS AND EXCLUSIVE**
26 **REPRESENTATIVES.**

27 **6-407.2.**

28 **(A) WITHIN 30 DAYS OF THE DATE OF HIRE, OR BY THE FIRST PAY PERIOD**
29 **OF THE MONTH AFTER THE DATE OF HIRE, OF EACH NEW PUBLIC SCHOOL**
30 **EMPLOYEE, A PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE EXCLUSIVE**
31 **REPRESENTATIVE WITH THE EMPLOYEE'S:**

32 **(1) NAME;**

33 **(2) POSITION CLASSIFICATION;**

1 **(3) HOME AND WORK SITE ADDRESSES WHERE THE EMPLOYEE**
2 **RECEIVES INTEROFFICE OR UNITED STATES MAIL;**

3 **(4) HOME AND WORK SITE TELEPHONE NUMBERS;**

4 **(5) PERSONAL CELL PHONE NUMBER; AND**

5 **(6) WORK AND PERSONAL E-MAIL ADDRESSES.**

6 **(B) (1) (I) THE PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE**
7 **EXCLUSIVE REPRESENTATIVE WITH THE INFORMATION DESCRIBED IN SUBSECTION**
8 **(A) OF THIS SECTION FOR EACH EMPLOYEE IN THE BARGAINING UNIT REPRESENTED**
9 **BY THE EXCLUSIVE REPRESENTATIVE AT LEAST ONCE EVERY 120 DAYS.**

10 **(II) SUBJECT TO § 6-408 OF THIS SUBTITLE, THE PUBLIC**
11 **SCHOOL EMPLOYER MAY NEGOTIATE WITH THE EXCLUSIVE REPRESENTATIVE TO**
12 **PROVIDE:**

13 **1. THE INFORMATION REQUIRED UNDER THIS**
14 **PARAGRAPH MORE FREQUENTLY THAN ONCE EVERY 120 DAYS; AND**

15 **2. MORE DETAILED INFORMATION THAN REQUIRED**
16 **UNDER THIS PARAGRAPH.**

17 **(2) THE PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE EXCLUSIVE**
18 **REPRESENTATIVE WITH THE INFORMATION DESCRIBED IN SUBSECTION (A) OF THIS**
19 **SECTION REGARDLESS OF WHETHER THE NEWLY HIRED EMPLOYEE WAS**
20 **PREVIOUSLY EMPLOYED BY THE PUBLIC SCHOOL EMPLOYER.**

21 6-408.

22 (c) (1) On request a public school employer or at least two of its designated
23 representatives shall meet and negotiate with at least two representatives of the employee
24 organization that is designated as the exclusive negotiating agent for the public school
25 employees in a unit of the county on all matters that relate to [salaries]:

26 **(I) SALARIES, wages, hours, and other working conditions,**
27 **including procedures regarding employee transfers and assignments; AND**

28 **(II) THE STRUCTURE, TIME, AND MANNER OF THE ACCESS OF**
29 **THE EXCLUSIVE REPRESENTATIVE TO A PUBLIC SCHOOL EMPLOYER'S NEW**
30 **EMPLOYEE PROCESSING AS REQUIRED UNDER § 6-407.1 OF THIS SUBTITLE.**

1 6–501.

2 (a) In this subtitle the following words have the meanings indicated.

3 (b) “Board” means the Public School Labor Relations Board established under
4 Subtitle 8 of this title.

5 (c) “Confidential employee” includes an individual whose employment
6 responsibilities require knowledge of the public school employer’s posture in the collective
7 negotiation process, as determined by the public school employer in negotiations with an
8 employee organization that requests negotiation on this issue.

9 (c–1) “Day” means a calendar day unless otherwise indicated.

10 (d) “Employee organization” means an organization that:

11 (1) Includes noncertificated employees of a public school employer; and

12 (2) Has as one of its main purposes the representation of the employees in
13 their relations with that public school employer.

14 (e) “Management personnel” includes an individual who is engaged mainly in
15 executive and managerial functions, as determined by the public school employer in
16 negotiation with an employee organization that requests negotiation on this issue.

17 **(E–1) “NEW EMPLOYEE PROCESSING” MEANS THE PROCESS FOR A NEWLY**
18 **HIRED PUBLIC SCHOOL EMPLOYEE, WHETHER IN PERSON, ONLINE, OR THROUGH**
19 **OTHER MEANS, IN WHICH NEW EMPLOYEES ARE ADVISED OF THEIR EMPLOYMENT**
20 **STATUS, RIGHTS, BENEFITS, DUTIES, RESPONSIBILITIES, AND OTHER**
21 **EMPLOYMENT–RELATED MATTERS.**

22 (f) “Noncertificated employee”, in Montgomery County, means only a full–time
23 employee.

24 (g) (1) “Public school employee” means a noncertificated individual who is
25 employed for at least 9 months a year on a full–time basis by a public school employer.

26 (2) “Public school employee” includes a noncertificated employee in
27 Baltimore City notwithstanding that the noncertificated employee does not work for at
28 least 9 months a year on a full–time basis.

29 (3) “Public school employee” does not include:

30 (i) Management personnel;

31 (ii) A confidential employee; or

1 (iii) Any individual designated by the public school employer to act in
2 a negotiating capacity as provided in § 6-510(c) of this subtitle.

3 (h) (1) "Public school employer" means the county board in each county.

4 (2) "Public school employer" includes the Baltimore City Board of School
5 Commissioners.

6 (i) "Supervisory employee" includes any individual who responsibly directs the
7 work of other employees, as determined by the public school employer in negotiation with
8 an employee organization that requests negotiation on this issue.

9 **6-509.1.**

10 (A) (1) (I) EACH PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE
11 EXCLUSIVE REPRESENTATIVE ACCESS TO NEW EMPLOYEE PROCESSING.

12 (II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS
13 PARAGRAPH, THE PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE EXCLUSIVE
14 REPRESENTATIVE AT LEAST 10 DAYS' NOTICE IN ADVANCE OF A NEW EMPLOYEE
15 PROCESSING.

16 (III) THE PUBLIC SCHOOL EMPLOYER MAY PROVIDE THE
17 EXCLUSIVE REPRESENTATIVE WITH LESS THAN 10 DAYS' NOTICE IF THERE IS AN
18 URGENT NEED CRITICAL TO THE PUBLIC SCHOOL EMPLOYER'S NEW EMPLOYEE
19 PROCESSING THAT WAS NOT REASONABLY FORESEEABLE.

20 (2) (I) THE STRUCTURE, TIME, AND MANNER OF THE ACCESS
21 REQUIRED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE DETERMINED
22 THROUGH NEGOTIATIONS BETWEEN THE PUBLIC SCHOOL EMPLOYER AND THE
23 EXCLUSIVE REPRESENTATIVE IN ACCORDANCE WITH § 6-510 OF THIS SUBTITLE.

24 (II) WHEN NEGOTIATING ACCESS TO NEW EMPLOYEE
25 PROCESSING UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, IF ANY DISPUTE HAS
26 NOT BEEN RESOLVED WITHIN 45 DAYS AFTER THE FIRST MEETING OF THE PUBLIC
27 SCHOOL EMPLOYER AND THE EXCLUSIVE REPRESENTATIVE, OR WITHIN 60 DAYS
28 AFTER AN INITIAL REQUEST TO NEGOTIATE, WHICHEVER OCCURS FIRST, EITHER
29 PARTY MAY REQUEST THAT THE BOARD DECLARE AN IMPASSE UNDER § 6-510(E) OF
30 THIS SUBTITLE.

31 (III) IN AN IMPASSE PROCEEDING UNDER § 6-510(E) OF THIS
32 SUBTITLE, THE MEDIATOR OR BOARD SHALL CONSIDER:

33 1. THE ABILITY OF THE EXCLUSIVE REPRESENTATIVE

1 TO COMMUNICATE WITH THE PUBLIC SCHOOL EMPLOYEES IT REPRESENTS;

2 2. THE LEGAL OBLIGATIONS OF THE EXCLUSIVE
3 REPRESENTATIVE TO THE PUBLIC SCHOOL EMPLOYEES;

4 3. APPLICABLE STATE, FEDERAL, AND LOCAL LAWS;

5 4. ANY STIPULATIONS OF THE PARTIES;

6 5. THE INTERESTS AND WELFARE OF THE PUBLIC
7 SCHOOL EMPLOYEES AND THE FINANCIAL CONDITION OF THE PUBLIC SCHOOL
8 EMPLOYER;

9 6. THE STRUCTURE, TIME, AND MANNER OF ACCESS OF
10 AN EXCLUSIVE REPRESENTATIVE TO NEW EMPLOYEE PROCESSING IN COMPARABLE
11 PUBLIC SCHOOL EMPLOYERS, INCLUDING THE ACCESS PROVISIONS IN OTHER
12 MEMORANDA OF UNDERSTANDING OR COLLECTIVE BARGAINING AGREEMENTS; AND

13 7. ANY OTHER FACTS ROUTINELY CONSIDERED IN
14 ESTABLISHING THE STRUCTURE, TIME, AND MANNER OF ACCESS OF AN EXCLUSIVE
15 REPRESENTATIVE TO NEW EMPLOYEE PROCESSING.

16 (3) (I) A REQUEST TO NEGOTIATE UNDER PARAGRAPH (2) OF THIS
17 SUBSECTION MADE BETWEEN JULY 1, 2018, AND THE EXPIRATION DATE OF AN
18 EXISTING COLLECTIVE BARGAINING AGREEMENT BETWEEN THE PARTIES SHALL
19 REOPEN THE EXISTING COLLECTIVE BARGAINING AGREEMENT ONLY FOR THE
20 PURPOSE OF NEGOTIATING THE ACCESS OF THE EXCLUSIVE REPRESENTATIVE TO
21 THE PUBLIC SCHOOL EMPLOYER'S NEW EMPLOYEE PROCESSING.

22 (II) EITHER PARTY MAY ELECT TO NEGOTIATE A SEPARATE
23 AGREEMENT ON THE ACCESS OF THE EXCLUSIVE REPRESENTATIVE TO THE PUBLIC
24 SCHOOL EMPLOYER'S NEW EMPLOYEE PROCESSING IN LIEU OF REOPENING THE
25 EXISTING COLLECTIVE BARGAINING AGREEMENT.

26 (B) THIS SECTION DOES NOT PROHIBIT A PUBLIC SCHOOL EMPLOYER AND
27 AN EXCLUSIVE REPRESENTATIVE FROM NEGOTIATING ACCESS TO NEW EMPLOYEE
28 PROCESSING THAT VARIES FROM THE REQUIREMENTS OF THIS SECTION.

29 (C) NOTHING IN THIS SECTION SHALL ABROGATE EXISTING COLLECTIVE
30 BARGAINING AGREEMENTS BETWEEN PUBLIC SCHOOL EMPLOYERS AND EXCLUSIVE
31 REPRESENTATIVES.

32 6-509.2.

1 **(A) WITHIN 30 DAYS OF THE DATE OF HIRE, OR BY THE FIRST PAY PERIOD**
2 **OF THE MONTH AFTER THE DATE OF HIRE, OF EACH NEW PUBLIC SCHOOL**
3 **EMPLOYEE, A PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE EXCLUSIVE**
4 **REPRESENTATIVE WITH THE EMPLOYEE'S:**

5 **(1) NAME;**

6 **(2) POSITION CLASSIFICATION;**

7 **(3) HOME AND WORK SITE ADDRESSES WHERE THE EMPLOYEE**
8 **RECEIVES INTEROFFICE OR UNITED STATES MAIL;**

9 **(4) HOME AND WORK SITE TELEPHONE NUMBERS;**

10 **(5) PERSONAL CELL PHONE NUMBER; AND**

11 **(6) WORK AND PERSONAL E-MAIL ADDRESSES.**

12 **(B) (1) (I) THE PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE**
13 **EXCLUSIVE REPRESENTATIVE WITH THE INFORMATION DESCRIBED IN SUBSECTION**
14 **(A) OF THIS SECTION FOR EACH EMPLOYEE IN THE BARGAINING UNIT REPRESENTED**
15 **BY THE EXCLUSIVE REPRESENTATIVE AT LEAST ONCE EVERY 120 DAYS.**

16 **(II) SUBJECT TO § 6-510 OF THIS SUBTITLE, THE PUBLIC**
17 **SCHOOL EMPLOYER MAY NEGOTIATE WITH THE EXCLUSIVE REPRESENTATIVE TO**
18 **PROVIDE:**

19 **1. THE INFORMATION REQUIRED UNDER THIS**
20 **PARAGRAPH MORE FREQUENTLY THAN ONCE EVERY 120 DAYS; AND**

21 **2. MORE DETAILED INFORMATION THAN REQUIRED**
22 **UNDER THIS PARAGRAPH.**

23 **(2) THE PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE EXCLUSIVE**
24 **REPRESENTATIVE WITH THE INFORMATION DESCRIBED IN SUBSECTION (A) OF THIS**
25 **SECTION REGARDLESS OF WHETHER THE NEWLY HIRED EMPLOYEE WAS**
26 **PREVIOUSLY EMPLOYED BY THE PUBLIC SCHOOL EMPLOYER.**

27 6-510.

28 **(c) (1) On request, a public school employer or at least two of its designated**
29 **representatives shall meet and negotiate with at least two representatives of the employee**
30 **organization that is designated as the exclusive negotiating agent for the public school**

1 employees in a unit of the county on all matters that relate to [salaries]:

2 (I) SALARIES, wages, hours, and other working conditions,
3 including the discipline and discharge of an employee for just cause; AND

4 (II) THE STRUCTURE, TIME, AND MANNER OF THE ACCESS OF
5 THE EXCLUSIVE REPRESENTATIVE TO A PUBLIC SCHOOL EMPLOYER'S NEW
6 EMPLOYEE PROCESSING AS REQUIRED UNDER § 6-509.1 OF THIS SUBTITLE.

7 Article – General Provisions

8 4-311.

9 (a) Subject to subsection (b) of this section, a custodian shall deny inspection of a
10 personnel record of an individual, including an application, a performance rating, or
11 scholastic achievement information.

12 (b) A custodian shall allow inspection by:

13 (1) the person in interest; [or]

14 (2) an elected or appointed official who supervises the work of the
15 individual; OR

16 (3) AN EMPLOYEE ORGANIZATION DESCRIBED IN TITLE 6 OF THE
17 EDUCATION ARTICLE OF THE PORTION OF THE PERSONNEL RECORD THAT
18 CONTAINS THE INDIVIDUAL'S:

19 (I) HOME ADDRESS;

20 (II) HOME TELEPHONE NUMBER;

21 (III) PERSONAL CELL PHONE NUMBER;

22 (IV) PERSONAL E-MAIL ADDRESS; AND

23 (V) DATE OF BIRTH.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
25 1, 2018.