

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 808
Ways and Means

(Delegate Tarlau, *et al.*)

Finance

Education – Collective Bargaining for Noncertificated Employees – Supervisory
Employees and Management Personnel

This bill alters the definitions of “management personnel” and “supervisory employee” for noncertificated employees of local school systems by removing provisions of law that allow the status of management personnel and a supervisory employee to be determined by negotiation. **The bill takes effect July 1, 2018.**

Fiscal Summary

State Effect: The bill does not materially affect State finances.

Local Effect: The bill is not anticipated to materially affect local school system finances.

Small Business Effect: None

Analysis

Current Law: “Public school employee” means a noncertificated individual who is employed for at least nine months a year on a full-time basis by a public school employer. These requirements do not apply to a noncertificated employee in Baltimore City. It does not include management personnel, confidential employees, or any individual designated by the public school employer to act in a negotiating capacity as specified.

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

“Supervisory employee” includes any individual who responsibly directs the work of other employees as determined by the public school employer in negotiation with an employee organization that requests negotiation on this issue.

“Public school employer” means the local board of education in each county including Baltimore City.

Background: The Public School Labor Relations Board advises that amending the definition of management personnel and supervisor will bring jurisdictional clarity into certain case matters that have been or could be filed in the future.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Public School Labor Relations Board; Maryland State Department of Education; Department of Budget and Management; Department of Legislative Services

Fiscal Note History: First Reader - February 28, 2018
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