

May 25, 2018

The Honorable Michael E. Busch
Speaker of the House
State House
Annapolis, Maryland 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 335 – *State Personnel – Grievance Procedures – Exclusive Representatives*.

I was very pleased that our Administration successfully collectively bargained a three-year Memoranda of Understanding with AFSCME, AFT, and MPEC. In that MOU, there were specific provisions regarding the dispute resolution process, which rely on neutral fact finders and an appeal to the State Labor Relations Board.

House Bill 335 would ignore those collectively bargained provisions and instead would allow for an employee to file their grievance with the Office of Administrative Hearings and appeal to the circuit court as well. This would shift the cost of the grievance proceeding from the negotiated process, which shares the cost between the State and the unions, to one which would be borne entirely by the State.

This is an ill-advised attempt by the General Assembly to insert themselves into the collective bargaining process and to circumvent a good faith effort by our Administration to negotiate an agreed upon grievance process with the state employee unions.

Our Administration has worked for a number of years to collectively bargain a MOU with state employees unions, and to allow this legislation to undercut the hard work of our negotiating team, by overruling an explicitly negotiated process just months after the MOU was signed, degrades the spirit of the collective bargaining process.

The State's negotiating position is completely undermined when state employee unions can rely on the General Assembly to overrule the provisions of a negotiated MOU, and if legislation such as this were allowed to stand and continue, there would be no reason for either the State or unions to return to the bargaining table. Actions such as these create a breach of trust between the two parties, confuse and stymie the collective bargaining process, and undermines the balance of the collective bargaining process.

For these reasons, I have vetoed House Bill 335.

Sincerely,

Lawrence J. Hogan, Jr.
Governor