

HOUSE BILL 1280

L5

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By: **Montgomery County Delegation and Prince George's County Delegation**

Introduced and read first time: February 8, 2019

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission – Collective Bargaining – Technical**
3 **Unit**

4 **MC/PG 114–19**

5 FOR the purpose of establishing a separate technical collective bargaining unit within the
6 Washington Suburban Sanitary Commission; altering a provision of law that had
7 established a certain joint office/technical collective bargaining unit to establish a
8 separate office collective bargaining unit; and generally relating to collective
9 bargaining involving the Washington Suburban Sanitary Commission.

10 BY repealing and reenacting, with amendments,
11 Article – Public Utilities
12 Section 18–201
13 Annotated Code of Maryland
14 (2010 Replacement Volume and 2018 Supplement)

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

17 **Article – Public Utilities**

18 18–201.

19 (a) (1) (i) In this subsection the following words have the meanings
20 indicated.

21 (ii) “Confidential employee” means an employee who assists or acts
22 in a confidential capacity with respect to an individual who formulates, determines, or
23 implements management policies in the field of labor–management relations.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (iii) "Probationary employee" means a Commission merit system
2 employee during the employee's initial probationary period after hiring.

3 (2) The rights granted to Commission merit system employees under this
4 subtitle do not apply to:

5 (i) attorneys in the Office of the General Counsel;

6 (ii) confidential employees;

7 (iii) probationary employees;

8 (iv) employees in the Office of the General Manager;

9 (v) employees in the Internal Audit Office;

10 (vi) employees in the Office of the Secretary; or

11 (vii) supervisors, as defined in § 2(11) of the National Labor Relations
12 Act, 29 U.S.C. § 152(11).

13 (b) (1) Commission employees are divided into **[four] FIVE** bargaining units
14 consisting of:

15 (i) an **[office/technical] OFFICE** unit that includes:

16 1. office classification titles in which employees are
17 responsible for internal and external communications, recording and retrieving
18 information, and paperwork required in an office;

19 2. **[technical classification titles in which employees have a**
20 **combination of basic scientific or technical knowledge and manual skill that is usually**
21 **acquired through specialized postsecondary school education or through equivalent**
22 **on-the-job training;**

23 3.] **paraprofessional classification titles in which employees**
24 **perform, in a supportive role, some of the duties of a professional or a technician but that**
25 **usually require less formal training or experience than those duties performed by those**
26 **with professional or technical status; and**

27 **[4.] 3.** all other nonprofessional job titles currently
28 unrepresented by any other union;

29 (ii) a professional unit that includes professional classification titles
30 in which employees have special or theoretical knowledge that is usually acquired through
31 college training or other training that provides comparable knowledge or work experience;

- 1 (iii) a service, labor, and trade unit that includes:
- 2 1. classification titles in which employees:
- 3 A. perform service and maintenance;
- 4 B. may operate specialized machinery or heavy equipment;
- 5 and
- 6 C. have duties that contribute to the comfort and convenience
- 7 of the public or to the upkeep and care of Commission buildings, facilities, or grounds;
- 8 2. classification titles in which employees are required to
- 9 have a special manual skill and thorough knowledge of processes that are required through
- 10 on-the-job training, experience, apprenticeship, or other formal training programs; and
- 11 3. classification titles included in the service, labor, and
- 12 trade bargaining unit as constituted on January 1, 2003; [and]

13 (iv) a law enforcement unit that includes Commission police officers;

14 AND

15 (V) A TECHNICAL UNIT THAT INCLUDES TECHNICAL

16 CLASSIFICATION TITLES IN WHICH EMPLOYEES HAVE A COMBINATION OF BASIC

17 SCIENTIFIC OR TECHNICAL KNOWLEDGE AND MANUAL SKILL THAT IS USUALLY

18 ACQUIRED THROUGH SPECIALIZED POSTSECONDARY SCHOOL EDUCATION OR

19 THROUGH EQUIVALENT ON-THE-JOB TRAINING.

20 (2) If a single employee organization is certified to represent more than one

21 bargaining unit, the Commission shall negotiate a single contract with that organization

22 covering all employees the organization represents.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

24 October 1, 2019.