

Chapter 209

(House Bill 443)

AN ACT concerning

Southern Maryland Code Counties – Collective Bargaining

FOR the purpose of authorizing a Southern Maryland code county to enact a local law that provides certain employees with certain collective bargaining rights; requiring a certain local law to provide definitions of and remedies for unfair labor practices and prohibit certain strikes or work stoppages by certain employees; prohibiting a certain local law from affecting certain rights and duties of a county and certain exclusive representatives under certain circumstances; defining a certain term; and generally relating to collective bargaining and Southern Maryland code counties.

BY adding to

Article – Local Government

Section 11–601 to be under the new subtitle “Subtitle 6. Collective Bargaining”

Annotated Code of Maryland

(2013 Volume and 2019 Supplement)

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

Article – Local Government

SUBTITLE 6. COLLECTIVE BARGAINING.

11–601.

(A) IN THIS SECTION, “REGULAR EMPLOYEE” DOES NOT INCLUDE:

(1) AN EMPLOYEE, AS DEFINED IN § 4–501 OF THE LABOR AND EMPLOYMENT ARTICLE;

(2) AN APPOINTED OFFICIAL;

(3) AN ELECTED OFFICIAL; OR

(4) A SUPERVISORY, MANAGERIAL, OR CONFIDENTIAL EMPLOYEE.

(B) THIS SECTION APPLIES ONLY IN CODE COUNTIES IN THE SOUTHERN MARYLAND CLASS, AS ESTABLISHED IN § 9–302 OF THIS ARTICLE.

(C) (1) A COUNTY MAY ENACT A LOCAL LAW TO PROVIDE REGULAR EMPLOYEES OF THE COUNTY THE RIGHT TO ORGANIZE AND BARGAIN COLLECTIVELY WITH BINDING ARBITRATION THROUGH REPRESENTATIVE EMPLOYEE ORGANIZATIONS CHOSEN BY THE REGULAR EMPLOYEES.

(2) A LOCAL LAW ENACTED IN ACCORDANCE WITH THIS SECTION SHALL:

(I) PROVIDE DEFINITIONS OF AND REMEDIES FOR UNFAIR LABOR PRACTICES; AND

(II) PROHIBIT STRIKES OR WORK STOPPAGES BY REPRESENTED REGULAR EMPLOYEES.

(D) A LOCAL LAW ENACTED IN ACCORDANCE WITH THIS SECTION MAY NOT AFFECT THE RIGHTS AND DUTIES OF A COUNTY AND ANY EXCLUSIVE REPRESENTATIVES UNDER A LOCAL LAW ENACTED IN ACCORDANCE WITH TITLE 4, SUBTITLE 5 OF THE LABOR AND EMPLOYMENT ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.