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Patrick Moran - President

HB 395 - State Government – State Facilities Changes and Closures – Procedures POSITION: FAVORABLE

AFSCME Council 3 supports HB 395. This legislation creates a uniform process for state agencies to follow when they are changing or closing a facility where 25 or more state employees are regularly assigned.

HB 395 requires that state facilities with 25 or more employees do the following **before a change in the facility**:

- Provide 90 days' notice before a public hearing to discuss the change, including, the reasons for proposed change, plan for changing operations, budgetary impact, impact on state employees, and the plan for the facility.

HB 395 requires that state facilities with 25 or more employees do the following **before closing the facility**:

- Provide 180 days' notice before a public hearing to discuss the change, including, the reasons for proposed closure, plan for discontinuing operations, budgetary impact, plan for state employees affected by closure, and the plan for the facility.

State facilities are often placed in communities for specific purposes. Either because a need exists there for the services provided in the facility, or to be a jobs generator in a region that could use more jobs. Whether it be a Correctional Facility, State Hospital, Juvenile Facility, Social Services office, or a Motor Vehicle Administration branch, many stakeholders are impacted when decisions are made to close or change a state facility. The employees are impacted, the Marylanders relying on services in these facilities are impacted, and the communities that surround these facilities are impacted.

Recently, three state separate agencies pursued facility closures and they all approached this process in different ways and often by approaching legislators, the exclusive bargaining representatives, and community stakeholders after the closures were already announced. In the fall of 2021, the Department of Juvenile Services (DJS) and the Department of Health (MDH) announced major facility realignment plans in a press release. DJS announced the closure of three juvenile facilities over five years. MDH announced the closures of five state health facilities and one drug rehabilitation unit over 20 years. The Department of Public Safety and Correctional Services (DPSCS) announced the closure of two pre-release facilities in the Governor's budget release by removing funding from the facilities.

Every AFSCME Maryland State and University contract guarantees a right to union representation.
An employee has the right to a union representative if requested by the employee.
800.492.1996

For the DJS and MDH closures, the staff and the clientele residing in these facilities received no advanced notice before it was made public in the press and of the three announced closures, only DJS had a plan in place for employees before the closure was made official. In DPSCS and MDH, staff were left in limbo for many months – which greatly impacted staff recruitment and retention at a time when staffing levels are already at all-time lows.

HB 395 is a good government bill that provides more transparency and opportunity for stakeholders to provide input when decisions about changing or closing state facilities are made. It also ensures that there is a plan for the employees and the Marylanders who require services at these facilities before the closure or change happens. Finally, HB 395 ensures that there is also a plan for the facility itself once it is closed.

For all these reasons, we urge the committee to provide a favorable report on HB 395.