

Maryland Public Employee Relations Board

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Wes Moore,
Governor

Testimony on Cross-filed House Bill 144 and Senate Bill 232

SUPPORT

Chair Barnes & Members of the House Appropriations Committee:
Chair Beidle & Members of the Senate Finance Committee:

Having reviewed this cross-filed legislation, the Maryland Public Employee Relations Board (PERB) supports these bills. Based on our experience in administering Maryland's labor relations statutes, including the 2023 Public Employee Relations Act (PERA), we are confident that these alterations would facilitate the PERB's operations and enforcement of PERA. The PERB has already submitted an Agency Explanation and fiscal response for these bills.

As the language of these bills demonstrates, the term "interested party" was already used in Section 22-405 of PERA. The bills add a definition of that term to clarify that it refers either to an employee organization that already represents employees for whom an election petition has been filed, or an employee organization that at least 30% of petitioned-for employees support as their representative.

The bills change references to unfair labor practice "complaints" to "charges" to be appropriately consistent with the remainder of the 2023 PERA.

Finally, the PERB has already found, since administering the 2023 PERA since last July that more flexibility is needed in terms of defining the roles of the Deputy Directors. Deputy Directors investigate charges alleging unfair labor practices. It's become clear that the number of charges for particular parts of the PERB's jurisdiction (state government, public schools, and higher education) vary over time in unpredictable ways. The bills' language indicating that a particular Deputy Director is "primarily responsible," rather than solely responsible, for a certain type of case would enable assigning Deputy Directors to the types of cases with the most charges. That would also avoid imbalances in the workloads of Deputy Directors.

The leadership and executive staff of the PERB offer to answer any questions you may have regarding the impact of these cross-filed bills.

Thank you for your consideration.

Submitted by: Michael J. Hayes, Acting Chair, PERB
Erica L. Snipes, Acting Agency Executive Director