

Maryland Public Employee Relations Board

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SENATE BILL 231 – State Government – Public Employee Relations Act – Alterations

Chair Barnes & Members of the House Appropriations Committee:

This proposed bill covers a few significant areas that the Public Employee Relations Board (PERB, Board) members and staff have discovered need adjustments, now that the Board is passing its second year as an agency. These areas involve communications between unions and their represented employee units, PERB Deputy Director qualifications, and Representation Election processes.

First, with an understanding of how communications have developed over the past four years, PERB proposes that a national health emergency may not be the only reason that meetings may be held virtually and not in person. PERB would like to permit unions to meet with newly hired employees by video or other similar means, for whatever reason they choose.

Second, based on the cases that have been filed with PERB since its inception, and the type of work needed from the Deputy Directors, PERB proposes that it needs up to three Deputy Directors, and that those Deputy Directors must have knowledge of and experience with labor issues. With this experience, PERB believes, will come a subject area familiarity with the various types of public employers in Maryland, so the specific references to expertise in education (higher education, and K-12) and state employment areas are not needed. Further, due to what has become a clear need for a particular skill set and writing ability, PERB proposes that Deputy Directors be licensed attorneys, or become licensed attorneys within one year of their hiring date.

Next, as regards representation elections, PERB is proposing that only mail balloted and electronic voting elections be subject to the requirement that voting be open for at least ten days. PERB argues that an at least ten-day length requirement for in person voting would not be possible with its current staff situation, and notes that of the representation petitions filed thus far—10—none of the petitioners have requested in person elections.

Finally, PERB agrees with the amendment passed by the Senate. The amendment removes a proposal from the original bill that would have added to the section listing the reasons for termination of dues deductions by requiring that such deductions be terminated when an employee organization ceases to be the representative of bargaining unit employees. After consideration, PERB finds this to be an unnecessary change.

PERB argues that these proposed changes will enable PERB operations and party communications to be more efficient, which helps the overall work of the Board going forward.