

WES MOORE
Governor

ARUNA MILLER
Lieutenant Governor



HELENE GRADY
Secretary

MARC L. NICOLE
Deputy Secretary

House Bill 176 Davis Martinez Public Employee Safety and Health Act

Support with Amendments

Date: March 25th, 2025

Committee: Finance

Summary: The Department of Budget and Management has concerns regarding language on page 3, lines 28-29 and page 4, lines 1-2, which states: "A POLICY DEVELOPED AND MAINTAINED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE A MANDATORY SUBJECT OF COLLECTIVE BARGAINING WITH THE EMPLOYEE ORGANIZATION CERTIFIED AS EXCLUSIVE REPRESENTATIVE." We believe including the "mandatory subject of collective bargaining" language is repetitive. The policy would already fall within the scope of collective bargaining because it would be a matter relating to terms and conditions of employment, a bargaining category established in State Personnel and Pensions Article § 3-502.

The Department has concerns with this language, which may create a new precedent in the Maryland Code by identifying specific subjects as mandatory topics. Beyond the categories noted in SPP § 3-502 (Collective bargaining shall include all matters relating to (1) wages, hours, and other terms and conditions of employment...), no other specific items are identified as a "mandatory subject" of bargaining in the Maryland Code.

While the Department recognizes the importance of workplace safety for public employees, we have concerns about the precedent-setting collective bargaining language. We respectfully request that the Committee consider these concerns and remove this language from the legislation.

**For additional information, contact Dana Phillips at
(410) 260-6068 or dana.phillips@maryland.gov**

45 Calvert Street • Annapolis, MD 21401-1907

Tel: 410-260-7041 • Fax: 410-974-2585 • Toll Free: 1-800-705-3493 • TTY Users: Call via Maryland Relay

<http://dbm.maryland.gov>