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**By: Prince George's County and Montgomery County Delegations**

Introduced and read first time: February 1, 1996

Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2 **Washington Metropolitan Area Transit Authority - Employee Rights and Benefits**

3 **PG/MC 18-96**

4 FOR the purpose of altering certain provisions of law relating to the Washington  
5 Metropolitan Area Transit Authority (WMATA) to make these provisions  
6 consistent with federal law; repealing certain provisions extending transfer and  
7 appointment opportunities for employees of certain mass transit systems to be  
8 employees of the WMATA under certain circumstances; extending benefits or  
9 rights granted under certain provisions of federal law for employees whose positions  
10 are adversely affected by the expenditure of certain federal funds; providing for a  
11 certain contingency; and generally relating to employee rights in matters relating to  
12 activities of the WMATA.

13 BY repealing and reenacting, with amendments,  
14 Article - Transportation  
15 Section 10-204 Title III Article XIV Section 66(a)  
16 Annotated Code of Maryland  
17 (1993 Replacement Volume and 1995 Supplement)

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

20 **Article - Transportation**

21 10-204.

22 Title III

23 Article XIV

24 66.

25 (a) The rights, benefits, and other employee protective conditions and remedies  
26 of [§] SECTION 13(c) of the [Urban Mass Transportation Act of 1964,] FEDERAL  
27 TRANSIT ACT as amended [(49 U.S.C. 1609(c))] (49 U.S.C. § 5333(B)) , as determined by  
28 the Secretary of Labor, shall apply to [the operation by the Washington Metropolitan  
29 Area Transit Authority of any mass transit facilities owned or controlled by it and to any  
30 contract or other arrangement for the operation of transit facilities. Whenever the

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1 Authority shall operate any transit facility or enter into any contractual or other  
2 arrangements for the operation of such transit facility the Authority shall extend to  
3 employees of affected mass transportation systems first opportunity for transfer and  
4 appointment as employees of the Authority in accordance with seniority, in any  
5 nonsupervisory job in respect to such operations for which they can qualify after a  
6 reasonable training period. Such employment shall not result in any worsening of the  
7 employee's position in his former employment nor any loss of wages, hours, working  
8 conditions, seniority, fringe benefits and rights and privileges pertaining thereto.]  
9 WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY EMPLOYEES OTHERWISE  
10 COVERED BY THE ACT. THE AUTHORITY SHALL EXTEND TO EMPLOYEES WHOSE  
11 POSITIONS ARE ADVERSELY AFFECTED BY THE EXPENDITURE OF FEDERAL FUNDS  
12 OBTAINED BY WMATA PURSUANT TO CONGRESSIONAL APPROPRIATIONS, THE  
13 RIGHTS, BENEFITS, AND OTHER EMPLOYEE PROTECTIVE CONDITIONS AND  
14 REMEDIES OF SECTION 13(C) OF THE FEDERAL TRANSIT ACT, AS AMENDED (49 U.S.C.  
15 § 5333(B)).

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not take  
17 effect until similar Acts are passed by the District of Columbia and the Commonwealth of  
18 Virginia; that the District of Columbia and the Commonwealth of Virginia are requested  
19 to concur in this Act of the General Assembly by the passage of substantially similar Acts;  
20 that the Department of Legislative Reference shall notify the appropriate officials of the  
21 District of Columbia, the Commonwealth of Virginia, and the United States Congress of  
22 the passage of this Act; and that, upon the concurrence in this Act by the District of  
23 Columbia, the Commonwealth of Virginia, and the United States, the Governor of the  
24 State of Maryland shall issue a proclamation declaring this Act valid and effective and  
25 shall forward a copy of the proclamation to the Director of the Department of Legislative  
26 Reference.

27 SECTION 3. AND BE IT FURTHER ENACTED, That, subject to the provisions  
28 of Section 2 of this Act, this Act shall take effect October 1, 1996.