

HOUSE BILL 815

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HB 1141/98 - W&M

1999 Regular Session  
9r1849

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By: **Delegates Kittleman and Flanagan**  
Introduced and read first time: February 12, 1999  
Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2                           **Education - Certificated Employees - Collective Bargaining - Merit Pay**  
3                           **Increases**

4 FOR the purpose of excluding merit pay increases from the matters that may be  
5 subject to collective bargaining between certain public school employers and  
6 certain employee organizations that represent certain public school employees;  
7 and generally relating to collective bargaining for public school employees.

8 BY repealing and reenacting, with amendments,  
9 Article - Education  
10 Section 6-402 and 6-408(b)  
11 Annotated Code of Maryland  
12 (1997 Replacement Volume and 1998 Supplement)

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

15                           **Article - Education**

16 6-402.

17 (a) Public school employees may form, join, and participate in the activities of  
18 employee organizations of their own choice for the purpose of being represented on all  
19 matters that relate to salaries, wages, hours, and other working conditions, EXCEPT  
20 MERIT PAY INCREASES.

21 (b) An employee organization may establish reasonable:

22 (1) Restrictions as to who may join; and

23 (2) Provisions for the dismissal of individuals from membership.

24 6-408.

25 (b) (1) On request a public school employer or at least two of its designated  
26 representatives shall meet and negotiate with at least two representatives of the

1 employee organization that is designated as the exclusive negotiating agent for the  
2 public school employees in a unit of the county on all matters that relate to salaries,  
3 wages, hours, and other working conditions, EXCEPT MERIT PAY INCREASES.

4           (2)       In Montgomery County, notwithstanding any agreement in effect on  
5 June 1, 1978 which excludes substitute teachers, and without affecting any other part  
6 of such an agreement, the exclusive negotiating agent for the public school employees  
7 in a unit and the public school employer shall meet and negotiate under this section  
8 the salaries, wages, hours, and other working conditions of all persons actually  
9 employed as substitute teachers, EXCEPT MERIT PAY INCREASES.

10       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 July 1, 1999.