
By: **Senator Mitchell**

Introduced and read first time: February 10, 2000

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel - Collective Bargaining - Access to Employee Organizations**

3 FOR the purpose of requiring the Secretary of Budget and Management to adopt and
4 enforce certain regulations, guidelines, and policies to carry out certain laws
5 governing collective bargaining for certain State employees; requiring the
6 regulations, guidelines, and policies to establish labor-related activities that do
7 not discriminate among employee organizations, including an employee
8 organization that is not an exclusive representative, on the work site; requiring
9 the regulations, guidelines, and policies to allow certain employee organizations
10 to have certain access to State employees; providing that State employees who
11 are subject to certain laws governing collective bargaining have the right to have
12 access to the employee organization of their choice on the work site, to hold
13 certain meetings, and to participate and engage in certain activities; and
14 generally relating to access to employee organizations by State employees
15 subject to laws governing collective bargaining.

16 BY repealing and reenacting, with amendments,
17 Article - State Personnel and Pensions
18 Section 3-207 and 3-301
19 Annotated Code of Maryland
20 (1997 Replacement Volume and 1999 Supplement)

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

23 **Article - State Personnel and Pensions**

24 3-207.

25 The Secretary [may] SHALL adopt and enforce regulations, guidelines, and
26 policies to carry out this title which:

27 (1) define unfair labor practices; [and]

1 (2) establish permissible labor-related activities THAT DO NOT
2 DISCRIMINATE AMONG EMPLOYEE ORGANIZATIONS, INCLUDING AN EMPLOYEE
3 ORGANIZATION THAT IS NOT AN EXCLUSIVE REPRESENTATIVE, on the work site; AND

4 (3) ALLOW AN EMPLOYEE ORGANIZATION THAT QUALIFIES FOR DUES
5 DEDUCTIONS UNDER § 2-403 OF THIS ARTICLE TO:

6 (I) HAVE ACCESS TO SECURE FACILITIES FOR MEETINGS,
7 INCLUDING ORIENTATION MEETINGS WITH NEW EMPLOYEES;

8 (II) PARTICIPATE IN EMPLOYEE HEALTH FAIRS;

9 (III) HOLD OPEN RECRUITING ON THE WORK SITE;

10 (IV) HAVE ACCESS TO SECURE BULLETIN BOARDS; AND

11 (V) ENGAGE IN OTHER ACTIVITIES NECESSARY TO EFFECTUATE
12 EMPLOYEE RIGHTS AND PROVIDE THE EMPLOYEE ORGANIZATION ACCESS TO
13 EMPLOYEES.

14 3-301.

15 (a) Employees subject to this title have the right to:

16 (1) take part or refrain from taking part in forming, joining, supporting,
17 or participating in any employee organization or its lawful activities;

18 (2) HAVE ACCESS TO THE EMPLOYEE ORGANIZATION OF THEIR CHOICE
19 ON THE WORK SITE, HOLD ORGANIZATIONAL MEETINGS ON THE WORK SITE,
20 PARTICIPATE IN ACTIVITIES HELD BY AN EMPLOYEE ORGANIZATION ON THE WORK
21 SITE, AND ENGAGE IN OTHER ACTIVITIES NECESSARY TO COMMUNICATE WITH THE
22 EMPLOYEE ORGANIZATION OF THEIR CHOICE;

23 [(2)] (3) be fairly represented by their exclusive representative, if any, in
24 collective bargaining; and

25 [(3)] (4) except as provided in §§ 3-303 and 3-305 of this subtitle,
26 engage in other concerted activities for the purpose of collective bargaining.

27 (b) An employee who is a member of a bargaining unit with an exclusive
28 representative may, without the intervention of an employee organization, discuss
29 any matter with the employer.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2000.