
By: **Senator Colburn**
Introduced and read first time: February 2, 2001
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Public School Employees and Employers - Collective Bargaining - Eastern**
3 **Shore Counties**

4 FOR the purpose of repealing, from the law relating to collective bargaining by public
5 school employees, exemptions applicable to public school employers in Somerset,
6 Wicomico, and Worcester counties and to public school employees and employers
7 in Caroline, Cecil, Dorchester, Kent, Queen Anne's, and Talbot counties.

8 BY repealing and reenacting, with amendments,
9 Article - Education
10 Section 6-501 and 6-502
11 Annotated Code of Maryland
12 (1999 Replacement Volume and 2000 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 6-501.

17 (a) In this subtitle the following words have the meanings indicated.

18 (b) "Confidential employee" includes an individual whose employment
19 responsibilities require knowledge of the public school employer's posture in the
20 collective negotiation process, as determined by the public school employer in
21 negotiations with an employee organization that requests negotiation on this issue.

22 (c) "Employee organization" means an organization that:

23 (1) Includes noncertificated employees of a public school employer; and

24 (2) Has as one of its main purposes the representation of the employees
25 in their relations with that public school employer.

1 (d) "Management personnel" includes an individual who is engaged mainly in
2 executive and managerial functions, as determined by the public school employer in
3 negotiation with an employee organization that requests negotiation on this issue.

4 (e) "Noncertificated employee", in Montgomery County, means only a
5 full-time employee.

6 (f) (1) "Public school employee" means a noncertificated individual who is
7 employed for at least 9 months a year on a full-time basis by a public school employer.

8 (2) "Public school employee" includes a noncertificated employee in
9 Baltimore City notwithstanding that the noncertificated employee does not work for
10 at least 9 months a year on a full-time basis.

11 (3) "Public school employee" does not include:

12 (i) Management personnel;

13 (ii) A confidential employee; or

14 (iii) Any individual designated by the public school employer to act
15 in a negotiating capacity as provided in § 6-510(b) of this subtitle.

16 (g) (1) "Public school employer" means the county board in each county
17 [except:

18 (i) Somerset;

19 (ii) Wicomico; and

20 (iii) Worcester].

21 (2) "Public school employer" includes the New Baltimore City Board of
22 School Commissioners.

23 (h) "Supervisory employee" includes any individual who responsibly directs
24 the work of other employees, as determined by the public school employer in
25 negotiation with an employee organization that requests negotiation on this issue.

26 6-502.

27 [(a) This subtitle does not apply to Caroline, Cecil, Dorchester, Kent, Queen
28 Anne's, and Talbot Counties.

29 (b)] This subtitle does not apply to any public employees who, as of July 1,
30 1974, were covered by a negotiated agreement lawfully made between the employees
31 and any county under local law or ordinance.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2001.