Unofficial Copy P4

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Committee Report: Favorable with amendments House action: Adopted Read second time: March 31, 2002

CHAPTER_____

1 AN ACT concerning

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State Personnel - Collective Bargaining - Requests for Information About Employees in Bargaining Units

4 FOR the purpose of requiring that, on request of an exclusive representative of

- 5 employees in a bargaining unit, the employer of the employees in the bargaining
- 6 unit must provide certain information about the employees to the exclusive
- 7 representative; requiring an employer to give certain notice to an employee
- 8 before providing certain information to an exclusive representative; prohibiting
- 9 an employer from providing certain information to an exclusive representative
- 10 under certain circumstances; <u>authorizing an employee to direct an exclusive</u>
- 11 representative to remove certain information from certain lists; requiring the
- 12 exclusive representative to remove certain employee information from certain
- 13 <u>lists under certain circumstances;</u> authorizing an employer to charge a certain
- 14 fee; prohibiting an exclusive representative from releasing certain information;
- 15 and generally relating to requests for information about employees in collective
- 16 bargaining units.

17 BY adding to

- 18 Article State Personnel and Pensions
- 19 Section 3-408
- 20 Annotated Code of Maryland
- 21 (1997 Replacement Volume and 2001 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

23 MARYLAND, That the Laws of Maryland read as follows:

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2 3-408.

SUBJECT TO SUBSECTION (B) OF THIS SECTION, ON REQUEST OF AN 3 (A) 4 EXCLUSIVE REPRESENTATIVE OF EMPLOYEES IN A BARGAINING UNIT, THE 5 EMPLOYER OF THE EMPLOYEES IN THE BARGAINING UNIT SHALL PROVIDE A LIST OF 6 THE NAMES AND LAST KNOWN HOME WORK ADDRESSES OF THE EMPLOYEES TO THE 7 EXCLUSIVE REPRESENTATIVE.

Article - State Personnel and Pensions

(B) BEFORE PROVIDING AN EMPLOYEE'S NAME AND WORK ADDRESS TO 8 (1)9 AN EXCLUSIVE REPRESENTATIVE, THE EMPLOYER SHALL NOTIFY THE EMPLOYEE OF 10 THE PROVISIONS OF THIS SECTION.

11 (2)IF THE EMPLOYEE NOTIFIES MAY NOTIFY THE EMPLOYER THAT THE 12 EMPLOYEE DOES NOT WANT THE EMPLOYEE'S NAME OR WORK ADDRESS TO BE 13 PROVIDED TO AN EXCLUSIVE REPRESENTATIVE REPRESENTATIVE.

IF AN EMPLOYEE PROVIDES NOTIFICATION UNDER PARAGRAPH (2) 14 (3)15 OF THIS SUBSECTION, THE EMPLOYER MAY NOT PROVIDE THE EMPLOYEE'S NAME OR 16 WORK ADDRESS.

17 (C) AN EMPLOYEE: (1)

18 (I) MAY NOTIFY AN EXCLUSIVE REPRESENTATIVE TO REMOVE THE 19 EMPLOYEE'S NAME AND WORK ADDRESS FROM A LIST ALREADY PROVIDED BY THE 20 EMPLOYER; AND

21 SHALL SEND A COPY OF THE NOTIFICATION TO THE EMPLOYER. (II)

22 WHEN THE EXCLUSIVE REPRESENTATIVE AND THE EMPLOYER (2)23 RECEIVE THE NOTIFICATION DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, 24 THE EMPLOYEE'S INFORMATION SHALL BE REMOVED FROM ALL FUTURE LISTS.

(C) AN EMPLOYER MAY CHARGE AN EXCLUSIVE REPRESENTATIVE A FEE 25 (D) 26 NOT EXCEEDING THE ACTUAL COST OF PROVIDING A LIST OF EMPLOYEES' NAMES 27 AND WORK ADDRESSES TO THE EXCLUSIVE REPRESENTATIVE.

AN EXCLUSIVE REPRESENTATIVE MAY NOT RELEASE ANY 28 (D) (E) 29 INFORMATION THAT IT RECEIVES UNDER THIS SECTION SHALL TREAT THE 30 INFORMATION THAT IT RECEIVES UNDER THIS SECTION AS CONFIDENTIAL AND MAY 31 NOT RELEASE THE INFORMATION TO ANY PERSON.

SECTION 2. AND BE IT FURTHER ENACTED. That this Act shall take 32

33 effect October 1, 2002.

HOUSE BILL 1283