
By: **Delegate Jones**
Introduced and read first time: February 7, 2003
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel - Collective Bargaining - Requests for Information About**
3 **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; authorizing an employee to direct an exclusive
11 representative to remove certain information from certain lists; requiring the
12 exclusive representative to remove certain employee information from certain
13 lists under certain circumstances; 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 2002 Supplement)

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

24 **Article - State Personnel and Pensions**

25 3-408.

26 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, ON REQUEST OF AN
27 EXCLUSIVE REPRESENTATIVE OF EMPLOYEES IN A BARGAINING UNIT, THE
28 EMPLOYER OF THE EMPLOYEES IN THE BARGAINING UNIT SHALL PROVIDE A LIST OF
29 THE NAMES AND LAST KNOWN WORK ADDRESSES OF THE EMPLOYEES TO THE
30 EXCLUSIVE REPRESENTATIVE.

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

4 (2) THE EMPLOYEE MAY NOTIFY THE EMPLOYER THAT THE EMPLOYEE
5 DOES NOT WANT THE EMPLOYEE'S NAME OR WORK ADDRESS TO BE PROVIDED TO AN
6 EXCLUSIVE REPRESENTATIVE.

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

10 (C) (1) AN EMPLOYEE:

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

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

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

18 (D) AN EMPLOYER MAY CHARGE AN EXCLUSIVE REPRESENTATIVE A FEE NOT
19 EXCEEDING THE ACTUAL COST OF PROVIDING A LIST OF EMPLOYEES' NAMES AND
20 WORK ADDRESSES TO THE EXCLUSIVE REPRESENTATIVE.

21 (E) AN EXCLUSIVE REPRESENTATIVE SHALL TREAT THE INFORMATION THAT
22 IT RECEIVES UNDER THIS SECTION AS CONFIDENTIAL AND MAY NOT RELEASE THE
23 INFORMATION TO ANY PERSON.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
25 effect October 1, 2003.