

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 348
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, strike “State” and substitute “Department”; in line 15, after “representatives;” insert “prohibiting certain exclusive representatives from requesting or receiving certain information under certain circumstances;”; in line 16, strike “sharing” and substitute “releasing”; in the same line, after “exception;” insert “prohibiting a certain exclusive representative from using certain information for a certain purpose; authorizing a certain exclusive representative to use certain information only for a certain purpose;”; in line 18, after “practices;” insert “requiring the Department to make certain information available to certain employee organizations for certain purposes under certain circumstances;”; and in line 28, after “3-306,” insert “3-405(a).”

AMENDMENT NO. 2

On page 2, in line 26, after “(I)” insert “1.”; in line 28, strike “(II)” and substitute “2.”; after line 29, insert:

“(II) CLARIFYING TERMS AND CONDITIONS OF EMPLOYMENT;”;

in line 30, strike “, OR” and substitute “; OR”

(3)”;

and strike beginning with “GRIEVANCES” in line 31 down through “REPRESENTATIVE” in line 32 and substitute “A DISPUTE OR DISAGREEMENT BETWEEN AUTHORIZED REPRESENTATIVES OF EMPLOYEES AND THEIR EMPLOYER THAT ARISES UNDER A MEMORANDUM OF UNDERSTANDING OR OTHER WRITTEN UNDERSTANDING”.

AMENDMENT NO. 3

On page 4, in line 5, strike the brackets; in line 6, strike “FIVE”; and in the same line, strike

(Over)

“JOINTLY BY THE EXCLUSIVE REPRESENTATIVES” and substitute “BY EACH EXCLUSIVE REPRESENTATIVE”.

AMENDMENT NO. 4

On page 7, in line 4, strike “BOARD” and substitute “DEPARTMENT”; in the same line, strike “ORDER THE STATE TO”; in line 12, after “MAY” insert “PRESENT A”; in the same line, after “REQUEST” insert “FOR”; in line 13, strike “ONCE” and substitute “TWICE”; in line 14, strike “3 MONTHS” and substitute “CALENDER YEAR”; and in lines 19, 23, and 27, in each instance, after “ADDRESSES,” insert “TELEPHONE NUMBERS,”.

On pages 7 and 8, strike in their entirety the lines beginning with line 28 on page 7 through line 2 on page 8, inclusive, and substitute:

“(E) AN INCUMBENT EXCLUSIVE REPRESENTATIVE FOR A BARGAINING UNIT THAT IS THE SUBJECT OF AN ELECTION UNDER § 3-405 OF THIS TITLE MAY NOT REQUEST OR RECEIVE ANY EMPLOYEE INFORMATION AS PROVIDED UNDER SUBSECTIONS (A) AND (B) OF THIS SECTION.”.

AMENDMENT NO. 5

On page 8, in line 4, after “NAMES” insert “, ADDRESSES, TELEPHONE NUMBERS,”; in line 10, strike “UTILIZE” and substitute “AUTHORIZE”; in line 12, strike “ITS” and substitute “THE EXCLUSIVE REPRESENTATIVE’S”; and after line 13, insert:

“(H) (1) AN EXCLUSIVE REPRESENTATIVE MAY NOT USE THE INFORMATION THAT IT RECEIVES UNDER THIS SECTION FOR THE PURPOSE OF INCREASING EMPLOYEE MEMBERSHIP IN AN EMPLOYEE ORGANIZATION.

(2) AN EXCLUSIVE REPRESENTATIVE MAY USE THE INFORMATION THAT IT RECEIVES UNDER THIS SECTION ONLY TO CARRY OUT ITS STATUTORY DUTIES UNDER THIS TITLE.”.

AMENDMENT NO. 6

On page 10, after line 31, insert:

“3-405.”

(a) (1) Within 5 days of determination that a valid petition has been submitted, the Board shall notify interested employee organizations of the pending election petition.

(2) WITHIN 10 DAYS OF DETERMINATION THAT A VALID PETITION HAS BEEN SUBMITTED UNDER § 3-402 OF THIS SUBTITLE OR SUBSECTION (C)(2)(III) OF THIS SECTION, THE DEPARTMENT SHALL MAKE AVAILABLE TO ALL INTERESTED EMPLOYEE ORGANIZATIONS REASONABLE AND EQUIVALENT MEANS TO COMMUNICATE BY MAIL AND IN PERSON WITH EACH EMPLOYEE IN THE APPROPRIATE BARGAINING UNIT FOR THE PURPOSE OF SOLICITING THE EMPLOYEE'S VOTE IN AN ELECTION HELD UNDER THIS SECTION."