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By: **Carroll County Delegation**

Introduced and read first time: January 30, 2006

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Carroll County - Education - Organization of Teachers and Other Personnel**

3 FOR the purpose of altering the definition of a "public school employee" in Carroll  
 4 County, as it relates to the organization or certificated employees, to include a  
 5 supervisory noncertificated employee; providing that in Carroll County,  
 6 beginning on a certain date, there may be no more than a certain number of  
 7 units and all units shall be nonsupervisory units; and generally relating to the  
 8 organization of teachers and other personnel in Carroll County.

9 BY repealing and reenacting, with amendments,  
 10 Article - Education  
 11 Section 6-401(d) and 6-505  
 12 Annotated Code of Maryland  
 13 (2004 Replacement Volume and 2005 Supplement)

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

16 **Article - Education**

17 6-401.

18 (d) (1) "Public school employee" means a certificated professional individual  
 19 who is employed by a public school employer or an individual of equivalent status in  
 20 Baltimore City, except for a county superintendent or an individual designated by the  
 21 public school employer to act in a negotiating capacity as provided in § 6-408(b) of  
 22 this subtitle.

23 (2) In Montgomery County, "public school employees" include:

24 (i) Certificated and noncertificated substitute teachers employed  
 25 by the public school employer for at least 7 days before March 1 of the school fiscal  
 26 year ending June 30, 1978, and each year after; and

1 (ii) Home and hospital teachers employed by the public school  
2 employer for at least 7 days before March 1 of the school fiscal year ending June 30,  
3 2000, and each year after.

4 (3) In Baltimore County, "public school employee" includes:

5 (i) A secondary school nurse, an elementary school nurse, and a  
6 special school nurse; and

7 (ii) Supervisory noncertificated employees as defined under §  
8 6-501(h) of this title.

9 (4) In Frederick County, "public school employee" includes a social  
10 worker employed by a public school employer.

11 (5) In Prince George's County, "public school employee" includes home  
12 and hospital teachers and Junior Reserve Officer Training Corps (JROTC)  
13 instructors.

14 (6) In Charles County, "public school employee" includes Junior Reserve  
15 Officer Training Corps (JROTC) instructors.

16 (7) IN CARROLL COUNTY, "PUBLIC SCHOOL EMPLOYEE" INCLUDES  
17 SUPERVISORY NONCERTIFICATED EMPLOYEES AS DEFINED UNDER § 6-501(H) OF  
18 THIS TITLE.

19 6-505.

20 (a) (1) Each public school employer may designate, as provided in this  
21 subtitle, which employee organization, if any, shall be the exclusive representative of  
22 all public school employees in a specified unit in the county.

23 (2) In Baltimore City, Garrett County, and Frederick County, the public  
24 school employer shall designate, as provided in this subtitle, which employee  
25 organization, if any, shall be the exclusive representative of all public school  
26 employees in a specified unit in the county.

27 (b) The public school employer shall determine the composition of the unit in  
28 negotiation with any employee organization that requests negotiation concerning the  
29 composition of the unit.

30 (c) (1) There may not be more than three units in a county and a unit may  
31 not include both supervisory and nonsupervisory employees.

32 (2) If a county has more than three recognized units and, as of July 1,  
33 1974, the units have exclusive representation for collective negotiations, these units  
34 may continue as negotiating units.

35 (3) In Baltimore County, there shall only be three nonsupervisory units  
36 in addition to the supervisory unit defined under § 6-404(c)(2) of this title.

**UNOFFICIAL COPY OF HOUSE BILL 461**

1 (4) IN CARROLL COUNTY, BEGINNING ON OCTOBER 1, 2006:

2 (I) THERE SHALL BE NO MORE THAN THREE UNITS; AND

3 (II) ALL UNITS SHALL BE NONSUPERVISORY UNITS.

4 (d) (1) All eligible public school employees shall:

5 (i) Be included in one of these units; and

6 (ii) Have the rights granted in this subtitle.

7 (2) Except for an individual who is designated as management personnel  
8 or a confidential employee under this subtitle, each public school employee is eligible  
9 for membership in one of the negotiating units.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 2006.