
By: **Prince George's County Delegation and Montgomery County Delegation**

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Assigned to: Appropriations

Committee Report: Favorable

House action: Adopted

Read second time: March 22, 2006

CHAPTER _____

1 AN ACT concerning

2 **Maryland-National Capital Park and Planning Commission - Collective**
 3 **Bargaining**
 4 **PG/MC 122-06**

5 FOR the purpose of providing that if a certain petition that demonstrates that certain
 6 employees in a bargaining unit support representation by an exclusive
 7 representative for collective bargaining and a certain petition that demonstrates
 8 that certain employees in a bargaining unit no longer support the current
 9 exclusive representative are filed at the same time, one election shall be held to
 10 determine which employee organization, if any, shall be the exclusive
 11 representative; providing for the contents of the ballot; providing that if a
 12 petitioning employee organization is certified, the employee organization shall
 13 be treated as a successor in interest and party to any collective bargaining
 14 agreement to which the previous employee organization was a party; and
 15 generally relating to collective bargaining and the Maryland-National Capital
 16 Park and Planning Commission.

17 BY repealing and reenacting, with amendments,
 18 Article 28 - Maryland-National Capital Park and Planning Commission
 19 Section 2-112.1(g)
 20 Annotated Code of Maryland
 21 (2003 Replacement Volume and 2005 Supplement)

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

1 **Article 28 - Maryland-National Capital Park and Planning Commission**

2 2-112.1.

3 (g) (1) The Labor Relations Administrator shall conduct an election for an
4 exclusive representative after:5 (i) An employee organization demonstrates, by petition, that at
6 least 30 percent of the eligible employees in a bargaining unit support representation
7 by an exclusive representative for collective bargaining; or8 (ii) An employee or an employee organization demonstrates, by
9 petition, that at least 30 percent of the eligible employees in a bargaining unit no
10 longer support the current exclusive representative.11 (2) (i) At least 30 days prior to an election under paragraph (1) of this
12 subsection, the Labor Relations Administrator shall obtain from the Commission and
13 provide to the employee organization a list of the names, addresses, and telephone
14 numbers of every employee in the bargaining unit.15 (ii) The provision of a list under this paragraph by the Commission,
16 the Labor Relations Administrator, or any Commission officials, employees, or other
17 agents does not constitute a violation of § 10-617(e) of the State Government Article
18 or any State or local law, statute, regulation, or ordinance.

19 (3) Elections shall be conducted by secret ballot.

20 (4) The ballot shall contain:

21 (i) The name of each employee organization that submits a valid
22 petition requiring an election;23 (ii) The name of any other employee organization supported by a
24 petition signed by at least 10 percent of the eligible employees in the bargaining unit;
25 and

26 (iii) An option for no representation.

27 (5) (I) IF A PETITION DESCRIBED IN PARAGRAPH (1)(I) OF THIS
28 SUBSECTION IS SUBMITTED AT THE SAME TIME THAT A PETITION DESCRIBED IN
29 PARAGRAPH (1)(II) OF THIS SUBSECTION IS SUBMITTED, ONE ELECTION SHALL BE
30 HELD TO DETERMINE WHICH EMPLOYEE ORGANIZATION, IF ANY, SHALL BE THE
31 EXCLUSIVE REPRESENTATIVE.

32 (II) THE BALLOT SHALL CONTAIN:

33 1. THE NAME OF THE CURRENT CERTIFIED EMPLOYEE
34 ORGANIZATION;35 2. THE NAME OF THE PETITIONING EMPLOYEE
36 ORGANIZATION; AND

