

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE
Revised

House Bill 971
Appropriations

(Delegate Jones, *et al.*)

Finance

State Personnel - Collective Bargaining - Use of Employee Information

This bill expands the requirement to provide a bargaining unit exclusive representative with employee contact information to certain public higher education institutions. Thus, a University System of Maryland (USM) institution, Morgan State University, St. Mary's College of Maryland, or Baltimore City Community College must provide contact information on request. In addition, when an Executive Branch employee (higher education or nonhigher education) notifies the employer that he or she does not want contact information provided to the exclusive representative, the notification remains in effect until the employee indicates otherwise.

The bill takes effect July 1, 2007.

Fiscal Summary

State Effect: Potential minimal increase in revenues and expenditures for State higher education institutions.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Chapter 62 of 2006 required that, upon written request of the exclusive representative of a nonhigher education Executive Branch bargaining unit, the Department of Budget and Management provide the representative with a list of

employees, their position classification, unit, home and worksite addresses, and home and worksite telephone numbers. An exclusive representative may be charged a fee not to exceed the actual cost of providing the information. In addition, an exclusive representative may only request this information twice every calendar year per bargaining unit. Statute requires employees to be notified of such a request and allows them to opt out if, within a specified timeframe, they request that their information not be provided. This bill expands this requirement to State higher education institutions.

Background: There are approximately 33,000 State employees in 9 nonhigher education Executive Branch bargaining units with exclusive representatives and 6,500 employees in 33 higher education bargaining units with exclusive representatives.

State Fiscal Effect: To the extent that a higher education institution maintains the employee information required by the bill, the fiscal impact on those institutions would be minimal. There may be an increase in expenditures related to notifying employees of their rights under the bill; however, it is assumed that any such increase would be absorbable within existing resources. Further, institutions could recoup the actual cost of providing the information.

The Baltimore City Community College advises that the bill would not have a fiscal impact on the community college.

Morgan State University advises that the bill would not impact university finances.

St. Mary's College of Maryland advises that it would take two to three weeks of staff time to pull the employee information together and solicit employee permission to provide it. It estimates that the bill would cost \$2,000 to \$3,000 per request.

USM advises that there is a database containing the employee contact information required by the bill for all USM institutions. According to USM, it would cost approximately \$5,000 per year to notify employees of their rights under the bill.

Additional Comments: For the purposes of this analysis, it is assumed that the employer would retain the fee for providing employee contact information to the exclusive representative to offset associated expenditures. However, as current law does not specifically authorize use of the fee for this purpose, those fee revenues could simply accrue to the general fund instead.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): University System of Maryland, Morgan State University, St. Mary's College of Maryland, Baltimore City Community College, Maryland Higher Education Commission, Department of Legislative Services

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