

Chapter 308

(Senate Bill 853)

AN ACT concerning

Baltimore County – Public School Employees – Collective Bargaining Units

FOR the purpose of altering the definition of “public school employee” as it relates to collective bargaining units of employees in Baltimore County; altering the composition of a certain unit of certain employees in Baltimore County; ~~establishing a certain unit of certain employees~~ including a unit of certain supervisory employees among certain units authorized in Baltimore County; providing for a delayed effective date; and generally relating to collective bargaining units for public school employees in Baltimore County.

BY repealing and reenacting, with amendments,

Article – Education

Section 6–401(e), 6–404(c), and 6–505(c)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

Article – Education

6–401.

(e) (1) “Public school employee” means a certificated professional individual who is employed by a public school employer or an individual of equivalent status in Baltimore City, except for a county superintendent or an individual designated by the public school employer to act in a negotiating capacity as provided in § 6–408(c) of this subtitle.

(2) In Montgomery County, “public school employees” include:

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

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

(3) In Baltimore County, “public school employee” includes[:

(i) A] A secondary school nurse, an elementary school nurse, and a special school nurse[; and

(ii) Supervisory noncertificated employees as defined under § 6–501(i) of this title].

(4) In Frederick County, “public school employee” includes a social worker employed by a public school employer.

(5) In Prince George’s County, “public school employee” includes home and hospital teachers and Junior Reserve Officer Training Corps (JROTC) instructors.

(6) In Calvert County, Charles County, and Garrett County, “public school employee” includes Junior Reserve Officer Training Corps (JROTC) instructors.

(7) In Carroll County, “public school employee” includes:

(i) A registered nurse; and

(ii) Supervisory noncertificated employees as defined under § 6–501(i) of this title.

6–404.

(c) (1) There may not be more than two units in a county.

(2) In Baltimore County, one of the [two] units shall consist of employees [whose position requires an administrative and supervisory certificate and supervisory noncertificated employees as defined under § 6–501(i) of this title] **WHO ARE ADMINISTRATIVE AND SUPERVISORY CERTIFICATED EMPLOYEES**. The second unit shall consist of all other public school employees as defined under § 6–401(e)(1) and (3) of this subtitle.

6–505.

(c) (1) Except as provided in [paragraph (5)] **PARAGRAPHS (3) AND (5)** of this subsection, there may not be more than three units in a county and a unit may not include both supervisory and nonsupervisory employees.

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

(3) In Baltimore County~~], there]:~~

~~(I) THERE~~ shall [only] be three ~~nonsupervisory~~ units, [in addition to the supervisory unit defined under § 6-404(c)(2) of this title]; ~~AND~~

~~(II) ONE NONCERTIFICATED INCLUDING ONE UNIT OF SUPERVISORY EMPLOYEES AS DEFINED IN § 6-501(I) OF THIS SUBTITLE.~~

(4) In Carroll County, beginning on October 1, 2007:

(i) There shall be no more than three units; and

(ii) All units shall be nonsupervisory units.

(5) In Baltimore City, the public school employer may designate a fourth unit composed of all Baltimore City school police officers, as defined in § 4-318 of this article, up to and including the rank of lieutenant.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 2, 2012.