

# SENATE BILL 759

P4

3lr1830  
CF 3lr2846

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By: **Senator Ramirez**

Introduced and read first time: February 1, 2013

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel – Equality for Maryland Caregivers Act of 2013**

3 FOR the purpose of providing certain collective bargaining rights to certain employees  
4 of the University of Maryland Medical Center; and generally relating to the  
5 collective bargaining rights of University of Maryland Medical Center  
6 employees.

7 BY repealing and reenacting, with amendments,  
8 Article – State Personnel and Pensions  
9 Section 3–102  
10 Annotated Code of Maryland  
11 (2009 Replacement Volume and 2012 Supplement)

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

14 **Article – State Personnel and Pensions**

15 3–102.

16 (a) Except as provided in this title or as otherwise provided by law, this title  
17 applies to:

18 (1) all employees of:

19 (i) the principal departments within the Executive Branch of  
20 State government;

21 (ii) the Maryland Insurance Administration;

22 (iii) the State Department of Assessments and Taxation;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (iv) the State Lottery Agency;

2 (v) the University System of Maryland, Morgan State  
3 University, St. Mary's College of Maryland, and Baltimore City Community College;

4 (vi) the Comptroller;

5 (vii) the Maryland Transportation Authority who are not police  
6 officers;

7 (viii) the State Retirement Agency; [and]

8 (ix) the State Department of Education; and

9 (X) **THE UNIVERSITY OF MARYLAND MEDICAL CENTER;**

10 **AND**

11 (2) all full-time Maryland Transportation Authority police officers at  
12 the rank of first sergeant and below.

13 (b) This title does not apply to:

14 (1) employees of the Maryland Transit Administration, as that term is  
15 defined in § 7-601(a)(2) of the Transportation Article;

16 (2) an employee who is elected to the position by popular vote;

17 (3) an employee in a position by election or appointment that is  
18 provided for by the Maryland Constitution;

19 (4) an employee who is:

20 (i) a special appointment in the State Personnel Management  
21 System; or

22 (ii) 1. directly appointed by the Governor by an appointment  
23 that is not provided for by the Maryland Constitution;

24 2. appointed by or on the staff of the Governor or  
25 Lieutenant Governor; or

26 3. assigned to the Government House or the Governor's  
27 Office;

28 (5) an employee assigned to the Board or with access to records of the  
29 Board;

1                   (6)    an employee in:

2                               (i)    the executive service of the State Personnel Management  
3 System; or

4                               (ii)   a unit of the Executive Branch with an independent  
5 personnel system who is:

6                                       1.    the chief administrator of the unit or a comparable  
7 position that is not excluded under item (3) of this subsection as a constitutional or  
8 elected office; or

9                                       2.    a deputy or assistant administrator of the unit or a  
10 comparable position;

11                   (7)    (i)    a temporary or contractual employee in the State Personnel  
12 Management System; or

13                               (ii)   a contractual, temporary, or emergency employee in a unit of  
14 the Executive Branch with an independent personnel system;

15                   (8)    an employee who is entitled to participate in collective bargaining  
16 under another law;

17                   (9)    an employee of the University System of Maryland, Morgan State  
18 University, St. Mary's College of Maryland, [or] Baltimore City Community College,  
19 **OR THE UNIVERSITY OF MARYLAND MEDICAL CENTER** who is:

20                               (i)    a chief administrator or in a comparable position;

21                               (ii)   a deputy, associate, or assistant administrator or in a  
22 comparable position;

23                               (iii)  a member of the faculty, including a faculty librarian;

24                               (iv)   a student employee, including a teaching assistant or a  
25 comparable position, fellow, or post doctoral intern;

26                               (v)   a contingent, contractual, temporary, or emergency  
27 employee;

28                               (vi)  a contingent, contractual, or temporary employee whose  
29 position is funded through a research or service grant or contract, or through clinical  
30 revenues; or

1                   (vii) an employee whose regular place of employment is outside  
2 the State of Maryland;

3                   (10) an employee whose participation in a labor organization would be  
4 contrary to the State's ethics laws;

5                   (11) any supervisory, managerial, or confidential employee of a unit of  
6 State government listed in subsection (a)(1)(i) through (iv) and (vi) through (ix) of this  
7 section, as defined in regulations adopted by the Secretary;

8                   (12) any supervisory, managerial, or confidential employee of a State  
9 institution of higher education listed in subsection (a)(1)(v) of this section, as defined  
10 in regulations adopted by the governing board of the institution; or

11                   (13) any employee described in subsection (a)(2) of this section who is a  
12 supervisory, managerial, or confidential employee, as defined in regulations adopted  
13 by the Secretary.

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