

HOUSE BILL 237

F2

8lr0340

By: **Delegate Luedtke**

Introduced and read first time: January 18, 2018

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Community Colleges – Unfair Labor Practices – Prohibition**

3 FOR the purpose of prohibiting community college trustees and employees from engaging
4 in any unfair labor practice; providing for the application of this Act; and generally
5 relating to a prohibition against engaging in unfair labor practices.

6 BY adding to

7 Article – Education

8 Section 16–109

9 Annotated Code of Maryland

10 (2014 Replacement Volume and 2017 Supplement)

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

13 **Article – Education**

14 **16–109.**

15 **(A) A TRUSTEE OF THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE OR**
16 **AN EMPLOYEE OF A COMMUNITY COLLEGE MAY NOT ENGAGE IN ANY UNFAIR LABOR**
17 **PRACTICE, INCLUDING:**

18 **(1) INTERFERING WITH, RESTRAINING, OR COERCING COMMUNITY**
19 **COLLEGE EMPLOYEES, INCLUDING FACULTY, REGARDING THE DECISION TO**
20 **SUPPORT OR OPPOSE AN EMPLOYEE ORGANIZATION;**

21 **(2) DOMINATING, INTERFERING WITH, CONTRIBUTING FINANCIAL OR**
22 **OTHER SUPPORT TO, OR ASSISTING IN THE FORMATION, EXISTENCE, OR**
23 **ADMINISTRATION OF ANY LABOR ORGANIZATION;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) GRANTING ADMINISTRATIVE LEAVE TO EMPLOYEES TO ATTEND**
2 **EMPLOYER SPONSORED OR SUPPORTED MEETINGS OR EVENTS RELATING TO AN**
3 **ELECTION OF AN EMPLOYEE ORGANIZATION, UNLESS THE EMPLOYER GRANTS**
4 **EMPLOYEES AT LEAST THE SAME AMOUNT OF ADMINISTRATIVE LEAVE TO ATTEND**
5 **LABOR ORGANIZATION SPONSORED OR SUPPORTED MEETINGS OR EMPLOYEE**
6 **MEETINGS;**

7 **(4) DISCRIMINATING IN HIRING, TENURE, OR ANY TERM OR**
8 **CONDITION OF EMPLOYMENT TO ENCOURAGE OR DISCOURAGE MEMBERSHIP IN AN**
9 **EMPLOYEE ORGANIZATION;**

10 **(5) DISCHARGING OR DISCRIMINATING AGAINST AN EMPLOYEE**
11 **BECAUSE OF THE SIGNING OR FILING OF AN AFFIDAVIT, A PETITION, OR A**
12 **COMPLAINT, OR GIVING INFORMATION OR TESTIMONY IN CONNECTION WITH**
13 **COLLECTIVE BARGAINING MATTERS;**

14 **(6) FAILING TO PROVIDE ALL EMPLOYEE ORGANIZATIONS INVOLVED**
15 **IN AN ELECTION THE SAME RIGHTS OF ACCESS AS REQUIRED BY THE STATE HIGHER**
16 **EDUCATION LABOR RELATIONS BOARD THROUGH REGULATION;**

17 **(7) ENGAGING IN SURVEILLANCE OF UNION ACTIVITIES;**

18 **(8) REFUSING TO BARGAIN IN GOOD FAITH; OR**

19 **(9) ENGAGING IN A LOCKOUT.**

20 **(B) THIS SECTION DOES NOT APPLY TO AN ACTIVITY PERFORMED OR TO AN**
21 **EXPENSE INCURRED IN CONNECTION WITH:**

22 **(1) ADDRESSING A GRIEVANCE OR NEGOTIATING OR ADMINISTERING**
23 **A COLLECTIVE BARGAINING AGREEMENT;**

24 **(2) ALLOWING AN EMPLOYEE ORGANIZATION OR A REPRESENTATIVE**
25 **OF AN EMPLOYEE ORGANIZATION ACCESS TO A COMMUNITY COLLEGE'S FACILITIES**
26 **OR PROPERTIES;**

27 **(3) PERFORMING AN ACTIVITY REQUIRED BY FEDERAL OR STATE**
28 **LAW OR A COLLECTIVE BARGAINING AGREEMENT; OR**

29 **(4) NEGOTIATING, ENTERING INTO, OR CARRYING OUT A VOLUNTARY**
30 **RECOGNITION AGREEMENT WITH AN EMPLOYEE ORGANIZATION.**

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

1 October 1, 2018.