

HB0580/983924/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 580

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “with the Maryland Transit Administration” and substitute “; requiring that the collective bargaining rights afforded to the sergeants and supervisors be afforded in a certain manner; requiring that the supervisors and sergeants have a separate bargaining unit and that the Maryland Transit Administration bargain with their exclusive representative, if any”; in line 9, strike “Transportation” and substitute “State Personnel and Pensions”; in line 10, strike “7–601” and substitute “3–102(a) and 3–301”; in line 12, strike “(2020” and substitute “(2015”; and after line 12, insert:

“BY adding to

Article – State Personnel and Pensions

Section 3–403(g)

Annotated Code of Maryland

(2015 Replacement Volume and 2021 Supplement)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 33 on page 2, inclusive, and substitute:

“Article – State Personnel and Pensions

3–102.

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

(1) all employees of:

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

(ii) the Maryland Insurance Administration;

(iii) the State Department of Assessments and Taxation;

(iv) the State Lottery and Gaming Control Agency;

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

(vi) the Comptroller;

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

(viii) the State Retirement Agency;

(ix) the State Department of Education;

(x) the Maryland Environmental Service; and

(xi) the Maryland School for the Deaf;

(2) firefighters for the Martin State Airport at the rank of captain or below who are employed by the Military Department; [and]

(3) all full-time Maryland Transportation Authority police officers at the rank of first sergeant and below;

(4) ALL SERGEANTS IN THE MARYLAND TRANSIT ADMINISTRATION POLICE; AND

(5) ALL SUPERVISORS IN THE MARYLAND TRANSIT ADMINISTRATION POLICE WHO ARE EMPLOYEES IN A CAREER SERVICE POSITION THAT:

(I) SUPERVISES CAREER SERVICE POSITIONS OF A LOWER GRADE;

(II) IS SUPERVISED BY AN EXECUTIVE SERVICE POSITION;
AND

(III) HAS NO AUTHORITY TO TAKE PERSONNEL ACTIONS.

3-301.

(a) Employees subject to this title have the right to:

(1) take part or refrain from taking part in forming, joining, supporting, or participating in any employee organization or its lawful activities;

(2) be fairly represented by their exclusive representative, if any, in collective bargaining; and

(3) except as provided in §§ 3-303 and 3-305 of this subtitle, engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.

(b) An employee who is a member of a bargaining unit with an exclusive representative may, without the intervention of an employee organization, discuss any matter with the employer.

(C) THE RIGHTS AFFORDED TO SUPERVISORS AND SERGEANTS IN THE MARYLAND TRANSIT ADMINISTRATION POLICE UNDER THIS TITLE SHALL BE AFFORDED IN A MANNER THAT COMPLIES AND IS CONSISTENT WITH 49 U.S.C. § 5333.

(Over)

3-403.

(G) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL SUPERVISORS AND SERGEANTS IN THE MARYLAND TRANSIT ADMINISTRATION POLICE SHALL HAVE A SEPARATE BARGAINING UNIT.

(2) THE MARYLAND TRANSIT ADMINISTRATION SHALL BARGAIN WITH THE EXCLUSIVE REPRESENTATIVE, IF ANY, OF THE BARGAINING UNIT ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION.”.