

HOUSE BILL 1071

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5lr2272
CF SB 914

By: **Delegate Forbes**

Introduced and read first time: February 5, 2025

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County Public Library – Collective Bargaining – Supervisory**
3 **Employees**

4 FOR the purpose of authorizing supervisory employees of the Baltimore County Public
5 Library to form, join, and participate in an employee organization and engage in
6 certain other activities related to collective bargaining; authorizing certain
7 bargaining units for the employees of the Baltimore County Public Library; altering
8 certain provisions to provide that an employee may be deemed a certain management
9 employee, rather than a supervisory employee, under certain circumstances; and
10 generally relating to collective bargaining for supervisory employees of the Baltimore
11 County Public Library.

12 BY renumbering

13 Article – Education
14 Section 23–802 through 23–812
15 to be Section 23–803 through 23–813, respectively
16 Annotated Code of Maryland
17 (2022 Replacement Volume and 2024 Supplement)

18 BY repealing and reenacting, without amendments,

19 Article – Education
20 Section 23–801(a), (k), and (l)
21 Annotated Code of Maryland
22 (2022 Replacement Volume and 2024 Supplement)

23 BY repealing and reenacting, with amendments,

24 Article – Education
25 Section 23–801(h)
26 Annotated Code of Maryland
27 (2022 Replacement Volume and 2024 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to
 2 Article – Education
 3 Section 23–802
 4 Annotated Code of Maryland
 5 (2022 Replacement Volume and 2024 Supplement)

6 BY repealing and reenacting, with amendments,
 7 Article – Education
 8 Section 23–803 and 23–810(a)
 9 Annotated Code of Maryland
 10 (2022 Replacement Volume and 2024 Supplement)
 11 (As enacted by Section 1 of this Act)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 13 That Section(s) 23–802 through 23–812 of Article – Education of the Annotated Code of
 14 Maryland be renumbered to be Section(s) 23–803 through 23–813, respectively.

15 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
 16 as follows:

17 **Article – Education**

18 23–801.

19 (a) In this subtitle the following words have the meanings indicated.

20 (h) (1) “Employee” means a full–time or part–time employee of the library.

21 (2) “Employee” does not include a confidential employee[,] OR
 22 management employee[, or supervisory employee].

23 (k) “Management employee” means an employee who generally has authority and
 24 who:

25 (1) Formulates policy that is applicable throughout a bargaining unit;

26 (2) Has a significant role in personnel administration, employee relations,
 27 or the preparation and administration of budgets for the employer; or

28 (3) May reasonably be required to:

29 (i) Assist directly in the preparation for and conduct of collective
 30 bargaining negotiations on behalf of the employer; or

31 (ii) Have a major role in the administration of resulting collective
 32 bargaining agreements.

1 (l) "Supervisory employee" means an employee who is authorized to:

2 (1) Hire, transfer, suspend, lay off, recall, promote, discharge, assign,
3 reward, or discipline employees;

4 (2) Responsibly direct employees for more than 50% of the employee's
5 working hours; or

6 (3) Address and resolve the grievances of employees.

7 **23-802.**

8 (A) **THERE MAY NOT BE MORE THAN TWO BARGAINING UNITS ESTABLISHED**
9 **UNDER THIS SUBTITLE, INCLUDING:**

10 (1) **ONE BARGAINING UNIT FOR EMPLOYEES WHO ARE NOT**
11 **SUPERVISORY EMPLOYEES; AND**

12 (2) **ONE BARGAINING UNIT FOR SUPERVISORY EMPLOYEES.**

13 (B) **THIS SUBTITLE MAY NOT BE CONSTRUED TO MODIFY OR TERMINATE:**

14 (1) **A BARGAINING UNIT THAT WAS RECOGNIZED OR IN EXISTENCE ON**
15 **OR BEFORE JUNE 30, 2025; OR**

16 (2) **A COLLECTIVE BARGAINING AGREEMENT ENTERED INTO ON OR**
17 **BEFORE JUNE 30, 2025.**

18 **23-803.**

19 (a) An employee who may effectively recommend an action listed in [§ 23-801(l)]
20 **§ 23-801(k)** of this subtitle may be deemed a [supervisory] **MANAGEMENT** employee if
21 the employee's exercise of the authority requires the exercise of independent judgment and
22 is not merely of a routine or clerical nature.

23 (b) The exercise of any single function listed in [§ 23-801(l)] **§ 23-801(k)** of this
24 subtitle may not necessarily require the conclusion that the individual exercising that
25 function is in fact a [supervisory] **MANAGEMENT** employee within the meaning of the
26 definition.

27 (c) In differentiating a [supervisory] **MANAGEMENT** employee from a
28 [nonsupervisory] **NONMANAGEMENT** employee:

29 (1) A class title alone may not be the basis for determination; and

1 (2) The nature of the [supervisory] MANAGEMENT employee's work,
2 including whether or not a significant portion of the [supervisory] MANAGEMENT
3 employee's working time is spent as part of a team that includes [nonsupervisory]
4 NONMANAGEMENT employees shall be considered.

5 23-810.

6 (a) The Board shall submit a term of a collective bargaining agreement or
7 memorandum of understanding entered into under [§§ 23-807 and 23-808] **§§ 23-808**
8 **AND 23-809** of this subtitle to the County Executive with the Board's recommendation
9 regarding whether the agreement or the mediator's decision requires an appropriation of
10 additional funds.

11 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
12 1, 2025.