

Chapter 757

**(House Bill 388)**

AN ACT concerning

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

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

BY renumbering

Article – Education

Section 23–802 through 23–812

to be Section 23–803 through 23–813, respectively

Annotated Code of Maryland

(2022 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 23–801(a), (k), and (l)

Annotated Code of Maryland

(2022 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 23–801(h)

Annotated Code of Maryland

(2022 Replacement Volume and 2025 Supplement)

BY adding to

Article – Education

Section 23–802

Annotated Code of Maryland

(2022 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 23–803 and 23–810(a)

Annotated Code of Maryland

(2022 Replacement Volume and 2025 Supplement)  
 (As enacted by Section 1 of this Act)

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

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

**Article – Education**

23–801.

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

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

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

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

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

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

(3) May reasonably be required to:

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

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

(l) “Supervisory employee” means an employee who is authorized to:

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

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

(3) Address and resolve the grievances of employees.

**23-802.**

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

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

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

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

**(1) A BARGAINING UNIT THAT WAS RECOGNIZED OR IN EXISTENCE ON OR BEFORE JUNE 30, 2026; OR**

**(2) A COLLECTIVE BARGAINING AGREEMENT ENTERED INTO ON OR BEFORE JUNE 30, 2026.**

**23-803.**

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

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

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

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

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

**23-810.**

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

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2026.

**Approved by the Governor, May 26, 2026.**