

HOUSE BILL 388

F3
HB 1071/25 – APP

6lr1869
CF SB 253

By: **Delegates Forbes, Allen, Bhandari, Cardin, Ebersole, Guyton, McCaskill, Pasteur, Phillips, Ross, Ruth, Stein, and White Holland**

Introduced and read first time: January 21, 2026

Assigned to: Government, Labor, and Elections

Committee Report: Favorable

House action: Adopted

Read second time: March 3, 2026

CHAPTER _____

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 2025 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 2025 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,
 2 Article – Education
 3 Section 23–801(h)
 4 Annotated Code of Maryland
 5 (2022 Replacement Volume and 2025 Supplement)

6 BY adding to
 7 Article – Education
 8 Section 23–802
 9 Annotated Code of Maryland
 10 (2022 Replacement Volume and 2025 Supplement)

11 BY repealing and reenacting, with amendments,
 12 Article – Education
 13 Section 23–803 and 23–810(a)
 14 Annotated Code of Maryland
 15 (2022 Replacement Volume and 2025 Supplement)
 16 (As enacted by Section 1 of this Act)

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

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

22 **Article – Education**

23 23–801.

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

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

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

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

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

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

33 (3) May reasonably be required to:

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

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

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

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

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

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

11 **23-802.**

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

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

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

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

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

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

22 **23-803.**

23 (a) An employee who may effectively recommend an action listed in [§ 23-801(l)]
24 **§ 23-801(k)** of this subtitle may be deemed a [supervisory] **MANAGEMENT** employee if
25 the employee's exercise of the authority requires the exercise of independent judgment and
26 is not merely of a routine or clerical nature.

27 (b) The exercise of any single function listed in [§ 23-801(l)] **§ 23-801(k)** of this
28 subtitle may not necessarily require the conclusion that the individual exercising that

1 function is in fact a [supervisory] MANAGEMENT employee within the meaning of the
2 definition.

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

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

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

10 23–810.

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

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
17 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.