

HOUSE BILL 831

L1, L3, P4

6lr1382
CF 6lr1588

By: Delegate Schindler

Introduced and read first time: February 4, 2026

Assigned to: Government, Labor, and Elections

A BILL ENTITLED

1 AN ACT concerning

2 **Collective Bargaining – Local Government Employees and Public Employee
3 Relations Act**

4 FOR the purpose of establishing collective bargaining rights for public local employees;
5 applying the Maryland Public Employee Relations Act to county and municipal
6 government employers and their employees; providing that a public employee may
7 be deemed a certain management employee for purposes of establishing collective
8 bargaining rights; establishing impasse procedures for collective bargaining between
9 certain public local employers and their employees that include binding arbitration;
10 authorizing the governing body of a county or municipality to adopt a local law on
11 labor relations; establishing a process by which the governing body of a county or
12 municipality may petition the Public Employee Relations Board for a determination
13 that its local laws comply with State law for certain purposes; altering the maximum
14 number of deputy directors the Board may appoint; requiring the deputy director to
15 present cases to the Board or the Office of Administrative Hearings if the Board
16 issues a certain complaint; repealing the requirement that the Board be bound to
17 certain prior opinions and decisions of certain labor boards; providing that certain
18 agreements between a public employer and an exclusive representative may provide
19 for binding arbitration of grievances; and generally relating to collective bargaining
20 rights for public employees in the State.

21 BY adding to

22 Article – Local Government

23 Section 1–2A–01 through 1–2A–07 to be under the new subtitle “Subtitle 2A. Public
24 Local Employee Collective Bargaining”

25 Annotated Code of Maryland

26 (2013 Volume and 2025 Supplement)

27 BY repealing and reenacting, with amendments,

28 Article – State Government

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 22-101, 22-102(a), 22-207(b), 22-209(f), 22-305, 22-306, 22-307(f), 22-309,
2 22-401(c), 22-403, and 22-501
3 Annotated Code of Maryland
4 (2021 Replacement Volume and 2025 Supplement)

5 BY adding to
6 Article – State Government
7 Section 22-104
8 Annotated Code of Maryland
9 (2021 Replacement Volume and 2025 Supplement)

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

12 **Article – Local Government**

13 **SUBTITLE 2A. PUBLIC LOCAL EMPLOYEE COLLECTIVE BARGAINING.**

14 **1-2A-01.**

15 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
16 **INDICATED.**

17 **(B) “BOARD” MEANS THE PUBLIC EMPLOYEE RELATIONS BOARD**
18 **ESTABLISHED UNDER TITLE 22, SUBTITLE 3 OF THE STATE GOVERNMENT ARTICLE.**

19 **(C) “COLLECTIVE BARGAINING” MEANS:**

20 **(1) GOOD FAITH NEGOTIATIONS BY AUTHORIZED REPRESENTATIVES**
21 **OF EMPLOYEES AND THEIR EMPLOYER WITH THE INTENTION OF:**

22 **(I) 1. REACHING AN AGREEMENT ABOUT WAGES, HOURS,**
23 **AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT; AND**

24 **2. INCORPORATING THE TERMS OF THE AGREEMENT IN**
25 **A WRITTEN MEMORANDUM OF UNDERSTANDING OR OTHER WRITTEN AGREEMENT;**
26 **OR**

27 **(II) CLARIFYING TERMS AND CONDITIONS OF EMPLOYMENT;**

28 **(2) ADMINISTRATION OF TERMS AND CONDITIONS OF EMPLOYMENT;**
29 **OR**

30 **(3) THE VOLUNTARY ADJUSTMENT OF A DISPUTE OR DISAGREEMENT**
31 **BETWEEN AUTHORIZED REPRESENTATIVES OF EMPLOYEES AND THEIR EMPLOYER**

1 THAT ARISES UNDER A MEMORANDUM OF UNDERSTANDING OR OTHER WRITTEN
2 AGREEMENT.

3 (D) "CONFIDENTIAL EMPLOYEE" MEANS AN EMPLOYEE WHO IS:

4 (1) REQUIRED TO DEVELOP OR PRESENT MANAGEMENT POSITIONS
5 WITH RESPECT TO EMPLOYER-EMPLOYEE RELATIONS; AND

6 (2) WHOSE DUTIES NORMALLY REQUIRE ACCESS TO CONFIDENTIAL
7 INFORMATION THAT CONTRIBUTES SIGNIFICANTLY TO THE DEVELOPMENT OF THE
8 MANAGEMENT POSITIONS WITH RESPECT TO EMPLOYER-EMPLOYEE RELATIONS.

9 (E) "EMPLOYEE ORGANIZATION" HAS THE MEANING STATED IN § 22-101 OF
10 THE STATE GOVERNMENT ARTICLE.

11 (F) "EXCLUSIVE REPRESENTATIVE" HAS THE MEANING STATED IN § 22-101
12 OF THE STATE GOVERNMENT ARTICLE.

13 (G) "MANAGEMENT EMPLOYEE" MEANS AN EMPLOYEE WHO GENERALLY
14 HAS AUTHORITY AND WHO:

15 (1) FORMULATES POLICY THAT IS APPLICABLE THROUGHOUT A
16 BARGAINING UNIT;

17 (2) HAS A SIGNIFICANT ROLE IN PERSONNEL ADMINISTRATION,
18 EMPLOYEE RELATIONS, OR THE PREPARATION AND ADMINISTRATION OF BUDGETS
19 FOR THE EMPLOYER; OR

20 (3) MAY REASONABLY BE REQUIRED TO:

21 (I) ASSIST DIRECTLY IN THE PREPARATION FOR AND CONDUCT
22 OF COLLECTIVE BARGAINING NEGOTIATIONS ON BEHALF OF THE EMPLOYER; OR

23 (II) HAVE A MAJOR ROLE IN THE ADMINISTRATION OF
24 RESULTING COLLECTIVE BARGAINING AGREEMENTS.

25 (H) (1) "PUBLIC LOCAL EMPLOYEE" MEANS AN INDIVIDUAL WHO IS
26 EMPLOYED BY A PUBLIC LOCAL EMPLOYER.

27 (2) "PUBLIC LOCAL EMPLOYEE" DOES NOT INCLUDE:

28 (I) A CONFIDENTIAL EMPLOYEE; OR

(II) A MANAGEMENT EMPLOYEE.

2 **(I) (1) "PUBLIC LOCAL EMPLOYER"** MEANS A COUNTY OR MUNICIPALITY,
3 INCLUDING A UNIT, A DEPARTMENT, OR AN INSTRUMENTALITY OF A COUNTY OR
4 MUNICIPALITY.

5 (2) "PUBLIC LOCAL EMPLOYER" INCLUDES A COUNTY SHERIFF'S
6 DEPARTMENT.

7 (3) "PUBLIC LOCAL EMPLOYER" DOES NOT INCLUDE:

16 (J) (1) "QUASI-GOVERNMENTAL ENTITY" MEANS AN ENTITY THAT:

(I) IS CREATED BY STATE OR LOCAL LAW;

(II) PERFORMS A PUBLIC FUNCTION; AND

19 (III) IS SUPPORTED IN WHOLE OR IN PART BY THE STATE,
20 COUNTY, OR MUNICIPALITY BUT IS MANAGED PRIVATELY.

21 (K) "SUPERVISORY EMPLOYEE" MEANS AN EMPLOYEE WHO IS AUTHORIZED
22 TO:

23 (1) HIRE, TRANSFER, SUSPEND, LAY OFF, RECALL, PROMOTE,
24 DISCHARGE, ASSIGN, REWARD, OR DISCIPLINE EMPLOYEES;

(3) ADDRESS AND RESOLVE THE GRIEVANCES OF EMPLOYEES.

1 (A) (1) THIS SUBTITLE APPLIES TO EACH PUBLIC LOCAL EMPLOYER,
2 PUBLIC LOCAL EMPLOYEE, AND EXCLUSIVE REPRESENTATIVE OF PUBLIC LOCAL
3 EMPLOYEES.

4 (2) PUBLIC LOCAL EMPLOYEES MAY FORM, JOIN, AND PARTICIPATE
5 IN THE ACTIVITIES OF EMPLOYEE ORGANIZATIONS OF THEIR OWN CHOICE FOR THE
6 PURPOSE OF BEING REPRESENTED IN ALL MATTERS THAT RELATE TO SALARIES,
7 WAGES, HOURS, AND OTHER WORKING CONDITIONS.

8 (3) PUBLIC LOCAL EMPLOYEES, PUBLIC LOCAL EMPLOYERS, AND
9 EXCLUSIVE REPRESENTATIVES ARE SUBJECT TO THE PROVISIONS OF TITLE 22 OF
10 THE STATE GOVERNMENT ARTICLE.

11 (B) (1) THIS SECTION MAY NOT BE CONSTRUED TO MODIFY OR
12 TERMINATE:

13 (I) A BARGAINING UNIT THAT WAS RECOGNIZED OR IN
14 EXISTENCE ON OR BEFORE JUNE 30, 2026; OR

15 (II) A COLLECTIVE BARGAINING AGREEMENT ENTERED INTO ON
16 OR BEFORE JUNE 30, 2026.

17 (2) (I) A BARGAINING UNIT FOR PUBLIC LOCAL EMPLOYEES MAY
18 NOT CONSIST OF BOTH SUPERVISORY EMPLOYEES AND NONSUPERVISORY
19 EMPLOYEES.

20 (II) IF AN EMPLOYEE ORGANIZATION HAS BEEN CERTIFIED
21 UNDER STATE OR LOCAL LAW ON OR BEFORE JUNE 30, 2026, TO BE AN EXCLUSIVE
22 REPRESENTATIVE OF PUBLIC LOCAL EMPLOYEES, THE APPLICABLE PUBLIC LOCAL
23 EMPLOYER SHALL ACCRETE ALL ELIGIBLE POSITIONS INTO THE EXISTING
24 BARGAINING UNIT IN ACCORDANCE WITH THIS SECTION ON REQUEST OF THE
25 EXCLUSIVE REPRESENTATIVE.

26 (III) AN ACCRETION UNDER THIS SUBSECTION IS SUBJECT TO A
27 SHOWING OF INTEREST AND ELECTION BY PUBLIC LOCAL EMPLOYEES IN THE
28 ACCRETED POSITIONS IN ACCORDANCE WITH THE COMPLIANCE DETERMINATION
29 PROCEDURES UNDER § 1-2A-07 OF THIS SUBTITLE.

30 1-2A-03.

31 (A) A PUBLIC LOCAL EMPLOYEE WHO MAY EFFECTIVELY RECOMMEND AN
32 ACTION LISTED IN § 1-2A-01(G) OF THIS SUBTITLE MAY BE DEEMED A MANAGEMENT

1 EMPLOYEE IF THE PUBLIC LOCAL EMPLOYEE'S EXERCISE OF THE AUTHORITY
2 REQUIRES THE EXERCISE OF INDEPENDENT JUDGMENT AND IS NOT MERELY OF A
3 ROUTINE OR CLERICAL NATURE.

4 (B) THE EXERCISE OF ANY SINGLE FUNCTION LISTED IN § 1-2A-01(G) OF
5 THIS SUBTITLE MAY NOT NECESSARILY REQUIRE THE CONCLUSION THAT THE
6 INDIVIDUAL EXERCISING THAT FUNCTION IS IN FACT A MANAGEMENT EMPLOYEE
7 WITHIN THE DEFINITION.

8 (C) IN DIFFERENTIATING A MANAGEMENT EMPLOYEE FROM A
9 NONMANAGEMENT EMPLOYEE:

10 (1) A CLASS TITLE ALONE MAY NOT BE THE BASIS FOR
11 DETERMINATION; AND

12 (2) THE NATURE OF THE MANAGEMENT EMPLOYEE'S WORK,
13 INCLUDING WHETHER A SIGNIFICANT PORTION OF THE MANAGEMENT EMPLOYEE'S
14 WORKING TIME IS SPENT AS PART OF A TEAM THAT INCLUDES NONMANAGEMENT
15 EMPLOYEES, SHALL BE CONSIDERED.

16 1-2A-04.

17 (A) THIS SECTION APPLIES ONLY WITH RESPECT TO A PUBLIC LOCAL
18 EMPLOYER THAT:

19 (1) IS A QUASI-GOVERNMENTAL ENTITY; AND

20 (2) DOES NOT HAVE IMPASSE PROCEDURES ESTABLISHED
21 ELSEWHERE IN LAW.

22 (B) IF, ON THE REQUEST OF EITHER PARTY, THE BOARD DETERMINES THAT
23 AN IMPASSE IS REACHED IN NEGOTIATIONS BETWEEN A PUBLIC LOCAL EMPLOYER
24 AND AN EXCLUSIVE REPRESENTATIVE, WITHIN 10 DAYS AFTER THE DETERMINATION
25 IS MADE, THE BOARD SHALL:

26 (1) SUBJECT TO SUBSECTION (C) OF THIS SECTION, REQUEST LAST
27 AND BEST OFFERS FROM THE PUBLIC LOCAL EMPLOYER AND EXCLUSIVE
28 REPRESENTATIVE; AND

29 (2) ORDER THE PUBLIC LOCAL EMPLOYER AND THE EMPLOYEE
30 ORGANIZATION TO COMMENCE ARBITRATION WITHIN 14 DAYS AFTER THE BOARD'S
31 DETERMINATION THAT AN IMPASSE HAS BEEN REACHED.

4 (I) EVERY TERM OR CONDITION OF EMPLOYMENT IN DISPUTE;
5 AND

6 (II) THE DEMANDS OF THE PARTY MAKING THE LAST AND BEST
7 OFFER; AND

(2) MAY NOT CONTAIN ITEMS OR TOPICS NOT PREVIOUSLY RAISED IN
THE BARGAINING PROCESS.

10 (D) WITHIN 5 DAYS AFTER AN ORDER TO ARBITRATE, THE PARTIES SHALL
11 SELECT AN ARBITRATOR BY:

12 (1) AGREEMENT; OR

15 (I) THE FEDERAL MEDIATION AND CONCILIATION SERVICE;
16 OR

17 (II) THE AMERICAN ARBITRATION ASSOCIATION.

18 (E) THE ARBITRATOR SHALL CONCLUDE THE ARBITRATION WITHIN 30 DAYS
19 AFTER CONVENING THE FIRST ARBITRATION SESSION.

20 (F) (1) SUBJECT TO SUBSECTION (I) OF THIS SECTION, IF THE PUBLIC
21 LOCAL EMPLOYER AND EXCLUSIVE REPRESENTATIVE DO NOT REACH AGREEMENT
22 BEFORE CONCLUDING THE ARBITRATION, THE ARBITRATOR SHALL ISSUE A FINAL
23 WRITTEN AWARD THAT SHALL BE BINDING ON BOTH PARTIES.

26 (G) THE ARBITRATOR'S AWARD SHALL CONSIDER:

27 (1) THE WAGES, HOURS, WORKING CONDITIONS, OR OTHER TERMS
28 AND CONDITIONS OF EMPLOYMENT OF SIMILAR EMPLOYEES IN:

(I) SURROUNDING JURISDICTIONS; AND

(II) COMPARABLE JURISDICTIONS OUTSIDE THE STATE; AND

(2) THE ABILITY OF THE PUBLIC LOCAL EMPLOYER AND ANY FUNDING

BODY TO PAY, INCLUDING:

(I) THEIR EXISTING RESOURCES; AND

(II) THE COSTS OF THE AWARD.

(H) THE PUBLIC LOCAL EMPLOYER AND EXCLUSIVE REPRESENTATIVE
SHARE THE COSTS OF THE HEARING EQUALLY.

9 **(I) EACH NEGOTIATED PROVISION OR AWARD IS SUBJECT TO ANY OTHER**
10 **PROVISIONS OF THIS ARTICLE CONCERNING THE FISCAL RELATIONSHIP BETWEEN**
11 **THE PUBLIC LOCAL EMPLOYER AND A FUNDING BODY.**

12 1-2A-05.

(A) SUBJECT TO THE LIMITATIONS OF THIS SUBTITLE AND TITLE 22 OF THE
E GOVERNMENT ARTICLE, THE GOVERNING BODY OF A COUNTY OR
CIPALITY MAY ADOPT A LOCAL LAW REGARDING LABOR RELATIONS OF PUBLIC
L EMPLOYEES.

17 (B) A LOCAL LAW ADOPTED UNDER THIS SECTION MAY NOT RESTRICT OR
18 WEAKEN THE RIGHTS PROVIDED TO PUBLIC LOCAL EMPLOYEES AND EMPLOYEE
19 ORGANIZATIONS UNDER THIS SUBTITLE AND TITLE 22 OF THE STATE GOVERNMENT
20 ARTICLE.

21 1-2A-06.

22 EACH PUBLIC LOCAL EMPLOYER SHALL SUBMIT TO THE BOARD A COPY OF
23 EACH CONTRACT, MEMORANDUM OF UNDERSTANDING, OR SIMILAR WRITTEN
24 AGREEMENT ENTERED INTO WITH THE EMPLOYEE REPRESENTATIVES PROVIDING
25 LABOR RELATION SERVICES.

26 1-2A-07.

27 (A) IN THIS SECTION, "EXEMPT LOCAL GOVERNMENT" MEANS THE
28 GOVERNING BODY OF A COUNTY OR MUNICIPALITY THAT HAS A PETITION UNDER
29 SUBSECTION (B) OF THIS SECTION GRANTED.

1 (B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE GOVERNING BODY
2 OF A COUNTY OR MUNICIPALITY MAY PETITION THE BOARD FOR A DETERMINATION
3 THAT ITS LOCAL LAWS COMPLY WITH THIS TITLE AND TITLE 22 OF THE STATE
4 GOVERNMENT ARTICLE.

5 (c) (1) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE
6 BOARD SHALL:

7 (I) DETERMINE WHETHER THE PETITIONING COUNTY'S OR
8 MUNICIPALITY'S LAWS COMPLY WITH THIS TITLE; AND

9 (II) CONSIDER WHETHER GRANTING THE PETITION WOULD
10 BEST EFFECTUATE THE PURPOSES OF THIS TITLE AND TITLE 22 OF THE STATE
11 GOVERNMENT ARTICLE.

15 (D) (1) IF THE BOARD GRANTS A PETITION UNDER SUBSECTION (B) OF
16 THIS SECTION, THE EXEMPT LOCAL GOVERNMENT SHALL:

20 (II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ADOPT
21 A LOCAL LAW GOVERNING:

1. THE COMPOSITION OF BARGAINING UNITS: AND

30 (II) A LOCAL LAW ADOPTED BY AN EXEMPT LOCAL
31 GOVERNMENT SHALL ESTABLISH IMPASSE PROCEDURES FOR EACH BARGAINING
32 UNIT AUTHORIZED UNDER THE LOCAL LAW THAT:

1 **1. ALLOW PUBLIC LOCAL EMPLOYEES OF THE EXEMPT**
2 **LOCAL GOVERNMENT TO STRIKE ON THE DECLARATION OF AN IMPASSE BY EITHER**
3 **PARTY; OR**

4 **2. A. ALLOW THE PARTIES TO APPOINT A NEUTRAL**
5 **ARBITRATOR WHO ISSUES A FINAL BINDING DECISION THAT IS TO BE IMPLEMENTED**
6 **AS A PART OF THE IMMEDIATELY FOLLOWING FISCAL YEAR'S BUDGET PROCESS; AND**

7 **B. CONSIDER THE FACTORS ESTABLISHED UNDER §**
8 **1-2A-04(G) OF THIS SUBTITLE WHEN MAKING THE FINAL BINDING DECISION.**

9 **(E) THE BOARD SHALL RETAIN JURISDICTION OVER QUESTIONS OF**
10 **CERTIFICATIONS AS EXCLUSIVE REPRESENTATIVES AND UNFAIR LABOR PRACTICES**
11 **FOR EXEMPT LOCAL GOVERNMENTS, PUBLIC LOCAL EMPLOYEES, AND EMPLOYEE**
12 **ORGANIZATIONS AS PROVIDED UNDER THIS SUBTITLE AND TITLE 22 OF THE STATE**
13 **GOVERNMENT ARTICLE.**

14 **Article – State Government**

15 22–101.

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

17 (b) “Board” means the Public Employee Relations Board.

18 (c) Unless specifically provided otherwise, “day” means a calendar day.

19 (d) “Employee organization” means a labor organization in which public
20 employees participate and that has as one of its primary purposes representing public
21 employees.

22 (e) “Exclusive representative” means an employee organization that has been
23 certified by the Board as an exclusive representative under Subtitle 4 of this title.

24 (f) “Interested employee organization” means:

25 (1) an employee organization already representing employees in a
26 bargaining unit; or

27 (2) a petitioner who has met the showing of interest requirement under §
28 22–402 of this title.

29 (g) “Lockout” means action taken by a public employer to:

4 (2) bring economic pressure on employees for the purpose of securing the
5 agreement of their executive representative to collective bargaining agreement terms.

6 (H) "MANAGEMENT EMPLOYEE" MEANS AN EMPLOYEE WHO GENERALLY
7 HAS AUTHORITY AND WHO:

(1) FORMULATES POLICY THAT IS APPLICABLE THROUGHOUT A BARGAINING UNIT;

13 (3) MAY REASONABLY BE REQUIRED TO:

14 (I) ASSIST DIRECTLY IN THE PREPARATION FOR AND CONDUCT
15 OF COLLECTIVE BARGAINING NEGOTIATIONS ON BEHALF OF THE EMPLOYER; OR

16 (II) HAVE A MAJOR ROLE IN THE ADMINISTRATION OF
17 RESULTING COLLECTIVE BARGAINING AGREEMENTS.

18 **[(h)] (I)** “Public employee” means an individual who holds a position by
19 appointment or employment in the service of a public employer with collective bargaining
20 rights under:

(1) Title 3 of the State Personnel and Pensions Article [or]:

22 (2) **TITLE 1, SUBTITLE 2A OF THE LOCAL GOVERNMENT ARTICLE;**

23 (3) Title 6, Subtitle 4 or 5 [or] **OF THE EDUCATION ARTICLE; OR**

24 (4) Title 16, Subtitle 7 of the Education Article.

25 [(i)] (J) (1) “Public employer” means:

26 [(1)] (I) the State, including any unit, department, or instrumentality of
27 the State;

28 [(2)] (II) A PUBLIC LOCAL EMPLOYER, AS DEFINED IN § 1-2A-01 OF
29 THE LOCAL GOVERNMENT ARTICLE;

3 [(3)] (IV) a county board of education or the Baltimore City Board of School
4 Commissioners; OR

5 (v) A QUASI-GOVERNMENTAL ENTITY OF THE STATE.

(2) "PUBLIC EMPLOYER" DOES NOT INCLUDE THE JUDICIAL BRANCH
OF STATE GOVERNMENT.

8 (K) "PUBLIC LOCAL EMPLOYEE" HAS THE MEANING STATED IN § 1-2A-01
9 OF THE LOCAL GOVERNMENT ARTICLE.

10 [j] (L) "QUASI-GOVERNMENTAL ENTITY" HAS THE MEANING STATED IN
11 § 1-2A-01 OF THE LOCAL GOVERNMENT ARTICLE.

12 **(M)** (1) "Showing of interest form" means a written statement from a public
13 employee who wishes to be represented by a petitioning employee organization for the
14 purpose of collective bargaining.

15 (2) "Showing of interest form" includes:

16 (i) a union authorization card; or

17 (ii) a union membership card.

18 **[(k)] (N)** (1) "Strike" means any concerted action to impede the full and
19 proper performance of employment duties in order to induce, influence, coerce, or enforce
20 demands for a change in wages, hours, terms, or other conditions of employment.

21 (2) "Strike" includes a total or partial:

22 (i) refusal or failure to report to work;

23 (ii) refusal or failure to perform employment duties;

24 (iii) withdrawal from work;

25 (iv) work stoppage; or

26 (v) work slowdown.

27 22-102.

12 22-104.

13 (A) AN EMPLOYEE WHO MAY EFFECTIVELY RECOMMEND ANY ACTION
14 LISTED IN § 22-101(h) OF THIS SUBTITLE MAY BE DEEMED A MANAGEMENT
15 EMPLOYEE IF THE EMPLOYEE'S EXERCISE OF THE AUTHORITY REQUIRES THE
16 EXERCISE OF INDEPENDENT JUDGMENT AND IS NOT MERELY OF A ROUTINE OR
17 CLERICAL NATURE.

18 (B) THE EXERCISE OF ANY SINGLE FUNCTION LISTED IN § 22-101(H) OF
19 THIS SUBTITLE MAY NOT NECESSARILY REQUIRE THE CONCLUSION THAT THE
20 INDIVIDUAL EXERCISING THAT FUNCTION IS A MANAGEMENT EMPLOYEE WITHIN
21 THE DEFINITION.

22 (C) IN DIFFERENTIATING A MANAGEMENT EMPLOYEE FROM A
23 NONMANAGEMENT EMPLOYEE:

24 (1) A CLASS TITLE ALONE MAY NOT BE THE BASIS FOR
25 DETERMINATION; AND

30 22-207.

31 (b) (1) Public employers shall allow an exclusive representative to:

4 (ii) attend and participate in a new employee program that includes
5 one or more employees who are in a bargaining unit represented by the exclusive
6 representative.

(2) The new employee program described in paragraph (1)(ii) of this subsection may be a new employee orientation, training, or other program that the public employer and an exclusive representative negotiate in accordance with:

10 (I) Title 6, Subtitle 4 or 5 of the Education Article[,];

11 (II) Title 16, Subtitle 7 of the Education Article[], or];

12 (iii) Title 3 of the State Personnel and Pensions Article;

13 (IV) TITLE 1, SUBTITLE 2A OF THE LOCAL GOVERNMENT
14 ARTICLE; OR

15 (v) A LOCAL LAW THE BOARD APPROVES IN A PETITION FILED
16 IN ACCORDANCE WITH § 1-2A-07 OF THE LOCAL GOVERNMENT ARTICLE.

20 (4) (i) Except as provided in subparagraph (ii) of this paragraph, a
21 meeting between the new employee and the exclusive representative shall be in person.

22 (ii) An exclusive representative may choose to meet with a new
23 employee by video or similar technology.

(5) A public employer and an exclusive representative may negotiate a period of time that is more than 30 minutes in accordance with:

26 (I) Title 6, Subtitle 4 or 5 of the Education Article[,];

27 (II) Title 16, Subtitle 7 of the Education Article[, or];

28 (III) Title 3 of the State Personnel and Pensions Article;

29 (IV) TITLE 1, SUBTITLE 2A OF THE LOCAL GOVERNMENT
30 ARTICLE; OR

1 (v) A LOCAL LAW THE BOARD APPROVES IN A PETITION FILED
2 IN ACCORDANCE WITH § 1-2A-07 OF THE LOCAL GOVERNMENT ARTICLE.

3 (6) A public employer:

10 22-209.

11 (f) If an authorization for a public employer to make membership dues deduction
12 was in effect on June 30, 2023, OR, FOR A PUBLIC LOCAL EMPLOYER, JUNE 30, 2026:

13 (1) the right of the employee organization to membership dues deduction
14 shall continue unless the right is terminated under subsection (d) of this section; and

17 22-305.

18 (a) The Board shall appoint up to [three] **FOUR** deputy directors.

19 (b) The deputy directors:

20 (1) are responsible to and serve at the pleasure of the Board;

21 (2) must have knowledge of and experience with labor issues;

22 (3) must be attorneys who:

23 (i) are licensed by the State at the time of appointment; or

24 (ii) will become licensed by the State within 12 months after the date
25 of appointment; and

26 (4) are entitled to the salary provided in the State budget.

27 22-306.

28 (a) The Board is responsible for administering and enforcing provisions of:

- (1) this title;
- (2) Title 6, Subtitles 4 and 5 of the Education Article;
- (3) Title 16, Subtitle 7 of the Education Article; [and]
- (4) Title 3 of the State Personnel and Pensions Article; AND

(5) TITLE 1, SUBTITLE 2A OF THE LOCAL GOVERNMENT ARTICLE.

6 (b) In addition to any other powers or duties provided for elsewhere in this title,
7 Title 6, Subtitle 4 or 5 of the Education Article, Title 16, Subtitle 7 of the Education Article,
8 [and] Title 3 of the State Personnel and Pensions Article, **AND TITLE 1, SUBTITLE 2A OF**
9 **THE LOCAL GOVERNMENT ARTICLE**, the Board may:

10 (1) establish procedures for, supervise the conduct of, and resolve disputes
11 about elections for exclusive representatives;

12 (2) establish procedures for and resolve disputes about petitions for
13 bargaining unit clarification;

14 (3) establish procedures for and resolve disputes about petitions and
15 elections for decertification of an exclusive representative;

16 (4) investigate and take appropriate action in response to charges of unfair
17 labor practices, including strikes and lockouts;

18 (5) establish procedures for and resolve disputes about the negotiability of
19 bargaining subjects:

20 (6) on application by an employee organization or public employer,
21 determine that the applicant shall be designated as a joint public employer of public
22 employees in an employer-employee bargaining unit determined in accordance with
23 Subtitle 4 of this title when such determination would best effectuate the purposes of this
24 subtitle; and

25 (7) resolve matters as provided in §§ 6–406, 6–507, and 16–707 of the
26 Education Article.

27 (c) The Board shall have broad discretion to take and order remedial actions
28 when it finds that a party has committed an unfair labor practice, including the restoration
29 of any right, pay, status, or benefit lost by a public employee or group of public employees,
30 due to violations of this title.

31 (d) To enforce the provisions of this subtitle, the Board may:

- (1) issue subpoenas; and
- (2) administer oaths and affirmations, examine witnesses, and receive

(1) Except as provided in paragraph (2) of this subsection, the Board shall enforce regulations, guidelines, and policies to carry out this title.

(2) The Board may not adopt any regulation, guideline, or policy that:

(i) unnecessarily delays the resolution of disputes over elections, practices, or any other matter under this title; or

(ii) restricts or weakens the protections provided to public employees by organizations under this title or under regulations.

(F) THE BOARD ANNUALLY SHALL PUBLISH THE DOCUMENTS REQUIRED
BY § 1-2A-06 OF THE LOCAL GOVERNMENT ARTICLE ON THE BOARD'S
WEBSITE.

14 22-307.

15 (f) [The] IF THE BOARD ISSUES A COMPLAINT UNDER THIS SECTION, THE
16 deputy director shall [provide relevant information gathered in the investigation of a
17 charge of unfair labor practices] PRESENT THE CASE to the Board OR THE OFFICE OF
18 ADMINISTRATIVE HEARINGS.

19 22-309.

20 (a) The Board is not bound by any prior regulation, order, or action of the State
21 Labor Relations Board, the Public School Labor Relations Board, or the State Higher
22 Education Labor Relations Board, except for decisions regarding unit composition under §
23 22-403(c) of this title.

24 (b) [The Board is bound by prior opinions and decisions of a labor board listed
25 under subsection (a) of this section.]

26 (c)] A prior order or action of a labor board listed under subsection (a) of this
27 section or any other body may be considered for its persuasive value.

28 [d] (c) The Board shall be bound by judicial orders regarding the scope of
29 bargaining under Title 6, Subtitles 4 and 5 of the Education Article.

30 22-401.

4 (i) shall continue without the requirement of an election and
5 certification until a question concerning representation is raised under this title; or

(2) (i) The appropriateness of the unit may not be challenged until the expiration of any collective bargaining agreement in effect on:

10 1. June 30, 2023; OR

12 (ii) The Board may not modify any bargaining unit determined
13 under existing law.

14 22-403.

21 (2) If there is no dispute about the appropriateness of the establishment of
22 the bargaining unit, the Board shall issue an order defining an appropriate bargaining unit.

23 (3) If there is a dispute about the appropriateness of the establishment of
24 the bargaining unit, the Board shall:

25 (i) conduct a hearing; and

26 (ii) issue an order defining an appropriate bargaining unit.

27 (b) If the appropriate bargaining unit as determined by the Board differs from the
28 bargaining unit described in the petition, the Board may:

29 (1) dismiss the petition; or

30 (2) direct an election in the appropriate bargaining unit if at least 30% of
31 the signatures included in the petition are of employees in the appropriate bargaining unit.

(c) A bargaining unit may consist only of public employees.

2 22-501.

16 SECTION 2. AND BE IT FURTHER ENACTED, That:

17 (a) In this section, "local government" means Allegany County, Anne Arundel
18 County, Baltimore City, Baltimore County, Harford County, Howard County, Montgomery
19 County, Prince George's County, the City of Annapolis, the City of Bowie, the City of
20 Cumberland, the City of College Park, the City of Hagerstown, the City of Rockville, the
21 City of Salisbury, and the City of Takoma Park.

22 (b) It is the intent of the General Assembly that a delay in the implementation of
23 Section 1 of this Act for a local government shall ensure the harmonious continuation of
24 existing collective bargaining relationships without interruption and allow local
25 governments with existing collective bargaining legislation to resolve a petition filed under
26 § 1-2A-07 of the Local Government Article, as enacted by Section 1 of this Act, and may
27 not be used to plan for or engage in activities that would discourage or otherwise coerce
28 employees seeking to hold an election.

29 (c) (1) (i) Except as provided in subparagraph (ii) of this paragraph,
30 Section 1 of this Act does not apply to a local government before July 1, 2027.

31 (ii) Beginning on the effective date of this Act, a local government
32 may file a petition with the Public Employee Relations Board in accordance with §
33 1-2A-07 of the Local Government Article, as enacted by Section 1 of this Act.

34 (2) Section 1 of this Act shall apply to a local government on or after July
35 1, 2027.

1 SECTION 3. AND BE IT FURTHER ENACTED, That, if any provision of this Act or
2 the application of any provision of this Act to any person or circumstance is held invalid for
3 any reason in a court of competent jurisdiction, the invalidity does not affect other
4 provisions or any other application of this Act that can be given effect without the invalid
5 provision or application, and for this purpose the provisions of this Act are declared
6 severable.

7 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
8 1, 2026.