

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 141 (Delegate Foley)

Government, Labor, and Elections and
Appropriations

State Personnel - Collective Bargaining - Graduate Assistants

This bill authorizes graduate assistants, including fellows and postdoctoral interns, at the University System of Maryland (USM), Morgan State University (MSU) and St. Mary's College of Maryland (SMCM) to collectively bargain. **The bill takes effect July 1, 2026.**

Fiscal Summary

State Effect: Expenditures for USM institutions and MSU increase minimally to reimburse the Public Employee Relations Board (PERB) for collective bargaining expenses. Accordingly, PERB reimbursable revenues and expenditures increase minimally. In addition, USM and MSU administrative and personnel expenditures may increase, potentially significantly. SMCM is not likely to be affected in the near term.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: A bargaining unit at each USM institution, MSU, and SMCM may be established for all eligible graduate assistants, including fellows and postdoctoral interns.

“Graduate assistant” is defined as a graduate student at a USM institution, MSU, or SMCM who is a teaching, administrative, or research assistant, or in a comparable position, a fellow, or a postdoctoral intern.

Current Law: Chapter 341 of 2001 extended collective bargaining rights to many categories of higher education personnel at public four-year institutions of higher education and Baltimore City Community College but excluded all faculty and students from the benefit. In addition, contingent, contractual, temporary, or emergency employees are specifically excluded from collective bargaining. Also excluded are student employees, including a teaching assistant or a comparable position, fellow, or postdoctoral intern.

University Employment and Compensation Policies

USM institutions must follow various policies related to staff employment and compensation. For example, under [USM Policy II – 1.05 Policy on the Employment of Full-Time, Non-Tenure Track Instructional Faculty in the University System of Maryland](#) and [USM Policy II – 1.06 Policy on the Employment of Salaried, Part-Time, Non-Tenure Track Instructional Faculty in the University System of Maryland](#), every effort must be made to make salaries professionally appropriate and competitive to the extent allowed by available fiscal resources.

Wages for graduate assistants are set by each institution. USM institutions must follow [USM Policy III – 7.11 Policy on Graduate Assistantships](#). Under this policy, appointments may be made for appropriate periods of time, as determined by the institution. A graduate assistant may serve on a full-time, half-time, or other basis. A full-time assistant's responsibilities should take, on average, 20 hours per week. A half-time assistantship should require an average of 10 hours per week.

According to USM policy, each institution must establish stipend levels for graduate assistants that are competitive with peer institutions, to the extent allowed by available fiscal resources. Further, each institution must establish minimum stipend amounts annually, with discretion to award stipends above the minimum level.

Public Employee Relations Board

The Public Employee Relations Act (Chapter 114 of 2023) substantially restructured collective bargaining by public employees, including establishing PERB as the replacement for three separate boards – among them the former State Higher Education Labor Relations Board – to oversee collective bargaining for all public employees. PERB may investigate and take appropriate action in response to complaints of unfair labor practices, including strikes and lockouts. The State and its officers, employees, agents, or representatives are prohibited from engaging in unfair labor practices. PERB also administers elections for exclusive representatives.

Certification of an Employee Organization

In order to be certified, an employee organization must submit a petition showing that at least 30% of the eligible employees in a bargaining unit wish to be represented by the petitioning organization. Other employee organizations may participate in the election if they prove that 10% of the eligible employees in the bargaining unit wish to be represented by them. There must also be a provision for “no exclusive representative” on the ballot. PERB must conduct the election by secret ballot, which may be in person, by mail, or electronic. Interest in union representation can be shown by a union authorization card or a union membership card as specified.

An employee organization may request a preferred method of voting; if there is a dispute between two or more employee organizations, PERB may designate the method of voting.

PERB must certify as exclusive representative the employee organization receiving the votes in an election from a majority of the employees voting in the election.

State Fiscal Effect:

Public Employee Relations Board

PERB reimbursable revenues and expenditures increase minimally for each election. Actual revenues and expenditures depend on the number of elections held, the number of members, and the number and duration of any disputes. PERB anticipates increased costs peaking over three fiscal years (fiscal 2027 through 2029) and then tapering off.

Higher Education Institutions

Higher education expenditures increase minimally for USM institutions and MSU to reimburse PERB for expenses related to collective bargaining. As SMCM reports that it has no graduate assistants (including no postdoctoral interns) on its staff or faculty, SMCM is not likely to be affected – at least not in the near term.

Actual costs depend on whether eligible graduate assistants decide to collectively bargain and the actual reimbursable costs that can be assigned to the institutions. USM advises that currently 10 USM institutions have graduate assistants; thus, the number of bargaining units increases by a maximum of 10 throughout USM.

Administrative expenditures may increase minimally at USM institutions and MSU (and potentially SMCM should staffing change) to expand collective bargaining to eligible graduate assistants. Several institutions advise that additional full-time staff are necessary, although most do not specify how many.

Salary expenditures for eligible graduate assistants may increase; however, any increases depend on actual negotiations and current salaries and benefits. Health and retirement benefit costs may also increase, to the extent they are negotiated. The State shares in the cost of salary and fringe benefit increases for State-supported employees at USM, MSU, and SMCM.

The University of Maryland, College Park Campus advises that approximately 4,300 employees currently have collective bargaining rights on campus, and the bill extends eligibility to approximately 4,400 additional individuals. The University of Maryland, Baltimore County has almost 900 eligible graduate assistants. USM notes that funding for graduate assistants is often provided through grants and other programs that include a maximum cap on expenses. An increase in the overall cost of an assistantship due to negotiated increase in pay or benefits may decrease the number of graduate assistants that can be supported, if alternative forms of funding are not found.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 166 and HB 211 of 2025; SB 823 and HB 493 of 2024; and SB 247 and HB 275 of 2023.

Designated Cross File: SB 84 (Senators Kramer and Lam) - Finance.

Information Source(s): University System of Maryland; Morgan State University; St. Mary's College of Maryland; Public Employee Relations Board; Department of Legislative Services

Fiscal Note History: First Reader - January 27, 2026
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