



190 West Ostend St., #201
Baltimore, MD 21230
Phone: 410.547.1515
Fax: 410.837.5436

Patrick Moran - President

Testimony
HB 02 – Maryland Environmental Service Reform Act of 2021
Appropriations
February 3, 2021
Support with Amendments

AFSCME Council 3 supports the passage of HB 02. This legislation would reform the governance structure of the Maryland Environmental Services (MES), and with it apply provisions of the State Personnel and Pensions Article to employees of the Service.

While we unfortunately learned of serious governance faults and mismanagement by the upper level management of the MES, what is not readily known is that employees at MES, a “quasi-state agency,” do not have the benefits and protections afforded regular state employees under Maryland law.

Chapter 15 of the Laws of 2017 gave the MES employees collective bargaining rights similar to those of most State employees by requiring MES to recognize and deal with an employee organization that is elected as an exclusive representative of MES employees. However there were technical deficiencies in the law, such as the governing labor/management authority designation, that made the law incomplete. MES has its own personnel system that is based on merit and compensates employees based on performance. MES may determine employee qualifications; appointment and removal procedures; terms of employment (including compensation, benefits, holiday schedules, and leave policies); and any other matter concerning employees. It is NOT within the structure of State Personnel and Pensions that defines employee rights and ensures adequate job protections for employees.

The amendment put forward by AFSCME Council 3 would address these deficiencies, and we request a favorable report of HB 02 with amendments.

Every AFSCME Maryland State and University contract guarantees a right to union representation.
An employee has the right to a union representative if requested by the employee.
800.492.1996