



## **Service Employees International Union**

1800 Massachusetts Avenue, NW, Washington, DC 20036

Testimony in FAVOR of SB 746

Education – Community Colleges – Collective Bargaining

Senate Finance Committee

March 4, 2021

1:00 PM

Presented to: Delores G. Kelley, Chairman

By: Terry Cavanagh, SEIU

This bill has been before this committee in previous years.

It is important to know what the bill does and what it does NOT do and well as to understand the changes from the previous version of the bill.

### **WHAT THE BILL WILL DO:**

1. Although there are several details of the bill, it really does one thing. It recognizes the right of staff and faculty at each of our 16 community colleges to organize and creates a framework to do that.
2. It puts staff and faculty on the same plane as over 200,000 public sector workers in Maryland, including K-12 teachers and staff, state workers, university staff, as well as employees of local government and others.
3. It is a right that almost all private sector workers in Maryland and across the country have by virtue of the National Labor Relations Act or other labor laws. This includes virtually all private colleges and universities.
4. Many states have long operated under similar laws for their community colleges, including Ohio, Florida, Wisconsin, Pennsylvania, New York, California and others.
5. First, it allows for people within a bargaining unit to circulate a petition for recognition.
6. Next, if a petition has sufficient support, it triggers an election or recognition.
7. Next, if a petitioner is successful in the election, they are certified as the exclusive bargaining representative.

8. If the two parties reach an agreement, the provisions of that agreement are put into effect as a collective bargaining agreement.
9. If the parties cannot reach an agreement, or if an agreement is not funded, the parties may reach impasse.
10. In impasse the parties may use a mediator to assist them in reaching an agreement
11. In impasse, the parties may resort to fact-finding or arbitration of non-economic issues.
12. If bargaining unit members are unsatisfied with their exclusive representative, they may access the petition and election process to revoke that status, or decertify the union.
13. It also recognizes and respects the bargaining units that were established prior to the introduction of the bill in Baltimore City, as well as Baltimore, Montgomery, and Prince George's Counties.

#### **CHANGES FROM PREVIOUS VERSION**

- The significant changes to the bill from previous years are two. First, due to the US Supreme Court's Decision in the Janus case, public sector workers in the United States may opt out of paying dues or fees to their exclusive representatives. The fair share fees language was deleted. In its place, we borrowed language from what the General Assembly passed applying to Maryland K-12 schools about providing the exclusive representative sufficient information to meet their responsibilities.
- The other change, which is on the last page of the bill, delays for one year negotiations over salary increases. This is in recognition that our community colleges may face significant financial uncertainty in the immediate future.

#### **WHAT THE BILL WILL NOT DO:**

Over the years, there has been a lot of misinformation or misunderstanding about what this bill would do. Let me clarify what it will NOT do.

1. It will not require anyone to become a union member.
2. It will not require anyone to pay dues or fees to any union, but does allow for dues to be paid.
3. It does not require agreement to be reached on salaries, benefits, or other issues, though it does require "good faith" negotiations.
4. It does not require OR ALLOW anyone to go out on strike.

5. It does not require ANY tuition increases. In fact, studies indicate that where collective bargaining exists, tuition increases are less than where it does not.
6. It does not require any college to pay money it does not have or cannot get.

You may ask yourself, “Given all the things this bill does NOT require, why would staff and faculty want to organize into a union?”

As with other states, the answers may be, they don’t. Some bargaining units may choose NOT to organize. However, they may believe that by joining together, their voice has a better chance of being heard. They may believe they are more likely to succeed in the mission of community colleges if they sit across the table from administrators as partners to resolve issues of common interest and common concern. They may believe their powers of persuasion will be greater, if they act in concert or collectively. Whatever their reasons to organize or not, we believe, and trust that you agree, they deserve the right to have that choice.

We ask for a **FAVORABLE REPORT on SENATE BILL 746**. Thank you.