

BaltimoreCounty_FAV_SB0717.pdf

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JOHN A. OLSZEWSKI, JR.
County Executive

CHARLES R. CONNER III, ESQ.
Director of Government Affairs

JOEL N. BELLER
Deputy Director of Government Affairs

BILL NO.: SB 717

TITLE: State Personnel - Collective Bargaining - Exclusive Representative Access to New Employees

SPONSOR: Senator Zucker

COMMITTEE: Finance

POSITION: **SUPPORT**

DATE: March 4, 2021

Baltimore County **SUPPORTS** Senate Bill 717 – State Personnel - Collective Bargaining - Exclusive Representative Access to New Employees. This legislation would enhance access to new employees for an exclusive representative from the employee’s union and alter the method by which the employee and representative may meet.

It is crucial that, at the start of their employment, employees obtain access to their union representative to understand their rights and responsibilities as a unionized employee. While there is currently a procedure in place to hold this meeting, the COVID-19 pandemic has forced workers and union representatives across the State into their homes, hindering the process. This legislation amends those procedures to accommodate necessary measures during a health emergency by allowing for virtual meetings. Additionally, SB 717 increases the time allotted for an employee and exclusive representative to meet.

County Executive Olszewski is a staunch supporter of collective bargaining rights, and understands that allowing employees to join a union will empower them to speak with one voice. Employees deserve to have a say in the way their organizations function, and the community will benefit from their input.

Accordingly, Baltimore County requests a **FAVORABLE** report on Sb 717. For more information, please contact Chuck Conner, Director of Government Affairs, at cconner@baltimorecountymd.gov.

SB 717 - MD DC AFL-CIO - SUPPORT.pdf

Uploaded by: Edwards, Donna

Position: FAV



MARYLAND STATE & D.C. AFL-CIO

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**SB 717 – State Personnel – Collective Bargaining –
Exclusive Representative Access to New Employees
Senate Finance Committee
March 4, 2021**

SUPPORT

**Donna S. Edwards
President
Maryland State and DC AFL-CIO**

Madam Chair and members of the Committee thank you for the opportunity to submit testimony in support of SB 717 – State Personnel – Collective Bargaining – Exclusive Representative Access to New Employees. My name is Donna S. Edwards, President of the Maryland State and DC, AFL-CIO. On behalf of the 340,000 union members in the state of Maryland, I offer the following comments.

For any organization to be effective, it needs access to the people it represents. This is true of businesses, advocacy groups, and even informal social clubs. Unions, advocating on behalf of workers, should be no different. Without adequate and timely access to newly hired workers, an Exclusive Representative cannot serve them properly or educate them on their rights in the workplace. Additionally, our unions provide invaluable information on professional development opportunities to workers, as well as helping them attain certification to effectively do their jobs. Creating a more knowledgeable and effective workforce, that can best serve the needs of Maryland's residents is one of the highest priorities of our Public Sector Unions

Access to the people that they must represent, by law, gives the Exclusive Representative a pathway to better protect all workers – be they members of the union, or not – provide critical information and assistance to workers. SB 717 clarifies existing law to allow the exclusive bargaining representative timely access to state workers after they are hired. This early meeting is crucial in making sure that newly hire workers have the knowledge necessary to be successful in their job and to provide the highest level of service to the residents or our State.

For these reasons, we ask for a favorable report on SB 717.

AFSCME-FAV-SB717.pdf

Uploaded by: Kilpatrick, Lance

Position: FAV



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Patrick Moran - President

Testimony
SB 717 – State Personnel - Collective Bargaining - Exclusive Representative Access to
New Employees
Finance
March 4, 2021
Support

AFSCME Council 3 strongly supports SB 717. This legislation would address needed changes within existing law enabling fair access to newly hired employees of the State by the exclusive bargaining unit representative.

Chapter 24 of the Laws of 2018 codified a process for exclusive bargaining unit representatives to be able to engage recently hired employees during new employee orientations. With the impact of the coronavirus pandemic, however, holes in the law as written have been exposed in a way to undermine the intent:

- When held, new employee orientations are now often done virtually, lessening the ability to personally engage
- Some employers choose to stay online while the bargaining unit representative is presenting, chilling the ability of workers to engage
- Technical difficulties can eat into the time allotted for presentation
- Some employers wait months before holding a “new” employee orientation
- For a variety of reasons, a new employee may not be able to attend a scheduled orientation.

This legislation will address those issues by requiring a meeting between the employee and the exclusive bargaining representative within the first pay period of the new employee; requiring the meeting be in-person unless public health circumstances necessitate otherwise; extending the minimum time for presentation by the exclusive bargaining representative to 30 minutes; and ensuring ample notice is given to the exclusive bargaining representative of the hire, along with all appropriate and applicable employee identification numbers, including “Workday” numbers.

We thank you and urge a favorable report.

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

SB 717 Testimony.pdf

Uploaded by: Zucker, Senator Craig

Position: FAV

CRAIG J. ZUCKER
Legislative District 14
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Budget and Taxation Committee

Subcommittees

Vice Chair, Capital Budget

Chair, Education, Business and
Administration

Chair, Senate Democratic Caucus



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony of Senator Craig J. Zucker
Senate Bill 717- State Personnel – Collective Bargaining – Exclusive Representative Access to
New Employees
Senate Finance Committee
March 4th, 2021
1:00pm
Position: SUPPORT

Good afternoon Chairman Kelley, Vice Chairman Feldman, and distinguished members of the committee. It is my pleasure to testify today in **support of Senate Bill 717 – State Personnel – Collective Bargaining – Exclusive Representative Access to New Employees.**

Senate Bill 717, would change the circumstances under which a collective bargaining representative would be provided access to new employees of the State, the University System of Maryland (USM) system institutions, Morgan State University (MSU), St. Mary's College of Maryland (SMCM), and Baltimore City Community College (BCCC).

This legislation would modify how designated collective bargaining representatives would be notified of new employees and specifies information that must be provided about each new employee. The bill would require that a representative be permitted to meet with new employees during their first pay period or at a new employee program that starts within 14 days of the employees start date. Additionally, the bill extends the currently established meeting time from twenty minutes to thirty minutes and clarifies employer reporting requirements for said meetings.

The pandemic may have caused obstacles for new employees to learn their rights and benefits. This could lead to a lack of clarity and transparency in both the duties of employees and in the role of management during a global health emergency. This legislation would ensure that these new employees have clarity and access to important information surrounding their employment. Ensuring that new employees are properly trained in their rights would help them better perform their job duties for the duration of their employment and allow them to better function in the positions of public service entrusted to them.

For these reasons, I ask for a favorable report on Senate Bill 717. Thank you for your kind consideration.

SB717_USM_UNF_SKOLNIK.pdf

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Position: UNF



SENATE FINANCE COMMITTEE

Senate Bill 717

**State Personnel - Collective Bargaining - Exclusive Representative Access to
New Employees**

March 4, 2021

**Carolyn Skolnik, Associate Vice Chancellor, Human Resources
Urging an Unfavorable Report**

Chair Kelley, Vice Chair Feldman, and members of the Committee, thank you for the opportunity to share our thoughts regarding Senate Bill 717.

Senate Bill 717 would require the USM institutions to turn over highly sensitive personally identifiable information (PII) belonging to each bargaining unit-eligible employee, without any showing of the need for this information, any requirement to protect this information, or any limit on the exclusive representative's use of the information. Also, it significantly expands the unions' initial access to new employees hired into bargaining unit-eligible positions on several important fronts and creates new, unnecessary administrative burdens for the institutions.

Currently, the exclusive representative enjoys the statutory right to participate in the agency or unit's new employee orientation or training program to collectively address all new employees in attendance, not just the new employees the union represents. Senate Bill 717 preserves this right, but also establishes a new right -- the exclusive representative may meet in person with every new bargaining unit employee within the first full pay period after the employee's start date. The bill provides that the exclusive representative alone has the right to determine if public health concerns necessitate that a meeting be conducted remotely via video. USM employees must have the exclusive right to choose to join or not join a union devoid of undue influence or outside pressure.

Senate Bill 717 also requires USM institutions to transmit a new employee's name, unit, and all employee identification numbers, including Workday identification numbers, to the union president within 24 hours of the employee's start date. This is unacceptable. Providing sensitive information to union representatives places the employee at a higher risk for identity theft. Consider the huge number of fraudulent unemployment insurance claims currently pending against state employees to grasp the potential risk to employees. Once the USM has released the employee identification numbers, it no longer exercises control over how the data is used, shared, and protected. The personally identifiable information, or PII, of employees is highly protected at USM institutions by practice, policy and state and federal statutes. Senate Bill 717

provides no similar protections to employees to ensure that this data does not get into the wrong hands and likewise establishes no limits on the use of this personal information.

From an administrative standpoint, it is impossible to comply with this bill's requirement that the university provide certain data to the union within 24 hours of the employee's start date. A new employee's record is accumulated and built within the USM's personnel systems over a period of days and weeks, but rarely within 24 hours of their start date. As a practical matter, a new employee's Workday identification number takes weeks to establish, after key data has been transmitted between the USM institution and DBM, and back again.

For these reasons the USM urges an unfavorable report.

SB 717 - State Personnel - Collective Bargaining -

Uploaded by: Yates, Anna

Position: INFO

Senate Bill 717
State Personnel – Collective Bargaining –
Exclusive Representative Access to New Employees
Senate Finance Committee
March 04, 2021

Letter of Information

Chair Kelley, Vice-Chair Feldman, and Members of the Committee,

Thank you for the opportunity to share our thoughts on Senate Bill 717. St. Mary's College's current practices are consistent with the requirements of the Bill.

The proposed legislation states that every new employee is permitted to have 30 minutes with an exclusive representative when they are first hired, an increase from the 20 minutes currently required by law. St. Mary's College's current Memorandum of Understanding with The American Federation of State, County, & Municipal Employees (AFSCME) already requires the College to provide new employees with 30 minutes to meet with an exclusive representative. St. Mary's College has been flexible with the time allotted between union representatives and new employees.

The proposed Bill also requires institutions to provide notice of a new employee's date of hire to the union representing them. The Memorandum of Understanding between St. Mary's College and AFSCME has already established this provision.

Thank you for your consideration and continued support of St. Mary's College of Maryland.



Tuajuanda C. Jordan, PhD
President

