

Cecelia Baker written testimony.pdf

Uploaded by: Cecelia Baker

Position: FAV

My name is Cecelia Baker and I have been working as a BOCC Supervisor with the Maryland Transportation for sixteen out of twenty five years of service. I am writing testimony in support of SB 475 and HB 580, for why MTA supervisors and sergeants need the right to collective bargaining.

My job role is to assist operators, street supervisors, MTA Police and other police , division personnel as well as the shop. I take emergency call, calls for detours, calls for accidents as well as personal well being of the operators.

My job is essential because I have to let the operators know if a detour is need if the weather is bad, if there is a police emergency. I have to work if the weather is bad or if the weather is good. This is a twenty-four hours business and personnel is required. Even though we are not hands on in the street, we are required to do a job in assisting the street.

While on this job I have experienced favoritism , I was turned down for a position because the Director does not like me. I've been told by the Director that I wasn't going anywhere (as in moving to another position) I have been told by my manager that the position I applied for was promised to another employee who is no longer employed at MTA. I have been in this department and the new people who are hired come in making more pay then myself. I am almost ready to retire and I am not even at top pay.

There are three modes of transportation at OCC, but BOCC is treated like a bottom feeder in an aquarium. The sad part is when the other modes need assistance, they run to BOCC for shuttles bus bridges comfort buses and so on.

Cheryl Savage MTA written testimony SB475.pdf

Uploaded by: Cheryl Savage

Position: FAV

Written Testimony in SUPPORT of SB 475

Cheryl Savage, Transportation Supervisor, Maryland Transit Administration

I am Cheryl Renae Savage and I have been working at Maryland Transit Administration for 25 years. For the last 15 I have been a Transportation Supervisor working in the Communications Department.

This testimony is in SUPPORT of SB 475 so that supervisors and sergeants be afforded the right to collectively bargain.

While I am not currently working as a transportation supervisor for health reasons, I assist them daily with sending off reports to upper management and the public in reference to any delays in service. I also monitor the Metro Stations Attendants that are working in the station. This makes my job essential, as the riding public needs to be made aware of their transit systems operations daily.

While working this job, the last 8-10 years of treatment of my colleagues and me has been awful. Management has no knowledge of the Transportation Service Human Resources Policy (TSHRS) rules or how to implement them. Management been hired from outside of the agency, which was not a practice prior to these last few years. One had to have at least been working in the transportation field for 5 years or more to obtain this job. This has allowed favoritism and personal preference to saturate the current work environment, causing a hostile and threatening atmosphere. There have been at least 2 or 3 violent incidents on the very floor I work on, and while I understand my colleagues' frustrations, it leaves me fearful and concerned for my safety when reporting for duty.

Also, my newer colleagues come into this position at a higher rate than my senior counterparts and me. Management refuses to acknowledge seniority in other regards as well, including scheduling. When I was hired in January of 1997 as a part-time bus operator, I was told this was a seniority position, and once I became a transportation supervisor the same rule applied. My wages would remain 6% above the operators' top pay without overtime with 40 hours per week. This has yet to happen. Suddenly this management (again, hired from outside the agency) knows nothing about this and cannot seem to locate that policy, but continuously produce and implement their own with handbooks and memos. I am currently dealing with a scheduling problem as well as a classification problem with my immediate manager that brings me to angry tears just to think about it, despite my fifteen years in supervision with the MTA.

A collective bargaining agreement would definitely assist my colleagues and me to have a fair process in pay, promotions, and would boost morale as it did when I was an operator. It protected me and my rights and did not allow management to bully the unfavorable employees.

I urge this body to pass SB 475.

SB 475 MTA.pdf

Uploaded by: Denise Riley

Position: FAV



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Marietta English
PRESIDENT

Kenya Campbell
SECRETARY-TREASURER

**Written testimony before the Senate Finance Committee on
SB 475 - Maryland Transit Administration Police - Collective Bargaining -
Supervisors and Sergeants
February 24, 2022**

SUPPORT

Chair Kelley and members of the Committee,

On behalf of the more than 20,000 members of the American Federation of Teachers – Maryland (AFT-Maryland), including the Maryland Classified Employees Association, we ask for a favorable report on SB 475, a bill that would extend the right to engage in collective bargaining for sergeants and supervisors within the Maryland Transportation Administration Police. Every other employee classification within the MTA is covered under collective bargaining except for these employees, and this bill would close this unfair loophole.

Collective bargaining for various employees within MTA— from mechanics and technicians, to clerical and office staff, through bus and other mass transit operators has existed in law since 1984, and is covered under the Transportation article in Maryland Code. And in the years since, the state has greatly expanded state employees' right to engage in collective bargaining. However, in these 40 years, MTA police sergeants and supervisors have been unfairly excluded from these provisions for nearly 40 years.

In those 40 years, state employees in this excluded class have had little to no recourse to some sort of due process or grievance rights that seem to have been given to nearly every other state employee. Additionally, unlike nearly every other state employee, this excluded class does not have a seat at the table when it comes to fair and appropriate compensation for work done in the service of the state.

SB 475 closes this loophole within collective bargaining law within the state's Transportation Article, and once again AFT-Maryland calls for a favorable report. Thank you.

Kenya Campbell
President

SB 475 - MTA Police - CB - Supervisors and Sgts.pd

Uploaded by: Donna Edwards

Position: FAV



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**SB 475 – Maryland Transit Administration Police – Collective Bargaining –
Supervisors and Sergeants
Senate Finance Committee
February 24, 2022**

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 475 – Maryland Transit Administration Police – Collective Bargaining – Supervisors and Sergeants. My name is Donna S. Edwards, and I am the President of the Maryland State and District of Columbia AFL-CIO. On behalf of Maryland’s 340,000 union members, I offer the following comments.

SB 475 is an affirmation of our State’s values to encourage and empower workers to have a voice in discussing with employers their safety concerns, productivity, pay and benefits, and other working conditions. This is critically important with everything we have witnessed since March of 2020 and the COVID pandemic. *Fundamentally, this is enabling legislation. It does not mandate a union. It does not force any worker to join or oppose a union.* It simply allows workers to decide, for themselves, what their path forward will be.

The freedom to form and join a union is core to the U.N. Universal Declaration on Human Rights and is an “enabling” right—a fundamental right that ensures the ability to protect other rights.¹ SB 475 affords Supervisors and Sergeants at the Maryland Transit Administration the same rights that 30,000 other Maryland State employees currently enjoy: The right to make their own decision as to whether they want to organize and form a union. The same right to self-determination has been realized by thousands of police officers around the State.

In an Executive Order signed early last year, President Biden reaffirmed the position of the United States on collective bargaining rights by stating “*It is also the policy of the United States*

¹ <https://www.un.org/en/universal-declaration-human-rights/>

to encourage union organizing and collective bargaining."² We believe that the State of Maryland should follow the lead of the United States and do the same

For freedom and equity, we ask for a favorable report on SB 475.

² <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/22/executive-order-protecting-the-federal-workforce/>

BaltimoreCounty_FAV_SB0475.pdf

Uploaded by: Joel Beller

Position: FAV



JOHN A. OLSZEWSKI, JR.
County Executive

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Acting Director of Government Affairs

JOSHUA M. GREENBERG
Associate Director of Government Affairs

MIA R. GOGEL
Associate Director of Government Affairs

BILL NO.: **SB 475**

TITLE: Maryland Transit Administration Police – Collective Bargaining – Supervisors and Sergeants

SPONSOR: Senator Beidle

COMMITTEE: Finance

POSITION: **SUPPORT**

DATE: February 24, 2022

Baltimore County **SUPPORTS** Senate Bill 475 - Maryland Transit Administration Police – Collective Bargaining – Supervisors and Sergeants. This legislation would add sergeants and supervisors in the Maryland Transit Administration Police to the list of employees authorized to collectively bargain with the Maryland Transit Administration.

Baltimore County Executive Johnny Olszewski is committed to improving relations between employers and employees and empowering workers through the collective bargaining process. Sb 475 would extend these bargaining rights to those who serve our community by adding sergeants and supervisors in the Maryland Transit Administration to the list of employees empowered to collectively bargain.

This legislation is a step towards increased representation among members of the Maryland Transit Administration by giving them an active role in the bargaining process by establishing a fair process for sergeants and supervisors. It is critical to ensure that those keeping the State transit system safe are afforded the same rights as other Maryland employees.

Accordingly, Baltimore County requests a **FAVORABLE** report on Senate Bill 475. For more information, please contact Joel Beller, Acting Director of Government Affairs at jbeller@baltimorecountymd.gov.

Kendrick Jordan written testimony.pdf

Uploaded by: Kendrick Jordan

Position: FAV

MTA Written Testimony template

Introduction:

- I am Sergeant Kendrick A. Jordan and am a 23-year veteran of the Maryland Transit Administration Police Force.
- I am writing testimony in support of SB 475 and HB 580, for why MTA supervisors and sergeants need the right to collectively bargain.

What is my job:

- My role in the MTA Police Force is first line supervision of the officer on the street. I am tasked with conducting roll call, creating schedules, reviewing reports, completing payroll, other duties as assigned and, most importantly the direct supervision of the officer on the street in the proper performance of their duties and responsibilities. I oversee district level investigations to ensure all follow ups are completed and pertinent information from the scene is documented and articulated with the report.
- My job is essential for the operations of the MTA because as previously stated I am the first line supervision for officers on the street. I am the conduit between upper command and the proletariat. I am the voice to relay the vision of upper command to the officers and in turn provide upper command with a sense of the pulse of the department based on my daily interactions with the officers on my squad. I am the de facto answer man. If there is an issue the officers bring that issue to me and I either provide the answer, find out the answer or direct the officer to where the answer can be found if it is outside of my purview.

Experiences/issues:

- While on this job, I have experienced a myriad of issues so I will start by speaking about the most important of my issues; which is the lack of redress for issues when they arise. Currently Sergeants by state law are precluded from the ability to file a grievance as a means to address and/or abrogate issue of work conditions or treatment within the workplace. So we are relegated to either accepting the issue and getting over it or seeking injunctive relief through the courts which should not be the

case. Although the courts and litigation are a viable option there should be other systems and/or mechanisms in place to address minor issues that don't rise to the level of litigation. I believe that collective bargaining and the grievance process could go a long way to address issues as they arise.

The other issues I would like to speak to is the current on-call policy. Sergeants are placed on call for a week at a time to be on standby in the event someone calls out and there is a vacancy within supervision the on-call sergeant would be called into work. Currently, the sergeant on-call is not compensated for being on call although there are parameters placed upon him/her that alter the course of their daily life such as being required to answer and carry your work phone at all times, the requirement to be able to respond to work within an hour of notification, and not consuming alcohol. Although those constraints are placed upon the sergeants there is no compensation for the hardship and inconvenience endured unless called into work. Furthermore, there is no written policy which outlines the procedures for the on-call policy, its implementation or the parameters under which it will operate. There is no documentation as to what constitutes a circumstance under which you can be called in, how often within a week you can be called in or how many hours you can work. The Fair Labor and Standards Act states that personnel placed in an on-call status which alters the normal course of their daily lives should be compensated. That is not the case and I am of the belief that collective bargaining would go a long way to addressing issues such as these and foster a pellucid working relationship between the MTA Police Force and the men and women who act as the agency's first line supervisors.

Summary

- For these reasons, I urge this body to pass this bill.

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Uploaded by: Pamela Beidle

Position: FAV

PAMELA G. BEIDLE
Legislative District 32
Anne Arundel County

Finance Committee

Vice Chair

Executive Nominations Committee



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

February 18, 2022

SB 475

Maryland Transit Administration Police – Collective Bargaining –
Supervisors and Sergeants

Good Afternoon Chair Kelley, Vice Chair Feldman and Members of Finance:

SB475 adds sergeants and supervisors within the Maryland Transportation Administration Police to the list of employees authorized to collectively bargain with the Maryland Transit Administration.

Currently, MTA Police Supervisors and Sergeants have no viable avenue of addressing issues regarding their workplaces, wages, and benefits. MTA supervisors oversee MTA employees who are represented by ATU Local 1300. Local 1300 members receive regular cost of living upgrades, and in many cases have either matched or exceeded the wages paid to supervisors

Being unable to negotiate wages has led to severe wage compression, which leads to high turnover and low morale. New regulations on law enforcement officers are going to increase sergeants' supervisory tasks and responsibilities.

MTA supervisors and sergeants are vital to ensuring safe and sanitary public transportation and deserve respect for their work. They should have, like other MTA employees, the right to collectively bargain their wages, benefits, working conditions, and staffing.

I respectfully request a favorable report on SB 475.

Tierra Farly SB475 testimony.pdf

Uploaded by: Tierra Farey

Position: FAV

To whom this may concern,

My name is Tierra Farley and I am writing testimony to support SB 475 and HB 580 for why MTA management and sergeants need the right to a collective bargain agreement. I have worked for The State of Maryland /Maryland Transit for 17 years. I began my tenure as a frontline employee, a bus operator. Assisting patrons and providing world class customer service, while transporting them from point A to B safely was very rewarding. After 6.5 years of being a union employee and transporting the city, I changed my career. I joined management hoping to make a difference and thought I would receive the same treatment as union employees, if not better. Unbeknownst to me, I would walk into career reminiscent of The Hunger Games.

I started my management career as transportation supervisor, which entailed many vital duties. I supervised union employees, evaluated revenue service, responded to the public regarding travel information, complaints and service issues (not an exhaustive list). The harder I worked, the more I had to deal with unprofessional managers who thrived on unethical work practices and changed my work hours whenever they felt the need to do so. I understood I was signing on to be an essential employee, however it did not bother me because as a bus operator. I knew what it meant to be an essential employee, reporting to work doing adverse weather etc, but changing shifts strictly for discipline is absurd. My first year, I had perfect attendance, and it went unrecognized. I did not receive a bonus, or any incentives. In fact, during my first annual appraisal, I mentioned this to my manager, and he did not believe me. They postponed my evaluation until he checked my attendance record. Besides not being recognized for perfect attendance and producing exceptional work quality. Many managers subjected me to bullying and intimidation and whenever I addressed the unethical work practices, my schedule would suddenly change.

I am presently an assistant superintendent and I assist the superintendent with directing, monitoring, and managing personnel and equipment of a bus division. I still manage union employees and I observe the vast amount of benefits and incentives they are awarded, while management gets nothing in return. They pay all the employees I manage more than me. Also, if a manager is hired from outside the company, their starting salary will be more than a manager who has tenure. Management works more hours and we are essential employees, just like the union employees.

During the Covid-19 pandemic, they denied many managers hazard pay because they did not have 100 hours of compensatory time in their bank. We had to work during the pandemic without protection. Many state and federal agencies closed and worked from home. Managers were required to report to the building and constantly be at risk for contracting Covid-19. They forced us to distribute face mask to bus operators, and no one distributed face masks to us. Executive leadership removed us from our normal duties to act as health care workers, screening bus operators and office staff as they reported for work. Taking their temperature, asking health related questions (violating HIPPA) was our number one duty for several weeks.

I am concerned about health and safety. Every day, I enter my office and have to wonder what the black dust is surrounding the vent and little black specs that resemble mold. I reached out to the proper department and was told I have nothing to worry about. Executive management is aware and has done nothing. Whenever we voice our concerns, we are told "you're not a team player". I requested training and was asked, "why do you feel you're entitled to anything".

I can go on and on about the deplorable work conditions and unethical works practices and unfair pay practices, but for time consideration, I minimized the plethora of issues. Everyone should be treated fairly and equally, which is why I support SB 475 and HB 580. A collective bargain agreement will ensure managers and sergeants are treated fairly and given what they deserve. For these reasons, I urge this body to pass this bill.

Respectfully,

Ms. Tierra Farley

Farley.tierra@yahoo.com

Tracey Turpin written testimony.pdf

Uploaded by: Tracey Turpin

Position: FAV

My name is Tracey C. Turpin, and I have been working as a Sergeant with the Maryland Transit Administration for 5 years. I am writing testimony in support of SB 475 and HB 580, for why MTA supervisors and sergeants need the right to collectively bargain.

My role in the MTA is to supervise the Administrative Unit, Evidence Control Unit, and Quartermaster Unit. I also take on various tasks as instructed by my supervisors. My job is essential for the operations of the MTA because the Administrative Unit preserves personnel files and other confidential documents. The Evidence Control Unit secures all evidence related to cases and documented incidents. The Quartermaster Unit controls and keeps track of vehicles, uniforms, equipment, and archivable files.

While on this job, I have experienced being on call and not being compensated for my time and subordinates earning close to or equal to my wages.

For these reasons, I urge this body to pass this bill.

SB0475 - MTA - MTA Police Collective Bargaining -

Uploaded by: Patricia Westervelt

Position: UNF



Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
James F. Ports, Jr.
Secretary

February 24, 2022

The Honorable Delores G. Kelley
Chair, Senate Finance Committee
3 East Miller Senate Office Building
Annapolis, Maryland 21401

***RE: Letter of Opposition – Senate Bill 475 – Maryland Transit Administration Police -
Collective Bargaining – Supervisors and Sergeants***

Dear Chair Kelley and Committee Members:

The Maryland Department of Transportation (MDOT) respectfully opposes Senate Bill 475 due to conflicts regarding supervisory and managerial responsibilities and additional costly processes.

Senate Bill 475 would add “Sergeants and Supervisors” to the list of employees authorized to collectively bargain with the MDOT Maryland Transit Administration (MDOT MTA).

Current law only permits three unions as “accredited representatives” for the MDOT MTA’s non-supervisory, non-management employees, and requires the MDOT MTA to submit labor disputes with represented employees to binding arbitration. Senate Bill 475 would create a new bargaining unit consisting of MTA’s police supervisors, including sergeants of the MDOT MTA police. The MDOT MTA would be required to enter into a collective bargaining agreement with this bargaining unit, and this union would have the right to submit labor disputes to binding arbitration.

Within the MDOT MTA Police Force, the rank of Sergeant is a supervisory position with responsibilities in assigning work, initiating discipline, and evaluating employee performance. The law currently excludes supervisory, managerial, professional, and confidential employees, recognizing the conflict of interest inherent when supervisory and managerial employees are represented. Presumably, the current law follows the federal law governing labor/union relationships, the National Labor Relations Act (NLRA), which does not provide protections for managers and supervisors as they are considered part of management rather than the workforce. Adding this category of employees as proposed by Senate Bill 475 serves as a contradiction to the intent of the current statute and collective bargaining generally. Notably, there is no clarity in the bill as to which employees are considered supervisors within the MDOT MTA police. Without a clear definition, the law may be interpreted to include civilian supervisors, or officers higher in rank than sergeants. If collective bargaining was expanded in this manner, it could have a detrimental effect on MDOT’s ability to execute management responsibilities.

The Honorable Delores G. Kelley
Page Two

In addition, current law requires mandatory binding interest arbitration to settle labor disputes at MDOT MTA. This process is cumbersome and expensive, requiring the MDOT MTA to engage three arbitrators and outside counsel, in addition to management time. The State, the MDOT, and the MDOT MTA do not have control over this process, leaving any financial awards and other contract terms, such as pensions, to be determined by the arbitrators. The possibility of a prohibitively expensive arbitration award may force the State to agree to less favorable terms than could be achieved via collective bargaining. Therefore, it would be fiscally irresponsible for MDOT to support binding arbitration for an additional group of supervisory employees, as it cedes fiscal responsibility and control to a third party who is unfamiliar with the potential impacts of these financial decisions.

For these reasons, the Maryland Department of Transportation respectfully requests the Committee grant Senate Bill 475 an unfavorable report.

Respectfully submitted,

Dave Myers
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