



**Written Testimony Submitted to the
Appropriations Committee
SB 494 – Maryland State Department of Education – Employee Status and Designation
March 29, 2023**

FAVORABLE

Chair Barnes and Members of the Appropriations Committee. My name is Felicia Hawkins, Director of Operations for the Maryland Professional Employees Council (MPEC), AFT Local 6197, the certified collective bargaining agent for professional state employees classified in unit G. MPEC calls for a favorable report to SB 494, the bill that will fix the error that caused numerous Maryland State Department of Education Employees to be classified as special appointments, temporary, or contractual employees, thereby barring them from the collective bargaining rights enjoyed by other state employees.

This bill will direct the Department of Budget and Management to, by January 1, 2024, to assign all employees who are not bona fide special, emergency, or temporary employees to regular status within the state personnel and management system and place them in the appropriate bargaining unit for the purposes of collective bargaining.

Members of the committee, under the previous administration, misclassification of state workers was a very common problem. The letter-of-the-law stipulates that special appointments and temporary contractual employees are positions that must be filled in emergency cases only when no other regular position can fill them, or a position that is only needed for a calendar year. We found state agencies classifying regular permanent full-time positions as special appointments and hiring contractual employees to keep them in long-term contractual status. This employment practice has barred these employees from the benefits and protections negotiated by the unions and management in the collective bargaining agreements. The State Dept. of Education is notorious for its unfair and unethical treatment of its employees. Numerous MSDE employees are left with no recourse because they serve at the pleasure of the appointing authority as a special appointment or long-term contractual employee.

For these reasons, MPEC again calls for a favorable report to SB 494.

Thank you,

