

Andrea Moton SB491 Fav Testimony.pdf

Uploaded by: Andrea Moton

Position: FAV

Testimony for the Senate Education, Energy, and the Environment Committee

Monday, February 20th, 2023

**SB 491 – Charles County Board of Education - School Bus Contractor Employees -
Negotiations**

FAVORABLE

Dear Chair Feldman, Vice Chair Kagan, and committee members,

My Name is Andrea Moton. Yes, I do support this bill. This bill will give my Union, ATU, Local 689 the right to fight for my rights and help me get out of poverty. Support Bill SB0491, Yes I do.

Andrea Moton

Carla Bell SB491 Fav Testimony.pdf

Uploaded by: Carla Bell

Position: FAV

Testimony for the Senate Education, Energy, and the Environment Committee

Monday, February 20th, 2023

**SB 491 – Charles County Board of Education - School Bus Contractor Employees -
Negotiations**

FAVORABLE

Dear Chair Feldman, Vice Chair Kagan, and committee members,

I support SB0491, because it's the fair thing to do for the school bus drivers and attendants of Charles County, Maryland. Fair wages, benefits and retirement.

Respectfully,

Carla Bell

Duffy SB0491 Support Roster.pdf

Uploaded by: Crystal Stoney

Position: FAV

Mrs. Crystal Stoney
 Charles County School Bus Driver
 James H Duffy Driver & Attendant Representative
 dcstoney@gmail.com

The Charles County Delegates and Senators have sponsored legislation, SB 491, that would require the Charles County Board of Education (CCBOE) to include representatives who reflect the interests of the bus drivers and attendants, who work for contractors, at negotiations over a master school bus service contract.

If the bill passes drivers and attendants will be required to have a seat at the table when it comes to contract negotiations, which directly affect salaries, time-off, retirement plans, working conditions, etc.

In order to pass this legislation we need everyone to testify at the bill hearing on why CCPS bus drivers and attendants should have representation at any and all contract negotiations. As well as highlight how the current system of only having the contractors negotiate for us is not working.

Please if you are in favor of Senate Bill 0491, please print and sign your name with your job title.

Print Name	Signature	Position
1) Mebeka Riley	M. Riley	Driver
2) Lance Gray	Lance Gray	Spouse
3) Joyce Clements	Joyce Clements	Att
4) Sandra Pickeral	Sandra Pickeral	Driver
5) DEBORAH FERGUSSON	Deborah Ferguson	Attendant
6) Justina A. Collier	Justina A. Collier	DRIVER
7) James Chedester Sr.	James D. Chedester Sr.	Driver
8) Lewis Cooper	Lewis A. Cooper	DRIVER
9) Carol Osborn	Carol Osborn	Driver
10) LAZARUS THOMAS	Lazarus Thomas	DRIVER

11)	Charmaine Whitey	Charmaine Whitey	Driver
12)	Cynthia W. Richards	Cynthia W. Richards	Driver
13)	Gloria Thompson	Melicia Thompson	Driver
14)	Shirley Thompson	Shirley Thompson	Attendant
15)	Patricia Thompson	Patricia Thompson	Driver
16)	Portia Teye	Portia Teye	Driver
17)	Gregory Jones	Gregory Jones	Driver
18)	Dazzell Stone	Dazzell Stone	Spouse
19)			
20)			
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29)			

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Stoney SB0491 Statement&Attachment.pdf

Uploaded by: Crystal Stoney

Position: FAV

Monday, February 20, 2023

I'm Crystal Stoney, I have been a Charles County School Bus Driver for ten years. My lot was the first to vote and I support SB0491 as it will enable ATU Local 689 to represent and negotiate better Wages, Retirement benefits and improved working conditions.

We needed a better advocate, so we voted one in. ATU Local 689 will negotiate solely for us, where the Charles County School Bus Contractors Association only has rights to negotiate their business contract only with CCBOE. Attached is a letter given to me by the President of the Contractors Association here in Charles County in 2021 where he stated they had been trying for eleven years to get CCBOE to the things we are asking for to no avail. Here it is two years later and they still haven't gotten anywhere, so it's time for change, and to do things differently, that change and difference is our voted choice ATU Local 689. Passing SB0491 will give us that change and the opportunity for a proper livable wage, reasonable cost healthcare, retirement that we can survive when that time comes, we can't do it in this present state because there is only a yearly deposit of **\$1000 a year** by CCBOE, **\$8 a month** by contractors, and we want cohesive working environment

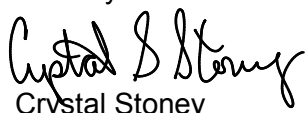
CCBOE and Charles County School Bus Contractors share responsibilities when it comes to our employment, wages, benefits, discipline, etc, with CCBOE having the most responsibility when it comes to drivers and attendants.

Please stop the misleading notion that the Contractors can negotiate for the drivers and attendants when they don't have collective bargaining rights or agreement.

Our voices are sound, our voices need to be heard, our voices need that long awaited seat at that table, without third party interference(contractors) that have gotten nowhere and aren't our best advocate. ATU Local 689 is who we voted for, who we want to negotiate for us, and who has made so many strive with us.

PLEASE DON'T LET OUR VOICES FALL ON DEAF EARS, AND PASS SB0491

Thank you



Crystal Stoney

Charles County School Bus Driver

dcstoney@gmail.com

Charles County School Bus Contractors Association
8295 Fairground Rd, La Plata MD 20646

HAND-DELIVERED AND EMAIL

(CollinsR@charlescountymd.gov; llwilson@ccboe.com)

October 31, 2021

Charles County Commissioners
c/o Reuben Collins, President
200 Baltimore Street
La Plata, Maryland 20646

Charles County Board of Education
c/o Latina L. Wilson, Chairperson
P.O. Box 2770
La Plata, Maryland 20646

Re: School Bus Contract; School Bus Drivers and School Bus Attendants

Dear Commissioner Collins and Chairperson Wilson:

On behalf of the twenty-six small locally owned and operated businesses that comprise the Charles County School Bus Contractor's Association ("CCSBCA") I am seeking your assistance in resolving the on-going Driver and Attendant work stoppage. The CCSBCA would like to see all our children back in school and all of our buses back on the road. We are particularly concerned about the 900 students who have not attended since this issue began. Serving the County for over 90 years, our highest priority has always been to ensure each child has access to a quality education by safely and efficiently transporting our school children to and from school.

Over the past 11 years, the CCSBCA has continually brought forth concerns about pay disparity and falling retention rates. The current crisis should come as no surprise. Likewise, each year the CCSBCA has requested changes to the contract to address these concerns. For example:

- In 2016, the CCSBCA requested a 5% increase in salary for our Drivers and Attendants. We were pleased to see that the Contract included a modest increase in salary for our Drivers and Attendants, but we were disappointed that it was not the increase we requested. Additionally, our members requested an additional pay step for our Drivers and Attendants with 25 years or more service and overtime allowances for our special need Drivers and Attendants. Both of these requests were denied.

Charles County School Bus Contractors Association

8295 Fairground Rd, La Plata MD 20646

- In 2017 there was no increase in salary but the Contractors were able to negotiate an agreement that beginning in 2019 Drivers and Attendants would get the same COLA as Charles County Public School employees as negotiated by ASFCME.
- In 2018, the CCSBCA requested 3% increase for our Drivers and Attendants, an increase from the 5.5 hour minimum to 6 hour minimum, an additional step for our drivers and attendants with 25 years of service, overtime allowances for our special need Drivers and Attendants. We were successful in obtaining 2.7% increase for Drivers/Attendants, 6 minimum hours, increasing starting leave days from 3 to 6, and overtime for special needs drivers and attendants.
- In 2019-20 CCSBCA asked for 3% increase for Driver/Attendants and was successful in that request. There were no changes to the remainder of the Contract. No additional monies were allocated to the Contractor.
- In 2020-21 There were no changes to the contract for Contractors, Drivers, or Attendants

Consistent with the contractual change negotiated by the Contractors in 2017, the recently approved 4% increase in pay for the ASFCME employees was also extended to our Drivers and Attendants. The Board of Education recently approved a \$1,000.00 for CCPS employees and authorized the extension of those monies to include the Drivers and Attendants. These actions are helpful but do not address the longer systemic issues previously raised by CCSBCA. Since the 4% increase more buses have returned to service but not all have. We would like to see all buses returned to service. Based on some confusion in the CCPS Press Release, there is a misconception that the Contractors also saw a 4% increase to the Contract. This is incorrect. The Contractors did not ask for or receive any portion of the 4% increase approved by the Board as these monies will go directly to our employees.

Since the work stoppage commenced, the Contractors have been using every means at their disposal to ensure the safe transport of our children. As we have always done, Contractors and Drivers stepped up to cover additional routes and assist each other. Additionally, we have met and continue to meet with both CCPS and our employees to find a means to move forward. In our meetings with CCPS, the Contractors, as they have in the past, proposed long term solutions such as a 6% increase wage for the next 3 years, an additional step for the Drivers and Attendants, an 8 hour minimum workday, an increased retirement contribution, recruitment bonuses, a \$500 retention bonus to be paid on November 26, 2021, full-time substitute drivers to ease the burden on our Drivers and a review committee to address Driver and Attendant concerns related to student behavior and support from the local schools. The Contractors proposal contained a long-term solution to a long-standing issue.

Charles County School Bus Contractors Association
8295 Fairground Rd, La Plata MD 20646

Calvert County, in reaching a resolution similar to what was proposed by our Contractors, choose to address the Driver and Attendant concerns holistically as opposed to a piecemeal fashion. Attached is the Contractors' most recent proposal which will keep Charles County competitive with adjacent jurisdictions (*See Attachment A*). This proposal is fiscally responsible, sustainable and provides a long term solution.

We have reached an impasse as CCPS has expressed an inability to address the Contractor's proposal. CCPS has expressed that they will continue to review our proposals and thoughts. The best hope of getting all of our children back in the classroom and resolving the longer term issues is the intervention of the Charles County Commissioners in facilitating binding arbitration.

The Contractors propose the Commissioners delegate this issue to the County's Director of Transportation. The Director of Transportation would oversee and select a neutral third party arbitrator with transportation experience. Arbitration between CCPS and the Contractors would solely relate to the Driver and Attendant issues. While the Contract is between CCPS and the Contractors, the Contractors are willing to work on a mechanism that allows the presence/participation of our Drivers and Attendants so that the process is open and transparent. We would request that such Arbitration be concluded no later than November 30, 2021 and that all buses operate during this period.

Numerous CCPS studies have shown the value of the private contract system, both fiscally and as a substantive part of the educational process. Like the Contractors, our Drivers and Attendants also live in this community. Fundamental respect for their profession and their work is key to a quality education and resolution of this issue.

Respectfully,



Mark Koch, President
Charles County School
Bus Contractor's Association

cc: Dr. Navarro
Superintendent of Schools

Charles County School Bus Contractors Association
8295 Fairground Rd, La Plata MD 20646

Attachment A.

Contractor proposal for Drivers and Attendants

1.) \$500 Retention Bonus to be paid on November 26th

2.) New wages for drivers and attendants

Certified Driver	
Years of Experience	Current pay rate with Nov 4% COLA
0-4	\$20.92
5-9	\$21.37
10-19	\$21.86
20+	\$22.82

Proposed Pay Steps	
Years of Experience	Driver Rate
0-4	\$23.00
5-9	\$25.00
10-14	\$27.00
15-19	\$29.00
20-24	\$31.00
25+	\$33.00

Certified Attendant	
Years of Experience	Current pay rate with Nov 4% COLA
0-4	\$15.37
5-9	\$15.85
10-19	\$16.41
20+	\$16.93

Proposed Pay Steps	
Years of Experience	Attendant Rate
0-4	\$16.90
5-9	\$18.54
10-14	\$20.27
15-19	\$20.85
20-24	\$23.00
25+	\$24.48

3.) 8-hour minimum workday

4.) \$1000 contribution towards retirement from the Board
- currently \$487.50

5.) \$1500 driver recruitment bonus

5.) Additional full time paid subs throughout the county to allow drivers to take off when they need to. They could also be utilized by Transportation.

6.) Assemble discipline review committee to address driver and attendants concerns over bus behavior and support from the schools.

SY 22/23 Contract Changes

1. Bus driver and bus attendant steps and wages

Certified Bus Driver Step	Years Of Experience	Amount	Fixed Charges	Total
1	0-4	\$23.00	\$5.74	\$28.74
2	5-9	\$24.00	\$5.99	\$29.99
3	10-14	\$25.00	\$6.24	\$31.24
4	15-19	\$27.00	\$6.73	\$33.73
5	20-24	\$29.00	\$7.23	\$36.23
6	25 +	\$31.00	\$7.73	\$38.73
Certified Bus Attendant Step	Years Of Experience	Amount	Fixed Charges	Total
1	0-4	\$16.00	\$3.99	\$19.99
2	5-9	\$17.00	\$4.24	\$21.24
3	10-14	\$18.00	\$4.49	\$22.49
4	15-19	\$19.00	\$4.74	\$23.74
5	20-24	\$20.00	\$4.99	\$24.99
6	25 +	\$21.00	\$5.24	\$26.24

2. Bus driver and bus attendant benefits

Illustrated Benefits Costs

	<u>(Total Base Premium)</u>	<u>Board</u>	<u>Contractor</u>	<u>Driver</u>
a. Health & Life	\$ 10,000.00	\$ 6,000.00	\$ 2,000.00	\$ 2,000.00
b. Life Only	\$ 210.00	\$ 150.00	\$ 30.00	\$ 30.00
c. Retirement (Option 1)	\$ 1,333.00	\$ 1,000.00	\$ 166.50	\$ 166.50
c. Retirement (Option 2)	\$ 1,162.50	\$ 1,000.00	\$ 81.25	\$ 81.25

- Apply CPI (released in January) to Administrative Fee per the contract
- Apply CPI (released in January) to Maintenance Factor per the contract
- Calculate the Management Fee for paid spares (years 13-15) based on the new Maintenance Factor
- Calculate the PVA based on January's bus prices to include AC on all buses
- Implement an evaluative tool for bus inspections and overall contractor performance

Earl Beatty SB491 Fav tesimony.pdf

Uploaded by: Earl Beatty

Position: FAV

Testimony for the Senate Education, Energy, and the Environment Committee

Monday, February 20th, 2023

**SB 491 – Charles County Board of Education - School Bus Contractor Employees -
Negotiations**

FAVORABLE

Dear Chair Feldman, Vice Chair Kagan, and committee members,

My name is Earl T. Beatty and I support bill SB0491 because Charles County is a joint employer that has created a dual employment system: DRIVERS AND ATTENDANTS WHO ARE EMPLOYED BY THE COUNTY WHO GET ALL THE BENEFITS AS A COUNTY EMPLOYEE THEN THERE ARE THE DRIVERS AND ATTENDANTS WHO ARE EMPLOYED BY CONTRACTORS WHO ARE KEPT IN POVERTY.

Respectfully,

Earl Beatty

Gloria Thompson SB491 Fav Testimony.pdf

Uploaded by: Gloria Thompson

Position: FAV

Testimony for the Senate Education, Energy, and the Environment Committee

Monday, February 20th, 2023

**SB 491 – Charles County Board of Education - School Bus Contractor Employees -
Negotiations**

FAVORABLE

Dear Chair Feldman, Vice Chair Kagan, and committee members,

I been driving for Charles County for 26 years, and only making \$33 an hour. I have to try to save money, when we are out for holidays, snow days and etc., but sometimes, I can't cause I'm only getting 6 hours a da. I can't get another job, cause I'm a full time sub so I'm on call all day doing nothing. I'm lucky if I can get appointments for anything between runs. I'm in support of SB 0481

Gloria Thompson

Jerome Nedd SB491 Fav Testimony.pdf

Uploaded by: Jerome Nedd

Position: FAV

Testimony for the Senate Education, Energy and the Environment Committee

Wednesday, February 22, 2023

**SB 491 – Charles County Board of Education
School Bus Contractor Employees Negotiations**

FAVORABLE

Dear Chair Feldman, Vice Chair Kagan and committee members,

I write to you to express my support for a Senate bill 491 (SB 491). I am a professional driver with a Maryland commercial license displaying an endorsement which qualifies me to drive a school bus transporting children. I transport up to sixty six (66) children per trip, to and from four different schools each school day.

I am employed by a private contractor, contracted by the Board of Education for the Charles County Public Schools to provide school bus transportation for students in Charles County. However, every aspect of my job is determined by the Charles County Board of Education. My compensation, benefits, retirement contribution and certification to drive a school bus in Charles County are determined and provided by the Charles County Board of Education. My private contractor only provides the bus, bus parking lot and distribution of the payroll checks from funds provided monthly by the Charles County Board of Education.

I have worked with no increase in pay for the last three and half years. The Charles County Board of Education only provides poverty wages, no holiday or vacation pay, no benefits and only requires the contractor to contribute \$8.00 a month to an investment savings account as a retirement contribution.

Starting over fifty years ago, the Charles County Board of Education promoted a system which allowed a few people to become millionaires, developing generational wealth for their businesses and families, while causing hundreds of bus drivers/attendants to only receive poverty wages. County employees were forced to leave their county positions, told that they would no longer be employed by the county. Instead, they became contracted employees for a small group of private contractors.

Bus driver & attendants working for private contractors comprise approximately 90% of the school bus drivers for the Charles County Board of Education. Contracted bus drivers and attendants have the same responsibilities and liabilities as county employees hired as bus drivers and attendants, but have no independent representation before the Charles County Board of Education.

This system which has been perpetuated by the Charles County Board of Education, school superintendents and contractors, has fostered a two-tier compensation system. Therefore,

contracted drivers and attendants receive no holiday or vacation pay and practically no benefits. In addition, unlike County employed Drivers & Attendants, who do receive holiday pay, vacation pay and a lifetime defined pension plan, contracted employees receive no real pension.

The reason why hundreds of children are now late to school in Charles County every day, is because the Charles County Board of Education does not provide compensation to attract or retain bus drivers and attendants to transport students timely for the start of school. Contracted Bus drivers are forced to pick up multiple routes daily because of a constant shortage of drivers, which is only getting worse.

After mounting frustration caused over a third of the Charles County bus drivers and attendants to call in sick, causing thousands of children to find another way to school, bus drivers and attendants choose to unite. Their efforts over the last 18 months has been to change the 50 year old system. With a united effort, they voted to become members of ATU Local 689 and negotiate directly with the Charles County Board of Education for their wages, benefits and retirement appropriations.

For the reasons stated above, I urge the Senate Education, Energy and the Environment Committee to provide a favorable report on Senate Bill 491

Respectfully,

Jerome Nedd

MD Charles County SB SB 491 2-22-2023.pdf

Uploaded by: John Lyons

Position: FAV

**Statement of John Lyons, Director of Joint Industry Councils and Collective Bargaining
Amalgamated Transit Union (ATU)
SB 491
Senate Education, Energy, and Environment Committee
February 22, 2023**

The Amalgamated Transit Union, representing over 200,000 transit and allied workers in the U.S. and Canada, including about 150 school bus operators in Charles County, MD, strongly support the passage of SB 491.

School bus drivers and attendants in Charles County organized with ATU to bargain for better wages and working conditions. Student Transportation Employees nationwide must undergo special training and refresher courses semi-annually. They must pass fingerprinting and background checks. CDL Operators must obtain a special endorsement on their licenses in order to perform this service. Despite all these extra qualifications, these jobs remain some of the lowest compensated transit positions in the state of Maryland. These employees wanted to serve students in the communities they live in. School Bus Operators and Attendants carry and care for our states most precious cargo yet are compensated far below their value.

While the shortage of qualified CDL Operators is a national crisis. One need look no further than Anne Arundel, Harford, Prince Georges or any other county in Maryland to see impact of the shortages. Despite efforts to remedy the issues, they have still fallen far short of being able to solve the problem. More needs to be done. In Charles County, SB491 takes this crucial step.

Our members work at 9 of the 18 private school bus contractors that serve the Charles County Public School system, many of whom are smaller, owner-operated bus companies. Several have expressed to the union that they are in debt from the purchase of the school bus vehicles that they themselves drive, and therefore must continue to operate.

As the Collective Bargaining Director for the ATU, I want to make clear that this is a unique situation from that which we usually see in this industry. Most jurisdictions where the ATU operates have only a few contractors who tend to be larger multistate or multi-national operations with experience negotiating for wages and benefits with the school district.

The school bus contractors formed the Charles County School Bus Operators Association to represent them as they negotiate the salaries and benefits of ATU members – but have met with the County to do so without the operators’ or their union’s input.

This bill seeks to create a more transparent environment for these negotiations which have a direct impact on the wages ATU members earn and whether they are able to support their families. It allows the legal bargaining agent for the drivers to participate in the negotiations over members wages and benefits with both the Contractors Association and the School District.

If this bill is not passed, it will condemn Charles County school bus operators who perform a vital service for students in Maryland to jobs that pay pitiful wages and do not match the standards across the region. These workers deserve a seat at the table and a livable wage and SB 491 is the best way to ensure this happens.

We urge this committee to pass SB 491 and look forward to collaborating with the local government and contractors to create living wage transit jobs in Charles County.

Judith Acosta SB491 Fav Testimony.pdf

Uploaded by: Judith Acosta

Position: FAV

Testimony for the Senate Education, Energy, and the Environment Committee

Monday, February 20th, 2023

**SB 491 – Charles County Board of Education - School Bus Contractor Employees -
Negotiations**

FAVORABLE

Dear Chair Feldman, Vice Chair Kagan, and committee members,

I support SB0491 because this bill will for the first time in my career give me and my co-workers a voice at the collective bargaining table. It's the fair thing to do for the school bus drivers and attendants of Charles County, Maryland. Fair wages, Benefits and Retirement.

Judith Acosta
Bus 19

Marvin Weathersby SB491 Fav Testimony.pdf

Uploaded by: Marvin Weathersby

Position: FAV

THE RIGHT TO CHOOSE THEIR REPRESENTATIVES

A fundamental right as an American Citizen is the right to choose your representatives.

As Professional & Certified Operators & Attendants, we have that right. No other advocates, representatives or anyone claiming to be that can supplant that right. The Unionized Professional & Certified Operators & Attendants have voted & chosen ATU, Local 689 to be their exclusive representative, representing them regarding their Wages, Benefits & Working Conditions. That's a fact. So if there is to be discussion and any determinations made regarding any of those issues, they should be done through their representative, ATU, Local 689 and no one else.

As an exclusive representative, ATU, Local 689, owes their members a duty of Loyalty, a Fiduciary obligation & responsibility, to represent their members solely & only. There is no dual or split representation. Contractors can not represent Unionized Professional & Certified Operators & Attendants.

Why, because they no longer have that right to, their workers have chosen whom they want to represent them for those issues and even more importantly because those Contractors can only offer dual/split representation. They are there to represent themselves and their companies. They cannot come to the table asking for something for yourself while pretending to asking for something for these Union members, whom they are hoping fail at their efforts. Which do the Contractors hold dearer or of greater importance? Themselves or their companies, certainly not their Union members. Especially when they have differing views, objectives & issues. You can't force someone or try to pretend that since they employ a worker, that they are their best representatives. Workers have the right, granted by laws enacted and enforced by the NLRB to choose their own representatives. Especially, when these same employees, Unionized Professional & Certified Operators & Attendants have hired, ATU, Local 689, made it known and are recognized by the NLRB as their representatives.

In fact, I'm sure it's illegal for someone to pretend that they represent someone, when they know for a fact, that those workers have hired their own representative.

Additionally, you should not accept anyone's input on those issue, when you know who their true representatives are.

These Unionized members of ATU, Local 689 deserve the right & respect of having their representatives heard. They come to this body asking that you insure their rights to representation. That's all they ask. Pass this bill and give them the opportunity to help themselves.

Thank You

Marvin Weathersby

ATU Local 689 Oral Testimony for SB 491 Charles Co

Uploaded by: Matthew Girardi

Position: FAV



Statement of the Amalgamated Transit Union (ATU) Local 689

SB 491– Charles County Board of Education - School Bus Contractor Employees - Negotiations
February 22nd, 2023

TO: The Honorable Brian J. Feldman and Members of the Education, Energy, and the Environment Committee

FROM: Barry D. Wilson, Recording Secretary, ATU Local 689

ATU Local 689 strongly supports SB491 and urges the Senate Education, Energy, and the Environment Committee to issue a favorable report. This bill would finally give school bus drivers and attendants a voice in their future— ending an era when Charles County Public Schools (CCPS) has been able to exclude workers from negotiations affecting their wages and working conditions.

At Local 689, we represent over 15,000 transit workers and retirees throughout the Washington DC Metro Area performing many skilled transportation crafts for the Washington Metropolitan Area Transit Authority (WMATA), MetroAccess, DASH, and DC Streetcar among others. Our union helped turn low-wage, exploitative transit jobs into transit careers. We became an engine for the middle-class of this region.

Today, in Charles County, the vast majority of school bus workers are employed by 17 private contractors hired by CCPS. The CCPS school bus system is fairly unique in this region, with most school systems either providing transportation in-house or with far fewer, but larger contractors. The Charles County School Bus Contractors Association (CCSBCA) was formed and registered to collectively represent the interests of these private companies in their negotiations with CCPS.

Unfortunately, in these negotiations, CCPS has set specific wage rate tables, benefit amounts and even specific workplace rules and regulations for the contracted workforce, all without the input and participation of employees. School bus workers and the unions that represent them should have a seat at the table for any negotiations that affect their wages and working conditions.

Nearly 200 school bus workers fought hard and overcame incredible pressure to form unions at 9 different school bus contractors. They joined ATU Local 689 because nearly 1000 of our members and retirees call Charles County their home. Still, when Local 689 negotiates with these school bus contractors they are very limited by their contracts with CCPS. This issue affects their ability to bargain about increasing wages, better benefits, and even some changes to workplace rules. CCPS acts like a "joint employer" but dodges the responsibilities that would come with that status.

SB 491 would solve these problems by finally labeling CCPS as a joint employer. Doing so would give workers' democratic and collective voice— their union – a seat at the table in annual negotiations with the school bus contractors association and allow for direct negotiations over workplace rules, wages, benefits, and a whole host of other policies being put forth by the county. In short, this is a bill that would give power back to working people in Charles County.

We thank Senator Jackson for continuing to fight for this important measure and urge the committee to issue a favorable report.

ATU Local 689 Written Testimony SB 491 – Charles C

Uploaded by: Matthew Girardi

Position: FAV



Statement of the Amalgamated Transit Union (ATU) Local 689

SB 491– Charles County Board of Education - School Bus Contractor Employees - Negotiations
February 22nd, 2023

TO: The Honorable Brian J. Feldman and Members of the Education, Energy, and the Environment Committee

FROM: Matthew Girardi, Political & Communications Organizer, ATU Local 689

ATU Local 689 strongly supports SB 491 and urges the Senate Education, Energy, and the Environment Committee to issue a favorable report. This bill would finally give school bus drivers and attendants a voice in their future— ending an era when Charles County Public Schools (CCPS) has been able to exclude workers from negotiations affecting their wages and working conditions.

At Local 689, we represent over 15,000 transit workers and retirees throughout the Washington DC Metro Area performing many skilled transportation crafts for the Washington Metropolitan Area Transit Authority (WMATA), MetroAccess, DASH, and DC Streetcar among others. Our union helped turn low-wage, exploitative transit jobs into transit careers. We became an engine for the middle-class of this region.

Today, in Charles County, the vast majority of school bus workers are employed by 17 private contractors hired by CCPS. The CCPS school bus system is fairly unique in this region, with most school systems either providing transportation in-house or with far fewer, but larger contractors. The Charles County School Bus Contractors Association (CCSBCA) was formed and registered to collectively represent the interests of these private companies in their negotiations with CCPS.

Unfortunately, in these negotiations, CCPS has set specific wage rate tables, benefit amounts and even specific workplace rules and regulations for the contracted workforce, all without the input and participation of employees. School bus workers and the unions that represent them should have a seat at the table for any negotiations that affect their wages and working conditions.

Nearly 200 school bus workers fought hard and overcame incredible pressure to form unions at 9 different school bus contractors. They joined ATU Local 689 because nearly 1000 of our members and retirees call Charles County their home. Still, when Local 689 negotiates with these school bus contractors they are very limited by their contracts with CCPS. This issue affects their ability to bargain about increasing wages, better benefits, and even some changes to workplace rules. CCPS acts like a "joint employer" but dodges the responsibilities that would come with that status.

However, Federal labor law is crystal clear in both its spirit and letter: workers have a right to collectively bargain with their employer over the terms and conditions of their workplace. CCPS's "half-in, half-out" approach, where it wants to set terms and conditions for the contracted workforce but refuses to meet with them directly, leads to worse outcomes for all parties.

The "joint-employer status" is in line with the National Labor Relations Board's (NLRB) most recent proposed rulemaking on the subject. The NLRB proposed that a joint employer might exist when employers "share or codetermine those matters governing employees' essential terms and conditions of employment, such as wages, benefits and other compensation, work and scheduling, hiring and discharge, discipline, workplace health and safety, supervision, assignment, and work rules." CCPS currently meets almost all of those criteria. Though the NLRB does not have oversight over government entities like CCPS, it is clear that CCPS would be covered if it were a private employer.

SB 491 would solve these problems by finally labeling CCPS as a joint employer. Doing so would give workers' democratic and collective voice— their union – a seat at the table in annual negotiations with the school bus contractors association and allow for direct negotiations over workplace rules, wages, benefits, and a whole host of other policies being put forth by the county.

Moreover, this legislation would help promote a cooperative relationship for labor relations in Charles County. With all parties at the table, negotiations can focus on issues before they escalate. With labor representatives at the table helping to set wage rates and other economic issues, later negotiations with the contractors would go far smoother, avoiding any potential labor unrest. After all, the low pay, disrespect, and stress forced the school bus workers of Charles County to fight back and form unions.

In short, this is a bill that would give power back to working people in Charles County while allowing CCPS to attract new talent to the industry and ensure that students are transported safely to school every day.

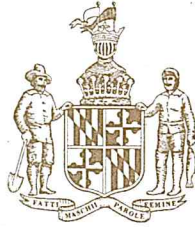
We thank Senator Jackson for continuing to fight for this important measure and urge the committee to issue a favorable report.

2023JacksonSB491Testimony.pdf

Uploaded by: Michael Jackson

Position: FAV

MICHAEL A. JACKSON
Legislative District 27
Calvert, Charles and
Prince George's Counties



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Budget and Taxation Committee

Subcommittees

Chair, Pensions

Public Safety, Transportation, and
Environment

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

District Office
250 Merrimac Court
Prince Frederick, Maryland 20678

TESTIMONY - SENATE BILL 491

CHARLES COUNTY BOARD OF EDUCATION – SCHOOL BUS CONTRACTOR EMPLOYEES – NEGOTIATIONS EDUCATION, ENERGY, & THE ENVIRONMENT COMMITTEE FEBRUARY 22, 2023

Chair Feldman, Vice Chair Kagan and Committee Members:

Senate Bill 491 is a very straightforward bill designed to promote a cooperative relationship for labor relations for Charles County school bus drivers.

This legislation does two things. It designates the Charles County Board of Education as a joint employer of school bus contractor employees allowing for direct negotiations over workplace rules, wage rates, benefits, and other policies set by the county. Additionally, it requires the Charles County Board of Education to include labor representatives in their yearly negotiations with the school bus contractors association.

This legislation is a clear and direct effort to help promote a cooperative relationship for labor relations for Charles County school bus drivers. Those who transport our children to and from school perform a critical service for those that we hold most dear. This legislation simply aims to better attend to the working conditions of these critical employees.

For the reasons listed above, I ask for a favorable report of Senate Bill 491.

Robert Thomas SB491 Fav Testimony.pdf

Uploaded by: Robert Thomas

Position: FAV

Testimony for the Senate Education, Energy, and the Environment Committee

Monday, February 20th, 2023

**SB 491 – Charles County Board of Education - School Bus Contractor Employees -
Negotiations**

FAVORABLE

Dear Chair Feldman, Vice Chair Kagan, and committee members,

My name is Robert Thomas. I am a Charles County Bus Operator. I Drive Special Needs/ Handicap School Bus 338. I am in support of Senate Bill 0491. I believe Charles County Board of Education shall be considered as a joint employer of School Bus Contractor Employees. My personal experience with the Board of Education is not being able to discuss my benefits and wages with them directly. When I have issues or questions, I am told I need to speak with my employer. My employer is contracted through the Board of Education that has majority control over my benefits and wages. I believe this system has been put in place over 50 years and needs to be updated as labor laws and equal rights have changed.

Thank you,

Robert Thomas

Rondalyn Beatty SB491 Fav Testimony.pdf

Uploaded by: Rondalyn Beatty

Position: FAV

Testimony for the Senate Education, Energy, and the Environment Committee

Monday, February 20th, 2023

**SB 491 – Charles County Board of Education - School Bus Contractor Employees -
Negotiations**

FAVORABLE

Dear Chair Feldman, Vice Chair Kagan, and committee members,

I support SB0491 as it will help all drivers and attendants move out of poverty and start receiving better wages, benefits, and improved working conditions.

Respectfully,

Rondalyn Beatty

Shirley Washing Testimony 2.pdf

Uploaded by: Shirley Washington

Position: FAV

Mrs. Shirley Washington
 Community Representative
ShirleyWashington132@gmail.com



Community Support Roster for Senate Bill 0491

The Charles County Delegates and Senators have sponsored legislation, SB0491, that would require the Charles County Board of Education (CCBOE) to include representatives who reflect the interests of the bus drivers and attendants, who work for contractors, at negotiations over a master school bus service contract.

If the bill passes drivers and attendants will be required to have a seat at the table when it comes to contract negotiations, which directly affect salaries, time-off, retirement plans, working conditions, etc. Representing Charles County drivers and attendants at the negotiating table will be ATU Local 689 which has been voted in by the parties they will represent.

In order to pass this legislation we need everyone to testify at the bill hearing on why CCPS bus drivers and attendants should have representation at any and all contract negotiations. As well as highlight how the current system of only having the contractors negotiate for us is not working.

Please if you are in favor of Senate Bill 0491, please print and sign your name with your email.

Print Name	Signature	Email
1) Judith Reina		240-855-6440
2) Mary Milton	Mary Milton	m.evakid@gmail.com
3) Renee Lesueur	Renee Lesueur	jmg8471@aol.com
4) Ronda MacLean	Ronda MacLean	rondabover@hotmail.com
5) Rhoda Pollard	Rhoda Pollard	rhodapollard@gmail.com
6) Ifeoma E. Essien		dressien@freshdental.com
7) Shalova Daitel	Shif Bay	ishalaww@icloud.com
8) Tina Magruder	Tina Magruder	MagruderTina@yahoo.com

9)	Cynthia M. Butler	Cynthia N. Butler	CmButler550@gmail.com
10)	Sherry A Patterson	Sherry A Patterson	sherry.patterson.0391@gmail.com
11)	Brandon Butler	Brandon Butler	brandon.butler1104@gmail.com
12)	GLADYS BRISCOE	Gladys Briscoe	gladysbriscoe48@GOL.com
13)	John F. BRISCOE	John F. Briscoe	John.Briscoe.101538@verizon.net
14)	JOSHUA DORSEY	Josh Dorsey	dorsey & Joshua@gmail.com
15)	Jennifer Murphy	Jennifer Murphy	Jenmurphy85@aol.com
16)	Rita Jamieson	Rita Jamieson	RitaJamieson8@gmail.com
17)	Sandra Dyson	Sandra Dyson	ssedyson7@verizon.net
18)	ELAINE GROSS	Elaine Gross	240-344-349 2298
19)	MARGARET BURCH	Margaret Burch	301-934-6252
20)	Beatrice McVey	Beatrice McVey	301-848-6594
21)			
22)			
23)			
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Shirley Washington SB491 Fav Testimony.pdf

Uploaded by: Shirley Washington

Position: FAV

Testimony for the Senate Education, Energy, and the Environment Committee

Monday, February 20th, 2023

**SB 491 – Charles County Board of Education - School Bus Contractor Employees -
Negotiations**

FAVORABLE

Greetings Chair Feldman, Vice Chair Kagan, and committee members,

My name is Shirley Washington. I have worked in Charles County as a Professional Certified School Bus Driver for 33 years. I am now into retirement years with very little money in my retirement plan less than \$25,000 4 years ago. And after penalties and taxes this equals to less than the total amount of contributions per year. How can this be? How can I even consider the possibility of retirement? I am still living in poverty without any hope of change.

I drive a school bus like other drivers in Charles County and meet all necessary requirements. I obtain a certified driver's license and DOT certifications. I have completed all in-services, State, and Federal requirements, classes, and obtained great driving evaluations to receive on average of 25 - 82 cents most of the time less than 82 cents and was told by the Transportation Dept. that they will fight hard to get that for us.

It is for these reasons, unfair working environment / conditions, unaffordable health insurance with high emergency room copay, doctors office visits, and specialist copays. Yes, yes, that has driven myself and others to seek help. We are hoping you hear our cry, feel our pain, and be willing to do the right thing and bring us relief.

There are many Drivers and Attendants under these same conditions. We decided to seek (ATU) Amalgamated Transit Union Local 689 as our sole representative to bargain and negotiate on the behalf of contracted Drivers and Attendants for better wages, benefits, and retirement. Please free us from these unfair and unethical conditions.

This is why I am in support of Senate Bill SB0491.

Thank you,

Shirley Washington

Torrie Smith SB491 Fav Testimony.pdf

Uploaded by: Torrie Smith

Position: FAV

Testimony for the Senate Education, Energy, and the Environment Committee

Monday, February 20th, 2023

**SB 491 – Charles County Board of Education - School Bus Contractor Employees -
Negotiations**

FAVORABLE

Dear Chair Feldman, Vice Chair Kagan, and committee members,

My name is Torrie Smith. I drive bus 130 and I support bill SB0491. I've worked for my contractor for over 5 years. I voted to have ATU, Local 689 represent & negotiate my wages, benefits & working conditions and they should have the opportunity to do so. The compensation we receive is not enough to live and raise a family in the county in which we work. As essential workers, and I say essential because without school bus drivers & attendants Charles County public schools would not be able to function efficiently, we should be offered the same pay and benefits as county employees.

Torrie Smith

SB 491 Favorable with Amendments testimony .pdf

Uploaded by: Carlos Childs

Position: FWA

Testimony for the Senate Education, Energy, and the Environment Committee

Monday, February 20th, 2023

**SB 491 – Charles County Board of Education - School Bus Contractor Employees -
Negotiations**

FAVORABLE with AMENDMENTS

Dear Chair Feldman, Vice Chair Kagan, and committee members,

I write to you to express my support with amendments for Senate Bill 491 (SB 491). I am a grassroots activist in Charles County, fighting for the rights of working class residents.

For years Charles County bus drivers and attendants have transported our county's students to and from school, field trips, and activities, with a smile on their face. They have provided this essential service even though they are paid starvation wages, given subpar benefits, and treated with a total lack of respect.

Currently drivers and attendants wages are increased through a step program. In this program workers do not receive their first raise until 5 years of employment, leaving workers to borrow money from friends and family to pay for essentials such as; rent, utilities, childcare, groceries, and more. On top of being paid low wages, drivers and attendants are enrolled in a horrific retirement plan that equates to less than \$1,000 per year of working.

In 2022 drivers and attendants came together to unionize, in order to fight for increased wages, benefits, and to be treated with the respect they deserve. Even though they were successful in unionizing 10 lots they have been shut out of negotiations on master bus contracts, which dictate their pay and benefits.

In order for SB 491 to have the full impact the bill is intended to have, it must include specific language around who counts as a “representative” for the bus drivers and attendants. The bill should be amended to require the Charles County Board of Education to include all unions / collective bargaining units that represent contracted bus drivers and attendants in any negotiations over the master school bus contract. This legislation should also include a plan for binding arbitration, in the event the Charles County Board of Education and Charles County School Bus Contractors are acting in bad-faith during the negotiation process.

For the reasons stated above I urge the Senate Education, Energy, and the Environment Committee to provide a favorable report, with the provided amendments, on Senate Bill 491.

Respectfully,

Carlos Childs

SB491_OPPOSE CCSBCA_21FEB23.pdf

Uploaded by: All Members

Position: UNF



Charles County School Bus Contractors Association (CCSBCA) Testimony in Opposition to SB491 **Charles County Board of Education – School Bus Contractor Employees – Negotiations**

In recognition of School Bus Drivers Appreciation Day, we would like to thank all the women and men who transport our students to and from school safely each day!

- CCSBCA - representing 24 local small school bus companies with generations of experience and the more than 500 bus drivers and attendants in your districts - strongly oppose this bill which calls for “joint employment” with the Charles County Board of Education and allows outside parties to negotiate the terms of our master school bus contract.
- CCSBCA’s 24 small, locally owned companies recruit, train, and fully employ the bus drivers and attendants that transport more than 22,000 children to and from their schools and after school activities everyday safely and efficiently with the budget that is handed down to the 24 companies (mostly minority owned) and their employees from the CC Public School and approved CC BOE. We work with lots of other Charles Co businesses that would be impacted such as: Gragan Glass, Newburg Truck Center, Tommy’s Truck parts, Community Bank of Chesapeake, SMO, Burch Oil, etc.
- CCSBCA negotiates the contract terms each year with the Charles County Public School System for the operations, maintenance, purchase, hours, wages, benefits, etc. for its own employees – bus drivers and attendants. Additionally, each business employs numerous support staff such as mechanics, sub-drivers, porters, administrative, and grounds keeping staff; all of which are funded from our businesses not the Master School Bus Contract that has NO profit line. Each small business then maintains and ensure safe transportation daily for CCPS Students. In other words, ALL costs associated with student transportation.
- Our drivers and the students we transport are not a “figure in the CCPS budget”, we are in the “people business” – employing 500 Charles County workforce and transporting 22,000 children. Our drivers are our greatest resource and our businesses, and the community depend on them; let’s talk from that perspective as we decide on a path forward.
- It would be extremely detrimental to the (mostly minority owned) 24 local companies and its local employees to have the BOE as a joint employer and to have outside parties negotiate the terms to operate and manage our 24 LOCAL family businesses efficiently and safely: **if that’s even legally possible.**
- Last year one of the largest school transportation companies, Keller buses, retired its buses because it became too difficult to operate within the budget and requirements provided by CCPS, especially considering the cost of purchasing a bus, fuel, maintenance, rising healthcare cost, covid costs, and inflation.
- We have tried for 10 years to work in good faith, but CCPS does not seem to care about equity in wages, benefits and hours. This has been an issue for over a decade, and we look for the new leadership, Dr. Maria Navarro, to work with us for the betterment of our school system. For example, CCPS has hired 30 bus drivers inhouse who enjoy the 8-hr day and benefits over our drivers...where is the Equity in Workforce here?
- **CCSBCA implores our state Senators to withdrawal this bill. In lieu of legislation, we propose holding Work Sessions with CCSBCA, a group of bus drivers, and CCPS...not outside parties to bring forth better wages, hours, and benefits for our employees.... this is what we advocate for today.**

Contacts:

***President Charles County School Bus Contractor Association
<https://charlescountybuses.com/>
200 Howard St, La Plata, MD 20646***

Alpert Bus Service, L.L.C

BJ's Transportation, L.L.C

Buck & Sons Bus Service, L.L.C

Celestine C. Dyson, Inc.

Dyson Bus Service, Inc.

Dyson Trucking, Inc.

Compton Bus Service, Inc.

D&J Buses, Inc.

Dink's Bus Service, Inc.

G&M Transportation, Inc.

G. Wade Compton, Inc.

H&H Bus Service, Inc.

H.O. Sheff & Sons, L.L.C

Nannie's Bus Co., L.L.C

Helen E. Keller

Keller III Bus Service, Inc.

Keller Transportation, Inc.

James H. Stone Jr., L.L.C

P&C Dunnington, Inc.

Ruth E. Koch, Inc.

Koch Trucking, Inc.

Stanley Bus Company, Inc.

Swann Transportation, Inc.

SB 491 (2023) EEE testimony.pdf

Uploaded by: Eric Schwartz

Position: UNF



Maria V. Navarro, Ed.D.
Superintendent of Schools

Office of the Superintendent
301-934-7223
Fax: 301-932-6651

February 21, 2023

**Testimony in OPPOSITION to
Senate Bill 491
Charles County Board of Education - School Bus Contractor Employees - Negotiations**

On behalf of Charles County Public Schools, I urge this Committee to issue an unfavorable report on Senate Bill 491. This opposition is not based on any desire to avoid the concerns of contracted drivers and attendants. My senior staff and I have regularly met with these contracted employees, and our Board of Education has addressed concerns about their pay and benefits by both providing salary increases and ensuring that they receive benefits over and above what virtually every other local school system with bus contractors has provided to their contracted bus drivers and attendants. These efforts are on-going, and I am committed to continuing to work with them and the private contractors they work for.

However, Senate Bill 491 would create legal confusion and various conflicts with other state laws dealing with employment and collective bargaining within Charles County Public Schools. For example, the bill would establish the Board of Education as the joint employer of individuals who are currently employed by private contractors. This seems to be unprecedented in state law. No other contracted employees are deemed by state statute to be the joint employees of a governmental agency. Therefore, the effects of this designation are unknown but could be extensive. This would add more than 300 contracted bus drivers and attendants to the school system's employment rolls, potentially subjecting the school system to a determination by federal or state agencies that these individuals should be covered by other employment laws.

The bill also mandates that these contracted employees be included in "negotiations" with school bus contractors. Currently, there are no formal negotiations with school bus contractors required by law, unlike the mandated negotiations with school system employees covered by Sections 6-401, et seq. and 6-501, et seq. of the Education Article. Couching the new provisions of Senate Bill 491 as collective bargaining raises questions about whether this mandates that there be formal "collective bargaining" with school system bus contractors over the terms of contracts.

Additionally, Senate Bill 491 requires the school system to identify "representatives who reflect the interests of school bus contractor employees" to participate in the negotiations. This might create a conflict with federal law which allows and has led to some of the contractors' drivers and attendants to privately unionize through the Amalgamated Transit Union (ATU). However, under state law, current school system non-certificated employees (including bus drivers and attendants directly employed by the school system) have already selected the American Federation of State, County and Municipal Employees Council 67, Local 2981 (AFSCME) to represent them. This conflict between state and federal laws over union representation could lead to confusion and conflict in Charles County over who actually represents these individuals.

I urge this Committee to issue an unfavorable report on Senate Bill 491. If you have any questions, please feel free to contact me.

Sincerely,

Maria V. Navarro, Ed.D.
Superintendent of Schools

charles co bill 2023 senate testimony.pdf

Uploaded by: Erin Appel

Position: UNF



February 22, 2023

The Honorable Brian Feldman and Members
Committee on Education, Energy and the Environment
Annapolis, MD 21401

**Re: Oppose – SB 491 – Charles County Board of Education - School Bus Contractor
Employees - Negotiations**

Dear Chair Feldman and Members:

The Maryland School Bus Contractors Association (MSBCA) respectfully opposes SB 491 – Charles County Board of Education – School Bus Contractor Employees – Negotiations.

MSBCA serves as the voice of the private school bus companies that contract with local Maryland school systems in 18 of Maryland’s 24 jurisdictions to own and operate the nearly 3500 contracted school buses that transport schoolchildren across the State. Our Association counts as members a number of the 24 contractor companies currently operating in Charles County.

By legislating that the employee of a private company be considered “jointly employed” by a government entity under limited circumstances, we maintain that this bill would set an extremely dangerous precedent in the State. We as contractors desire the best for our driver employees; we believe every small business owner would agree – happy and satisfied employees are key to running a successful enterprise. Especially given the current bus driver shortage we are facing as a nation, employee satisfaction is more important than ever. Our negotiations with the local school boards with whom we contract are focused on many factors, including our desire to retain drivers by ensuring they feel respected and fairly compensated.

All that being said, we cannot stand by silently as legislation is considered that would allow contractor employees to be considered “jointly employed” by a County Board of Education. They are private industry employees plain and simple. And quite frankly, we would question the basic legality of such a bill.

Thank you for your consideration and your commitment to our State.

Sincerely,

Steve Nelson

Steve Nelson, President
1 State Circle, Annapolis, MD 21401
410.268.3099