



## 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.