

Testimony in Support of Senate Bill 367 Public Employee Relations Act

Finance Committee
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The Maryland State Education Association supports Senate Bill 367 and the sponsor's amendments to the bill. Senate Bill 367 is a commonsense piece of legislation that is designed to streamline and create efficiencies among Maryland's various public sector labor relations statutes. Additionally, the legislation would ensure that the new agency responsible for administering and enforcing Maryland's public sector labor relations statutes are staffed with individuals who possess the necessary knowledge and expertise to make certain that decisions impacting workers, unions, and employers are issued in a timely and well-reasoned manner.

MSEA represents 75,000 educators and school employees who work in Maryland's public schools, teaching and preparing our almost 900,000 students so they can pursue their dreams. MSEA also represents 39 local affiliates in every county across the state of Maryland, and our parent affiliate is the 3-million-member National Education Association (NEA).

Currently, Maryland utilizes three different public sector labor boards to administer and enforce various public sector labor relations statutes. The State Labor Relations Board, the Higher Education Labor Relations Board, and the Public-School Labor Relations Board are all vested with jurisdiction to resolve labor disputes and administer elections for certification of exclusive representation for different categories of public employees.¹ Unfortunately, this design has created an inefficient, understaffed, and under-resourced system that fails to meet the needs of workers, unions, and employers to resolve questions of representation and labor disputes in a timely manner. Senate Bill 367 would consolidate all three different public sector labor

¹ See generally, Maryland State Labor Relations Boards, <https://laborboards.maryland.gov/> (last accessed 2/14/23).



boards into a new Public Employee Relations Board (“PERB” or “Board”). Members of the newly constituted PERB would be required to have knowledge and experience with labor law, labor mediations, or labor negotiations. Additionally, the bill requires the Board to appoint deputy directors who possess subject matter expertise and knowledge in public school labor relations, executive branch labor relations, or higher education labor relations. These measures will ensure the PERB has the expertise to address specific subject matter issues that come before the Board for dispute resolution.

Utilizing a single labor relations agency to administer and enforce public sector collective bargaining statutes is consistent with the practices of most states, including neighboring jurisdictions. For example, Pennsylvania,² New Jersey,³ and the District of Columbia⁴ all utilize one public sector labor relations board to administer and enforce their public sector collective bargaining laws. Having one Board to administer and enforce the public sector collective bargaining statutes will allow the government to focus its funding and resources on one agency to ensure its proper functioning, and it will make certain there are no conflicting decisions on similar matters of labor law.

Finally, the bill builds on its goal of efficiency by establishing a single set of unfair labor practices and election procedures that will apply to all public employees, unions, and public employers rather than our current system which has differing provisions depending on which group of employees and employers are at issue. By enacting this legislation, lawmakers can guarantee employees, unions, and employers are being served fairly and efficiently in the peaceful settlement of labor disputes and questions of representation.

We urge the committee to issue a Favorable Report on Senate Bill 367.

² See, Pennsylvania Dep’t. of Labor and Industry, *Pennsylvania Labor Relations Board*, <https://www.dli.pa.gov/Businesses/Labor-Management-Relations/Pages/PennsylvaniaLaborRelationsBoard.aspx> (last accessed 2/14/2023).

³ See, State of New Jersey, *Public Employment Relations Commission*, <https://www.state.nj.us/perc/> (last accessed 2/14/2023).

⁴ See, District of Columbia, *Public Employee Relations Board*, <https://perb.dc.gov/page/about-perb> (last accessed 2/14/2023).