



POSITION STATEMENT

Bill: HB 797- Maryland–National Capital Park and Planning Commission – Collective Bargaining Agreement Implementation – Dispute Arbitration (MC/PG 103–23)

Position: Support with Amendments

Date: April 10, 2023

Contact: Debra Borden, General Counsel
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Dear Melony G. Griffith and Vice Chair Katherine Klausmeier,

The Maryland–National Capital Park and Planning Commission (the “Commission”) respectfully requests the Finance Committee to support HB 797 with amendments.

What the Bill Does: This bill, as amended alters the requirement that economic provisions of a certain final collective bargaining agreement for employees of the Commission subject to funding by the Montgomery County Council and the Prince George’s County Council to instead require that certain terms and conditions of the final agreement be subject to approval by the Montgomery County Council and the Prince George’s County Council.

Background: The Commission is a bi-county agency accountable to both the Montgomery and Prince George’s County Councils. Since 1996, the Commission has had a productive bargaining relationship with United Food and Commercial Workers, Local 1994, Municipal and County Government Employees Organization (“MCGEO” or “Union”). MCGEO represents Commission employees within its Service/Labor, Trades, and Office bargaining units.

In more than twenty-five years of working together, the parties have successfully reached agreement on eighteen (18) collective bargaining agreements and wage reopeners, as well as myriad memoranda of understanding, related to wages, retirement benefits, health insurance, and many other terms and conditions of employment. Of the eighteen (18) negotiated collective bargaining agreements and reopeners, seventeen (17) were achieved without any need for the use of interest arbitration. Since its introduction, interest arbitration has only been used once, in 2004, and then only to address a single issue of disagreement. This history of successful negotiations speaks both to the Commission’s good faith approach to the bargaining process and the fact that the process works as intended.

Applicability: This bill as amended applies to the Commission in reference to collective bargaining which adds a section on medication/collective bargaining during mid-cycle bargaining. Mid-cycle bargaining addresses situations caused by new and unforeseen events. Mid-cycle bargaining takes place when the Commission needs to bargain terms such as emergency pay and Covid-19 vaccinations. In the near term, some agencies may need to grapple with questions like employees returning from telework to the workplace due to a pandemic or the workplace impact of the legalization of marijuana. Both the Montgomery and Prince George's County Councils appoint Commissioners to the Commission and other agencies to respond to these types of issues. This bill was also amended to establish the same rules regarding the authority of the Montgomery County and Prince George's County Council for agreements reached through in-cycle bargaining/impasse versus out-of-cycle bargaining/impasse. This change was necessary so that provisions of the law are worded the same and are consistent within both County codes.

Therefore, the Commission supports these friendly amendments and urges this committee to provide a favorable report on the amended bill.