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Patrick Moran - President

SB 367 - Public Employee Relations Act

POSITION: FAVORABLE

AFSCME Council 3 represent nearly 30,000 public employees who work across state government and higher education in Maryland. We support SB 367 in coalition with other Maryland public sector unions including the Maryland State Education Association (MSEA), Baltimore Teachers Union (BTU, AFT Local 340), Maryland Professional Employees Council (MPEC, AFT Local 6197), State Law Enforcement Officers Labor Alliance (SLEOLA), and the Service Employees International Union (SEIU Local 500).

What does the Public Employee Relations Act do?

SB 367 merges Maryland's 3 separate public sector labor boards, into one singular board for Maryland public employees. This legislation would create a core staff of 5 (an executive director, three deputy directors, and an assistant attorney general) and make the Chair of the Board a full-time position, with the ability to hire additional staff based on caseload.

For this new single labor board to have a standard framework to base its work on, this legislation also seeks to merge Maryland's existing collective bargaining laws for public employees which are spread throughout the Education and State Pensions and Personnel Articles into one place - the State Government Article.

Finally, this legislation modernizes existing collective bargaining law in select areas to bring them into line with best practices, as seen in federal law and proposed legislation, as well as states with modernized public sector collective bargaining schemes. These areas include expanding the grievance procedure jurisdiction to allow for unions to file grievances on behalf of members, allows for the new Board to grant remedies for Unfair Labor Practice charges, and makes class size a permissive subject of bargaining.

Maryland Needs the Public Employee Relations Act

Compared to other states with public sector unions, Maryland is an unfortunate outlier for its ineffective and inefficient handling of labor relations. Maryland has three different labor boards: the State Labor Relations Board, the State Higher Education Labor Relations Board, and

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the Public School Labor Relations Board. These Boards are ineffective, understaffed, and unduly divided. The total staff that the state employs for these three labor boards is just two people. Maryland's labor boards have a total budget of about \$440,000, which pales in comparison to states like Washington and Ohio, who have budgets of nearly \$5.3 million and \$4.18 million respectively. Our current set up, means that Maryland public employees can wait years at times to get decisions on unfair labor practice charges or on disputes with their employer related to the negotiated contract. Maryland state employees are particularly sensitive to this after 8 years of an anti-union administration that blatantly violated our existing labor laws with virtually no check on their power or remedy for employees to seek.

Please support Maryland's Public Sector Employees

Hailed as heroes during the COVID-19 pandemic, our public sector employees continue to do critical work for our communities. We are thrilled that the trend in the Maryland General Assembly in recent years has been to extend collective bargaining rights to public employees in the state, but we must have a meaningful way to enforce these collective bargaining laws once they are enacted. SB 367 aligns with what states like Washington, California, Michigan, Ohio, Pennsylvania, New York, and New Jersey all do – that is having a one single public employee labor relations board that covers all public employees in the state and has the necessary staff to provide some teeth to the laws that govern collective bargaining for the state's public employees.

SB 367 will provide for a more efficient and effective way to do Labor Relations in Maryland. It is a good and important bill, and we urge the committee to provide a favorable report.