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Testimony of David Maher
HB 1509 – Collective Bargaining – Local Government Employees and Public Employees
Relations Act
Appropriations Committee
Support / Favorable

My firm represents AFSCME Maryland Council 3. We also represent firefighters, teachers, county and municipal employees, and many other public employees. We routinely practice before Public Employee Relations Board, as well as the National Labor Relations Board for our private sector clients.

Two years ago, the General Assembly took the important step of modernizing, reforming, and consolidating Maryland's then-fragmented state labor laws into a single common body of labor law applicable to State employees, public school employees, and higher education employees. The Public Employee Relations Act created a single, professional and expert labor board, the Public Employee Relations Board, to administer this new labor law.

However, at the county and municipal level, employees face the same patchwork of laws, rights, and procedures which PERA fixed for state, public school, and higher education employees. Public-sector employees are exempt from the National Labor Relations Act, and current Maryland law leaves collective bargaining rights, unionization rights, and all other labor rights of county or municipal employees entirely up to the individual counties and municipalities. The result is that some county employees have strong labor rights and protections, and some have no rights or protections at all. Some counties and municipalities have well-developed union recognition procedures, bargaining practices, and remedies for unfair labor practices, while some have none whatsoever.

Unfortunately, employees of the majority of Maryland counties, and the overwhelming majority of municipalities, have no labor rights or protections at all. They cannot start a union, vote to be represented by a union, bargain with their employer, or be represented in grievances by their union. Employees of these jurisdictions may be terminated for engaging in union activity, and are completely without legal protection for engaging in the sort of activities which is protected under State and federal law for state employees and private sector employees.

HB 1509 would extend collective bargaining rights to these employees. It provides rights equal to those found under the National Labor Relations Act, and permits a process for employees to form a union and vote for whether a union will represent them. It consolidates administration under the PERB, which has the expertise and power to enforce unfair labor practices and run elections.

HB 1509 recognizes that local governments may have different needs and operations, and thus permits jurisdictions to adopt certain laws regarding the administration of collective bargaining. HB 1509 creates a floor of rights and procedures, as well as the opportunity for jurisdictions to create local modifications. The county or municipality may petition the PERB for exemptions and, if local law is determined to comport with the Act's requirements, the local government will be exempted from portions of the law.

The following chart summarizes the effect on individual counties¹:

Allegany ² Anne Arundel Baltimore City Baltimore County Howard Montgomery Prince George’s	Currently has strong and sophisticated collective bargaining laws May qualify for exemption with no or minimal local legislation, or modification to impasse procedure One year delay to July 1, 2026 in implementation to permit county to pursue exemption
Cecil Charles Frederick Harford	Has collective bargaining laws for a limited set of employees, or collective bargaining law is substantially limited regarding scope of bargaining and rights of employees Significant local legislation required in order to qualify for exemption. Subject to floor created by HB 1509 effective July 1, 2025
Calvert Caroline Carroll Dorchester Garrett Kent Queen Anne’s Somerset St. Mary’s Talbot Washington Wicomico Worcester	No or minimal existing collective bargaining laws. May craft legislation to qualify for exemption Subject to floor created by HB 1509 effective July 1, 2025

¹ Certain existing employees, for example Sheriffs Deputies, are subject to a more complicated issue of overlapping state and local law, and are not addressed in this table.

² Allegany County was inadvertently omitted from the original draft, but will be included in amendment.