



1410 Bush Street (Suite A)
Baltimore, MD 21230
Phone: 410-547-1515
Email: info@afscmemd.org

Patrick Moran – President

**HB 1509 – Collective Bargaining –
Local Government Employees and Public Employee Relations Act
Appropriations Committee
March 25, 2025**

FAVORABLE

AFSCME Council 3 supports House Bill 1509. House Bill 1509 will extend collective bargaining rights to county and municipal employees across Maryland, who do not currently have the freedom to collectively bargain. Additionally, the legislation will establish a framework of consistent rights, obligations, and duties of local government employees, exclusive representatives, and employers. Under the bill, local governments will benefit from streamlined administrative representation and certification procedures that would be handled by the Public Employee Relations Board.

AFSCME Council 3 represents approximately 50,000 state, county, and municipal employees across Maryland. From Western Maryland to the Eastern Shore, AFSCME members are on the frontlines everyday making it possible for our communities to function. However, not all local government public employees across Maryland enjoy the freedom to choose collective bargaining.

Currently, twelve counties, half of the jurisdictions in Maryland, do not have collective bargaining rights for county employees.¹ In addition, jurisdictions vary on whether their ordinances specify bargaining unit determinations, dispute resolution processes for bargaining, resolving and settling grievances, or explicitly identifying unfair labor practices, i.e., prohibited conduct by the employer and exclusive representative.

Historically, the evolution of Maryland's public sector collective bargaining rights for public employees has been incremental, piecemeal, and has resulted in a varied patchwork of differing laws that create an uneven system of rights, duties, and obligations for public employees, exclusive representatives, and employers. Frequently, members of the General Assembly are presented with local delegation bills that would extend collective bargaining rights to certain categories of public employees in jurisdictions across Maryland. However, our state does not need to continue with this haphazard practice. House Bill 1509 will extend freedoms to public servants, streamline administrative processes and procedures, and create a more efficient system of public sector labor relations across Maryland.

The General Assembly has bucked historical practice and enacted recent reforms that promote uniformity in public sector labor relations. In the 2023 session, the General Assembly passed, and Governor Moore signed into law, the Public Employee Relations Act.² Among other things, this

¹ The twelve counties are: Calvert, Caroline, Carroll, Dorchester, Garrett, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Washington, Worcester.

² Chapter 114, 2023 Laws of Maryland, https://mgaleg.maryland.gov/2023RS/chapters_noln/Ch_114_hb0984E.pdf.

legislation dissolved three different public sector labor relations boards into one Public Employee Relations Board, consolidated various definitional terms, rights, duties, and procedures concerning public sector labor relations for state, higher education, community college, and public school employees, and enumerated unfair labor practices by public employers and exclusive representatives.³

Opponents to this legislation may argue that this legislation imposes a “one-size-fits all” system that does not respect or acknowledge the differences and variances that may exist across jurisdictions and that local control needs to be preserved. This argument is unpersuasive and without merit because it fails to recognize the adaptability and flexibility of collective bargaining as a practice and procedure, which is supported by nearly 100 years of precedent with collective bargaining in our country.

Originally enacted in 1935, the National Labor Relations Act (NLRA) has governed private sector labor relations across the United States for ninety years. The National Labor Relations Board (NLRB) has broad jurisdiction over the private sector to administer and enforce the provisions of the Act over a vast array of industries including healthcare, private educational institutions, telecommunications, aerospace, retail, warehouse, transportation, the tech industry, non-profits, restaurants, and more. Regardless of the industry, collective bargaining provides the parties the flexibility to negotiate issues and topics that are unique and important to workers and management. The adaptability and success of collective bargaining derives from the fact that laws establishing collective bargaining build a common framework for parties to operate within but leave labor and management with broad space to negotiate and resolve disputes in a peaceful manner that are suitable for their workplace.

Public sector collective bargaining is no different in this regard. Private and public sector labor laws, regardless of industry, possess common elements including: i) defining key terms; ii) establishing employee, employer, and exclusive representative rights; iii) providing the procedures for the election of the exclusive representative; iv) establishing appropriate bargaining units; v) instituting the duty to bargain in good faith; vi) establishing dispute resolution procedures and the peaceful settlement of grievances; and vii) enumerating unfair labor practices that neither management nor labor unions may commit.

House Bill 1509 possesses the same features outlined above for local government employees, employers, and exclusive representatives. The bill establishes key terms; rights, duties, and obligations for local government employees, employers, and exclusive representatives; election procedures; and dispute resolution procedures. The bill alleviates administrative burden from local government employers by requiring the PERB to manage questions of certification and unfair labor practice charges that may arise between management and exclusive representatives. Moreover, the bill provides flexibility to local governments with an exemption opportunity from the bill’s requirements if the local government files a petition with the PERB and the PERB determines the local government’s laws comply with the law and the Public Employee Relations Act. In sum, this legislation extends collective bargaining rights to local government employees, establishes streamlined administrative processes and procedures for public sector labor relations, and provides local government employers with flexibility to opt out of the law’s requirements if they currently maintain local laws that comply with the requirements of the bill and the Public Employee Relations Act. **We urge the committee to issue a favorable report on House Bill 1509.**

³ *Id.*

Testimony
HB 1509
Collective Bargaining - Local Government Employees and Public Employee Relations Act

Dear Chair Barnes, Vice-Chair Chang, and Members of the Committee:

In 2023 my coworkers and I started to organize. We were organizing for a seat at the table where we could fight for respect in our workplace, safety on the job, and a voice in the policies that affect us day-to-day. Whether it was making sure we were spoken to in a dignified manner, or given the proper protective equipment for disposing of used needles, the right to bargain would have given us the tools we needed.

In a small town like Elkton, it's easy to feel like there's little opportunity to make a change. But we didn't believe that. Instead, we took the risk, we organized, and over 80% of town employees signed on to start a union. But town leadership had different plans.

In the Town of Elkton, despite a super-majority of employees expressing their desire for a union, the town charter needed to be amended and then a labor code written to outline the union parameters.

First we spoke to the Mayor and asked for a charter amendment change to allow us collective bargaining rights. He seemed supportive, and told us he would speak to the commissioners to get it done.

Then the mayor and commissioners consulted with an anti-union law firm to start putting up a long line of road blocks that would take us through a brutal fight for our union for the next year.

First the town commissioners told us it wasn't in our best interest, deciding to tell us what we wanted, rather than letting us express it ourselves. When that failed, and we showed up at town hearings to make it clear this was our choice, the commissioners passed the buck to town residents to decide. So we organized again. When a critical mass of town residents gathered in town hall to support our union, the commissioners finally agreed to a charter amendment. But that's why we're sitting here today.

We were strung along for months until the town commission wrote the most anti union, ludicrous labor code that made it impossible to organize.

The code made it so no successful union could be built or sustained long term, draining resources from the town and union each year to run recertification elections and placing impossible standards on union structure and membership.

The anti-union tactics came from every angle, draining town resources that should have gone towards keeping our workers safe, our streets clean, and our town functioning. The commitment they showed was proof they were capable of taking a strong position, just not when it came to ensuring our rights were respected.

Now, our turnover is higher than ever before, workers are as unhappy as ever, and we are vulnerable to decisions being made about us by people who have shown clearly they don't care.

I urge you to vote yes on this legislation so that no other hard working public servant has to suffer the disrespect we did at the town of Elkton.

Signed,

Jeramie Kivler
Grounds Maintenance
Town of Elkton

Carroll County Testimony

We are employees of Carroll County and we urge you to vote Yes on HB 1509. Local Government Employees and Public Employee Relations Act. In Carroll County, we want to build a union that gives us the ability to work directly with management on the issues that affect us. Right now, we have no right to negotiate with management over the raises that were promised then revoked, jobs that are eliminated putting more work on us who stayed, stressful workloads, and untenable on-call policies that affect our families at home.

The county has systematically rolled back agreements and perks that drive morale down and make Carroll County a less desirable place to work. If we can't attract qualified people, it threatens the retention of the hard-working employees who have been with the county for years. This could be resolved through communication, but county management has made it clear there is no "open-door policy" when discussing these issues.

Collective bargaining makes sure the door is open, and it ensures we have a right to decide if we have a union, and who that union is organized with. It's an honest dialogue about the issues that keep us up at night. Passing this legislation will send a message to all employees across local governments in Maryland, that we are valued because of our dedication and experience, and we deserve to have dignity and respect in our jobs. We want to work with the county to make things better, stronger, and more sustainable. We want to meet at the table, come to agreements, and move forward.

We want the right to collectively bargain. We urge you to vote yes on HB 1509

Sincerely,

Patrick Alexander
Jimmy Brady
Nicu Buddakan
Mike Cashman
George Clabaugh
Jay Cole
Jon Connelly
Richard Crouch
Craig Devilbiss

Louis Donohue
Nathan Green
Dustin Hess
Kevin Ireland
Sean Kane
George Wentz
Fred Lawson
Rick Marsh
Garland Miller
Ryan Moser
Nick Naylor

Chris Often
Tim Petry
Dustin Pickett
Aidan Piscitelli
Brian Rhodes
Jean Rosario
Jason Smith
Jared Spielman
Greg Stemel
Bill Storm