

Maryland Public Employee Relations Board

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Wes Moore,
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SENATE BILL 231 – State Government – Public Employee Relations Act – Alterations

Chair Beidle & Members of the Senate Finance Committee:

This proposed bill covers a few significant areas that the Public Employee Relations Board (PERB, Board) members and staff have discovered need adjustments, now that the Board is passing its second year as an agency. These areas involve communications between unions and their represented employee units, PERB Deputy Director qualifications, and Representation Election processes.

First, with an understanding of how communications have developed over the past four years, PERB proposes that a national health emergency may not be the only reason that meetings may be held virtually and not in person. PERB would like to permit unions to meet with newly hired employees by video or other similar means, for whatever reason they choose.

Second, PERB proposes to add to the section that lists reasons for termination of dues deductions that such deductions be terminated when an employee organization ceases to be the representative of bargaining unit employees. That addition would make the affected section consistent with other Maryland statutory provisions on termination of representation, such as Maryland Code Education §§ 23-807(b)(3) and 23-908(b)(3).

Third, based on the cases that have been filed with PERB since its inception, and the type of work needed from the Deputy Directors, PERB proposes that it needs up to three Deputy Directors, and that those Deputy Directors must have knowledge of and experience with labor issues. With this experience, PERB believes, will come a subject area familiarity with the various types of public employers in Maryland, so the specific references to expertise in education (higher education, and K-12) and state employment areas are not needed. Further, due to what has become a clear need for a particular skill set and writing ability, PERB proposes that Deputy Directors be licensed attorneys, or become licensed attorneys within one year of their hiring date.

Finally, as regards representation elections, PERB is proposing that only mail balloted and electronic voting elections be subject to the requirement that voting be open for at least ten days. PERB argues that an at least ten-day length requirement for in person voting would not be possible with its current staff situation, and notes that of the representation petitions filed thus far—10—none of the petitioners have requested in person elections.

PERB argues these amendments will enable PERB operations and party communications to be more efficient, which helps the overall work of the Board, going forward.