

PERB Narrative Testimony, SB 231.pdf

Uploaded by: Lafe Solomon

Position: FAV

Maryland Public Employee Relations Board

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Wes Moore,
Governor

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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.

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Testimony of David Maher
SB 231 – State Government – Public Employee Relations Act – Alterations
Finance Committee
Favorable with amendments

My firm represents AFT-Maryland, which represents teachers, professors, paraprofessionals and school related personnel, doctors, nurses and professional executive branch employees. My firm also represents firefighters, teachers, county and municipal employees, and other public employees.

SB 231 proposes several revisions to the Public Employee Relations Act, which governs collective bargaining and unionization for executive branch employees, public higher education employees, and public-school employees. AFT-Maryland supports SB 231 and the Public Employee Relations Board's development and fine-tuning of the Act.

SB 231, however, also contains language which would interfere with long-standing law about dues deduction for executive branch employees. This new language in SB 231 would tie dues deduction to a union's representational status. Since at least 1983, state law has provided that executive branch employees may elect to support a union through paying union dues deducted from their paycheck, regardless of representational status. This law, Md. Code State Pers. & Pens. § 2-403, long predates the executive branch collective bargaining law, which provided a mechanism for unions to gain representational rights.

§ 2-403 is an important part of Maryland's long history of respecting its employees' right to free association. It enables employees to work together and support one another, even when they are not represented by a union. And that provision still helps employees today. Many executive branch employees lack collective bargaining rights—that is, they are not legally allowed to have a union bargain with the State on their behalf. § 2-403 permits employees to work together to present grievances, to have community, to engage in mutual aid, and to pursue legislative goals including collective bargaining rights.

Employees are always free to revoke dues deduction under existing State law. PERA provides that an employee may revoke their membership and cancel dues deduction, whether the employee is represented by a union or not. This language is unnecessary and creates unnecessary ambiguity.

AFT-Maryland opposes tying dues deduction rights to representational status. SB 231 should be amended to remove lines 4-14 of page 2, and any amendment to Md. Code State Govt. § 22-209. AFT-Maryland otherwise supports this bill.

SB 231 PIRB AFT-MD.pdf

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Position: FWA



Kenya Campbell
PRESIDENT

LaBrina Hopkins
SECRETARY-TREASURER

**Written Testimony to the Maryland Senate Finance Committee
SB 231 – State Government – Public Employee Relations Act – Alterations
January 16, 2025**

Favorable with Amendments

Chair Beidle and Members of the Committee,

AFT-Maryland, which represents city, county and state employees, supports SB 231, which proposes revisions to the Public Employee Relations Act (PERA). AFT-Maryland supports the continued development and refinement of PERA and appreciates the Public Employee Relations Board's efforts to ensure fair and effective representation for public employees.

However, we are concerned about specific provisions in SB 231 that would interfere with longstanding state law regarding dues deduction for executive branch employees. The proposed language, which ties dues deduction to a union's representational status, undermines Maryland's historic commitment to respecting employees' rights to free association.

Since 1983, Maryland law has allowed executive branch employees to support a union through payroll-deducted dues. This serves as a foundation for employee solidarity, enabling workers to support unions and one another, even when they do not yet have collective bargaining rights.

The language tying dues deduction to representational status is unnecessary. Current law allows employees to revoke their dues deductions at any time. Altering this long-established law risks destabilizing a system that has empowered employees for decades.

AFT-Maryland urges the Committee to amend SB 231 to remove lines 4-14 on page 2 and any proposed changes to Md. Code State Govt. § 22-209. These provisions threaten to erode employees' rights to free association and their ability to support unions voluntarily.

With these amendments, AFT-Maryland supports SB 231 and its broader intent to strengthen the Public Employee Relations Act. We urge the Committee to protect the rights of Maryland's public employees by ensuring that dues deduction remains separate from representational status.

Thank you for your time and consideration.

SB 231 - State Government - Public Employees Relat

Uploaded by: Donna Edwards

Position: FWA



**MARYLAND STATE & DC
AFL-CIO**

Donna S. Edwards
President

Gerald W. Jackson
Secretary-Treasurer

**SB 231 - State Government - Public Employees Relations Act - Alterations
Senate Finance Committee
January 16, 2025**

SUPPORT with AMENDMENTS

**Donna S. Edwards
President
Maryland State and DC AFL-CIO**

Chairman and members of the Committee, thank you for the opportunity to submit testimony in support of SB 231 if amended to leave in current language regarding dues. My name is Donna S. Edwards, and I am the President of the Maryland State and District of Columbia AFL-CIO. On behalf of Maryland's 300,000 union members, I offer the following comments.

SB 231 modifies the Public Employees Relations Act by eliminating language pertaining to video conferencing and updating the personnel on the Public Employees Relations Board (PERB) to allow for a total of three Deputy Directors, all required to be licensed attorneys to serve.

While we support the role of the PERB and some of the minor changes this bill makes, we are concerned about attaching dues deductions to exclusive representative status. The current law, which predates the State's recognition of these entities, allows state employees to support an employee organization through dues deduction, encouraging employees' free association and mutual support even without collective bargaining rights.

This law continues to help employees today, allowing employees without collective bargaining rights to support unions that represent them. The legislature should not strip away the employees ability to do this.

To address this, **we propose an amendment that strikes lines 12-14 on page 2** of the legislation, that states that dues deductions must cease when or if the employee organization is no longer an exclusive representative. This amendment ensures that employees still have the choice to support the employee organization of their choosing.