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SB 646 – Public School System Contracts - Prohibited Provisions
Education, Energy, and the Environment Committee
Favorable with Amendments

The Baltimore Teachers Union (“BTU”) opposes SB 646 in its current form. SB 646 would, if passed with its current language, destroy collective bargaining for dozens of public school employee unions statewide. It would interrupt the process agreed by the parties to resolve conflicts and eliminate rights won in collective bargaining by public school employees unions. BTU understands that an amendment has been drafted which exempts collective bargaining agreements with labor organizations from the effect of this bill, and BTU urges that this amendment be adopted.

BTU represents two bargaining units of employees of BCBSC. BTU and BSBSC, in its Agreements with BTU, have agreed to submit disputes about the Agreement to binding grievance arbitration. This is not unique. Binding grievance arbitration is the rule and best practice throughout not just public school agreements, but in other public sector agreements, and in private sector collective bargaining agreements as well.

SB 646, as written, would invalidate and void those arbitration clauses. The result would be to deprive unions of their best, and often only, way of enforcing their agreements. Furthermore, SB 646 as written would limit unions’ ability to enforce its contracts by not permitting common contractual remedies for contract violations. Unions are required to enforce their contracts and vindicate their members’ rights under negotiated agreements. Oftentimes, that results in members being owed money they earned and are due under the agreements. SB 646 would eliminate, or at least greatly limit, the ability of unions to vindicate those rights and help members recoup money they earned and are owed.

BTU supports the amendment which exempts it and other labor organizations from the effect of this bill. BTU supports SB 646 with that amendment.