

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 443
Appropriations

(Charles County Delegation)

Finance

Southern Maryland Code Counties - Collective Bargaining

This bill grants Charles County the authority to enact a local law to provide regular county employees, with specified exceptions, collective bargaining rights with binding arbitration. A local collective bargaining law for Charles County must provide definitions of and remedies for unfair labor practices and prohibit strikes or work stoppages by represented regular employees. A local law enacted in accordance with the bill may not affect the rights and duties of a county and any exclusive representatives under local laws enacted in accordance with existing collective bargaining rights for public safety officers.

Fiscal Summary

State Effect: None.

Local Effect: The bill has no immediate effect on Charles County's finances since local legislation is required to enact collective bargaining for county employees.

Small Business Effect: None.

Analysis

Current Law: Maryland counties operate under three forms of government: commission; charter home rule; and code home rule. Commission counties cannot enact local laws in areas where the General Assembly has not expressly granted authority, while charter and code counties have the authority to enact local laws on matters covered under the Express Powers Act. Under the Express Powers Act, charter and code counties can provide for a merit system governing the appointment of county officials and employees who are not in

elected or appointed positions. The law does not expressly grant collective bargaining rights.

Charles County operates under the code home rule form of government. The other two counties in Southern Maryland, Calvert and St. Mary's, still operate under the commission form of government.

Background: To the extent that Charles County enacts a local collective bargaining law, the county may incur additional expenditures for consulting services to negotiate any collective bargaining agreements. In addition, county expenditures may increase depending on future collective bargaining agreements. The extent of these expenditures will depend on whether Charles County enacts a local collective bargaining law and the wage and benefits agreement ratified.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 430 (Charles County Senators) - Finance.

Information Source(s): Charles County; Maryland Department of Labor; Department of Legislative Services

Fiscal Note History: First Reader - January 31, 2020
mr/tso Revised - Clarification - February 24, 2020
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