

SENATE BILL 819

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8lr1882
CF HB 811

By: **Senators Madaleno, Astle, Benson, Conway, Currie, Feldman, Guzzone, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Manno, Mathias, McFadden, Middleton, Muse, Nathan–Pulliam, Oaks, Peters, Pinsky, Ramirez, Robinson, Rosapepe, Smith, Young, and Zucker**

Introduced and read first time: February 5, 2018

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Collective Bargaining – Exclusive Representative’s Access to New**
3 **Employee Processing**

4 FOR the purpose of requiring public school employers to provide an exclusive
5 representative with access to a certain new employee processing; requiring the public
6 school employer to provide a certain notice to the exclusive representative within a
7 certain period of time; authorizing a certain exception under certain circumstances;
8 requiring the structure, time, and manner of certain access to be determined through
9 certain negotiations; authorizing certain parties to request that the Public School
10 Labor Relations Board declare a certain impasse under certain circumstances;
11 requiring a mediator or the Board to consider certain factors under certain
12 circumstances during a certain impasse proceeding; providing for the reopening of
13 certain collective bargaining agreements for certain purposes under certain
14 circumstances; authorizing certain parties to negotiate a separate agreement under
15 certain circumstances; providing that certain provisions of this Act do not prohibit
16 certain activities; providing that certain provisions of this Act do not abrogate certain
17 existing collective bargaining agreements; requiring the public school employer to
18 provide the exclusive representative with certain employee information within a
19 certain number of days under certain circumstances; authorizing the public school
20 employer to negotiate with the exclusive representative on certain topics; providing
21 for a certain exception; requiring a certain custodian to allow inspection by a certain
22 employee organization of a certain personnel record that contains certain
23 information; defining certain terms; and generally relating to access of an exclusive
24 representative to a public school employer’s new employee processing.

25 BY repealing and reenacting, with amendments,
26 Article – Education
27 Section 6–401, 6–408(c)(1), 6–501, and 6–510(c)(1)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2014 Replacement Volume and 2017 Supplement)

3 BY adding to
4 Article – Education
5 Section 6–407.1, 6–407.2, 6–509.1, and 6–509.2
6 Annotated Code of Maryland
7 (2014 Replacement Volume and 2017 Supplement)

8 BY repealing and reenacting, with amendments,
9 Article – General Provisions
10 Section 4–311
11 Annotated Code of Maryland
12 (2014 Volume and 2017 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – Education**

16 6–401.

17 (a) In this subtitle the following words have the meanings indicated.

18 (b) “Board” means the Public School Labor Relations Board established under
19 Subtitle 8 of this title.

20 (b–1) “Day” means a calendar day unless otherwise indicated.

21 (c) “Employee organization” means an organization that:

22 (1) Includes certificated employees of a public school employer or
23 individuals of equivalent status in Baltimore City; and

24 (2) Has as one of its main purposes the representation of the employees in
25 their relations with that public school employer.

26 (d) (1) “Home and hospital teacher” means a teacher employed by a public
27 school employer to provide instructional services to a public school student who is unable
28 to function effectively in the classroom setting due to the student’s medical, physical, or
29 emotional condition.

30 (2) A home and hospital teacher may teach in:

31 (i) A private home;

32 (ii) A hospital;

1 (iii) A therapeutic center;

2 (iv) A school; or

3 (v) Any other appropriate site.

4 **(D-1) “NEW EMPLOYEE PROCESSING” MEANS THE PROCESS FOR A NEWLY**
5 **HIRED PUBLIC SCHOOL EMPLOYEE, WHETHER IN PERSON, ONLINE, OR THROUGH**
6 **OTHER MEANS, IN WHICH NEW EMPLOYEES ARE ADVISED OF THEIR EMPLOYMENT**
7 **STATUS, RIGHTS, BENEFITS, DUTIES, RESPONSIBILITIES, AND OTHER**
8 **EMPLOYMENT-RELATED MATTERS.**

9 (e) (1) “Public school employee” means a certificated professional individual
10 who is employed by a public school employer or an individual of equivalent status in
11 Baltimore City, except for a county superintendent or an individual designated by the
12 public school employer to act in a negotiating capacity as provided in § 6-408(c) of this
13 subtitle.

14 (2) In Montgomery County, “public school employees” include:

15 (i) Certificated and noncertificated substitute teachers employed by
16 the public school employer for at least 7 days before March 1 of the school fiscal year ending
17 June 30, 1978, and each year after; and

18 (ii) Home and hospital teachers employed by the public school
19 employer for at least 7 days before March 1 of the school fiscal year ending June 30, 2000,
20 and each year after.

21 (3) In Baltimore County, “public school employee” includes a secondary
22 school nurse, an elementary school nurse, and a special school nurse.

23 (4) In Frederick County, “public school employee” includes a social worker
24 employed by a public school employer.

25 (5) In Prince George’s County, “public school employee” includes home and
26 hospital teachers and Junior Reserve Officer Training Corps (JROTC) instructors.

27 (6) In Baltimore County, Calvert County, Charles County, and Garrett
28 County, “public school employee” includes Junior Reserve Officer Training Corps (JROTC)
29 instructors.

30 (7) In Carroll County, “public school employee” includes:

31 (i) A registered nurse; and

32 (ii) Supervisory noncertificated employees as defined under §

1 6-501(i) of this title.

2 (f) "Public school employer" means a county board of education or the Baltimore
3 City Board of School Commissioners.

4 **6-407.1.**

5 (A) (1) (I) EACH PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE
6 EXCLUSIVE REPRESENTATIVE ACCESS TO NEW EMPLOYEE PROCESSING.

7 (II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS
8 PARAGRAPH, THE PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE EXCLUSIVE
9 REPRESENTATIVE AT LEAST 10 DAYS' NOTICE IN ADVANCE OF A NEW EMPLOYEE
10 PROCESSING.

11 (III) THE PUBLIC SCHOOL EMPLOYER MAY PROVIDE THE
12 EXCLUSIVE REPRESENTATIVE WITH LESS THAN 10 DAYS' NOTICE IF THERE IS AN
13 URGENT NEED CRITICAL TO THE PUBLIC SCHOOL EMPLOYER'S NEW EMPLOYEE
14 PROCESSING THAT WAS NOT REASONABLY FORESEEABLE.

15 (2) (I) THE STRUCTURE, TIME, AND MANNER OF THE ACCESS
16 REQUIRED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE DETERMINED
17 THROUGH NEGOTIATIONS BETWEEN THE PUBLIC SCHOOL EMPLOYER AND THE
18 EXCLUSIVE REPRESENTATIVE IN ACCORDANCE WITH § 6-408 OF THIS SUBTITLE.

19 (II) WHEN NEGOTIATING ACCESS TO NEW EMPLOYEE
20 PROCESSING UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, IF ANY DISPUTE HAS
21 NOT BEEN RESOLVED WITHIN 45 DAYS AFTER THE FIRST MEETING OF THE PUBLIC
22 SCHOOL EMPLOYER AND THE EXCLUSIVE REPRESENTATIVE, OR WITHIN 60 DAYS
23 AFTER AN INITIAL REQUEST TO NEGOTIATE, WHICHEVER OCCURS FIRST, EITHER
24 PARTY MAY REQUEST THAT THE BOARD DECLARE AN IMPASSE UNDER § 6-408(E) OF
25 THIS SUBTITLE.

26 (III) IN AN IMPASSE PROCEEDING UNDER § 6-408(E) OF THIS
27 SUBTITLE, THE MEDIATOR OR BOARD SHALL CONSIDER:

28 1. THE ABILITY OF THE EXCLUSIVE REPRESENTATIVE
29 TO COMMUNICATE WITH THE PUBLIC SCHOOL EMPLOYEES IT REPRESENTS;

30 2. THE LEGAL OBLIGATIONS OF THE EXCLUSIVE
31 REPRESENTATIVE TO THE PUBLIC SCHOOL EMPLOYEES;

32 3. APPLICABLE STATE, FEDERAL, AND LOCAL LAWS;

1 4. **ANY STIPULATIONS OF THE PARTIES;**

2 5. **THE INTERESTS AND WELFARE OF THE PUBLIC**
3 **SCHOOL EMPLOYEES AND THE FINANCIAL CONDITION OF THE PUBLIC SCHOOL**
4 **EMPLOYER;**

5 6. **THE STRUCTURE, TIME, AND MANNER OF ACCESS OF**
6 **AN EXCLUSIVE REPRESENTATIVE TO NEW EMPLOYEE PROCESSING IN COMPARABLE**
7 **PUBLIC SCHOOL EMPLOYERS, INCLUDING THE ACCESS PROVISIONS IN OTHER**
8 **MEMORANDA OF UNDERSTANDING OR COLLECTIVE BARGAINING AGREEMENTS; AND**

9 7. **ANY OTHER FACTS ROUTINELY CONSIDERED IN**
10 **ESTABLISHING THE STRUCTURE, TIME, AND MANNER OF ACCESS OF AN EXCLUSIVE**
11 **REPRESENTATIVE TO NEW EMPLOYEE PROCESSING.**

12 (3) **(I) A REQUEST TO NEGOTIATE UNDER PARAGRAPH (2) OF THIS**
13 **SUBSECTION MADE BETWEEN JULY 1, 2018, AND THE EXPIRATION DATE OF AN**
14 **EXISTING COLLECTIVE BARGAINING AGREEMENT BETWEEN THE PARTIES SHALL**
15 **REOPEN THE EXISTING COLLECTIVE BARGAINING AGREEMENT ONLY FOR THE**
16 **PURPOSE OF NEGOTIATING THE ACCESS OF THE EXCLUSIVE REPRESENTATIVE TO**
17 **THE PUBLIC SCHOOL EMPLOYER'S NEW EMPLOYEE PROCESSING.**

18 **(II) EITHER PARTY MAY ELECT TO NEGOTIATE A SEPARATE**
19 **AGREEMENT ON THE ACCESS OF THE EXCLUSIVE REPRESENTATIVE TO THE PUBLIC**
20 **SCHOOL EMPLOYER'S NEW EMPLOYEE PROCESSING IN LIEU OF REOPENING THE**
21 **EXISTING COLLECTIVE BARGAINING AGREEMENT.**

22 **(B) THIS SECTION DOES NOT PROHIBIT A PUBLIC SCHOOL EMPLOYER AND**
23 **AN EXCLUSIVE REPRESENTATIVE FROM NEGOTIATING ACCESS TO NEW EMPLOYEE**
24 **PROCESSING THAT VARIES FROM THE REQUIREMENTS OF THIS SECTION.**

25 **(C) NOTHING IN THIS SECTION SHALL ABROGATE EXISTING COLLECTIVE**
26 **BARGAINING AGREEMENTS BETWEEN PUBLIC SCHOOL EMPLOYERS AND EXCLUSIVE**
27 **REPRESENTATIVES.**

28 **6-407.2.**

29 **(A) WITHIN 30 DAYS OF THE DATE OF HIRE, OR BY THE FIRST PAY PERIOD**
30 **OF THE MONTH AFTER THE DATE OF HIRE, OF EACH NEW PUBLIC SCHOOL**
31 **EMPLOYEE, A PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE EXCLUSIVE**
32 **REPRESENTATIVE WITH THE EMPLOYEE'S:**

33 **(1) NAME;**

1 **(2) POSITION CLASSIFICATION;**

2 **(3) HOME AND WORK SITE ADDRESSES WHERE THE EMPLOYEE**
3 **RECEIVES INTEROFFICE OR UNITED STATES MAIL;**

4 **(4) HOME AND WORK SITE TELEPHONE NUMBERS;**

5 **(5) PERSONAL CELL PHONE NUMBER; AND**

6 **(6) WORK AND PERSONAL E-MAIL ADDRESSES.**

7 **(B) (1) (I) THE PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE**
8 **EXCLUSIVE REPRESENTATIVE WITH THE INFORMATION DESCRIBED IN SUBSECTION**
9 **(A) OF THIS SECTION FOR EACH EMPLOYEE IN THE BARGAINING UNIT REPRESENTED**
10 **BY THE EXCLUSIVE REPRESENTATIVE AT LEAST ONCE EVERY 120 DAYS.**

11 **(II) SUBJECT TO § 6-408 OF THIS SUBTITLE, THE PUBLIC**
12 **SCHOOL EMPLOYER MAY NEGOTIATE WITH THE EXCLUSIVE REPRESENTATIVE TO**
13 **PROVIDE:**

14 **1. THE INFORMATION REQUIRED UNDER THIS**
15 **PARAGRAPH MORE FREQUENTLY THAN ONCE EVERY 120 DAYS; AND**

16 **2. MORE DETAILED INFORMATION THAN REQUIRED**
17 **UNDER THIS PARAGRAPH.**

18 **(2) THE PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE EXCLUSIVE**
19 **REPRESENTATIVE WITH THE INFORMATION DESCRIBED IN SUBSECTION (A) OF THIS**
20 **SECTION REGARDLESS OF WHETHER THE NEWLY HIRED EMPLOYEE WAS**
21 **PREVIOUSLY EMPLOYED BY THE PUBLIC SCHOOL EMPLOYER.**

22 6-408.

23 (c) (1) On request a public school employer or at least two of its designated
24 representatives shall meet and negotiate with at least two representatives of the employee
25 organization that is designated as the exclusive negotiating agent for the public school
26 employees in a unit of the county on all matters that relate to [salaries]:

27 **(I) SALARIES, wages, hours, and other working conditions,**
28 **including procedures regarding employee transfers and assignments; AND**

29 **(II) THE STRUCTURE, TIME, AND MANNER OF THE ACCESS OF**
30 **THE EXCLUSIVE REPRESENTATIVE TO A PUBLIC SCHOOL EMPLOYER'S NEW**

1 **EMPLOYEE PROCESSING AS REQUIRED UNDER § 6-407.1 OF THIS SUBTITLE.**

2 6-501.

3 (a) In this subtitle the following words have the meanings indicated.

4 (b) “Board” means the Public School Labor Relations Board established under
5 Subtitle 8 of this title.

6 (c) “Confidential employee” includes an individual whose employment
7 responsibilities require knowledge of the public school employer’s posture in the collective
8 negotiation process, as determined by the public school employer in negotiations with an
9 employee organization that requests negotiation on this issue.

10 (c-1) “Day” means a calendar day unless otherwise indicated.

11 (d) “Employee organization” means an organization that:

12 (1) Includes noncertificated employees of a public school employer; and

13 (2) Has as one of its main purposes the representation of the employees in
14 their relations with that public school employer.

15 (e) “Management personnel” includes an individual who is engaged mainly in
16 executive and managerial functions, as determined by the public school employer in
17 negotiation with an employee organization that requests negotiation on this issue.

18 **(E-1) “NEW EMPLOYEE PROCESSING” MEANS THE PROCESS FOR A NEWLY**
19 **HIRED PUBLIC SCHOOL EMPLOYEE, WHETHER IN PERSON, ONLINE, OR THROUGH**
20 **OTHER MEANS, IN WHICH NEW EMPLOYEES ARE ADVISED OF THEIR EMPLOYMENT**
21 **STATUS, RIGHTS, BENEFITS, DUTIES, RESPONSIBILITIES, AND OTHER**
22 **EMPLOYMENT-RELATED MATTERS.**

23 (f) “Noncertificated employee”, in Montgomery County, means only a full-time
24 employee.

25 (g) (1) “Public school employee” means a noncertificated individual who is
26 employed for at least 9 months a year on a full-time basis by a public school employer.

27 (2) “Public school employee” includes a noncertificated employee in
28 Baltimore City notwithstanding that the noncertificated employee does not work for at
29 least 9 months a year on a full-time basis.

30 (3) “Public school employee” does not include:

31 (i) Management personnel;

1 (ii) A confidential employee; or

2 (iii) Any individual designated by the public school employer to act in
3 a negotiating capacity as provided in § 6-510(c) of this subtitle.

4 (h) (1) "Public school employer" means the county board in each county.

5 (2) "Public school employer" includes the Baltimore City Board of School
6 Commissioners.

7 (i) "Supervisory employee" includes any individual who responsibly directs the
8 work of other employees, as determined by the public school employer in negotiation with
9 an employee organization that requests negotiation on this issue.

10 **6-509.1.**

11 (A) (1) (I) EACH PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE
12 EXCLUSIVE REPRESENTATIVE ACCESS TO NEW EMPLOYEE PROCESSING.

13 (II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS
14 PARAGRAPH, THE PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE EXCLUSIVE
15 REPRESENTATIVE AT LEAST 10 DAYS' NOTICE IN ADVANCE OF A NEW EMPLOYEE
16 PROCESSING.

17 (III) THE PUBLIC SCHOOL EMPLOYER MAY PROVIDE THE
18 EXCLUSIVE REPRESENTATIVE WITH LESS THAN 10 DAYS' NOTICE IF THERE IS AN
19 URGENT NEED CRITICAL TO THE PUBLIC SCHOOL EMPLOYER'S NEW EMPLOYEE
20 PROCESSING THAT WAS NOT REASONABLY FORESEEABLE.

21 (2) (I) THE STRUCTURE, TIME, AND MANNER OF THE ACCESS
22 REQUIRED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE DETERMINED
23 THROUGH NEGOTIATIONS BETWEEN THE PUBLIC SCHOOL EMPLOYER AND THE
24 EXCLUSIVE REPRESENTATIVE IN ACCORDANCE WITH § 6-510 OF THIS SUBTITLE.

25 (II) WHEN NEGOTIATING ACCESS TO NEW EMPLOYEE
26 PROCESSING UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, IF ANY DISPUTE HAS
27 NOT BEEN RESOLVED WITHIN 45 DAYS AFTER THE FIRST MEETING OF THE PUBLIC
28 SCHOOL EMPLOYER AND THE EXCLUSIVE REPRESENTATIVE, OR WITHIN 60 DAYS
29 AFTER AN INITIAL REQUEST TO NEGOTIATE, WHICHEVER OCCURS FIRST, EITHER
30 PARTY MAY REQUEST THAT THE BOARD DECLARE AN IMPASSE UNDER § 6-510(E) OF
31 THIS SUBTITLE.

32 (III) IN AN IMPASSE PROCEEDING UNDER § 6-510(E) OF THIS

1 SUBTITLE, THE MEDIATOR OR BOARD SHALL CONSIDER:

2 1. THE ABILITY OF THE EXCLUSIVE REPRESENTATIVE
3 TO COMMUNICATE WITH THE PUBLIC SCHOOL EMPLOYEES IT REPRESENTS;

4 2. THE LEGAL OBLIGATIONS OF THE EXCLUSIVE
5 REPRESENTATIVE TO THE PUBLIC SCHOOL EMPLOYEES;

6 3. APPLICABLE STATE, FEDERAL, AND LOCAL LAWS;

7 4. ANY STIPULATIONS OF THE PARTIES;

8 5. THE INTERESTS AND WELFARE OF THE PUBLIC
9 SCHOOL EMPLOYEES AND THE FINANCIAL CONDITION OF THE PUBLIC SCHOOL
10 EMPLOYER;

11 6. THE STRUCTURE, TIME, AND MANNER OF ACCESS OF
12 AN EXCLUSIVE REPRESENTATIVE TO NEW EMPLOYEE PROCESSING IN COMPARABLE
13 PUBLIC SCHOOL EMPLOYERS, INCLUDING THE ACCESS PROVISIONS IN OTHER
14 MEMORANDA OF UNDERSTANDING OR COLLECTIVE BARGAINING AGREEMENTS; AND

15 7. ANY OTHER FACTS ROUTINELY CONSIDERED IN
16 ESTABLISHING THE STRUCTURE, TIME, AND MANNER OF ACCESS OF AN EXCLUSIVE
17 REPRESENTATIVE TO NEW EMPLOYEE PROCESSING.

18 (3) (I) A REQUEST TO NEGOTIATE UNDER PARAGRAPH (2) OF THIS
19 SUBSECTION MADE BETWEEN JULY 1, 2018, AND THE EXPIRATION DATE OF AN
20 EXISTING COLLECTIVE BARGAINING AGREEMENT BETWEEN THE PARTIES SHALL
21 REOPEN THE EXISTING COLLECTIVE BARGAINING AGREEMENT ONLY FOR THE
22 PURPOSE OF NEGOTIATING THE ACCESS OF THE EXCLUSIVE REPRESENTATIVE TO
23 THE PUBLIC SCHOOL EMPLOYER'S NEW EMPLOYEE PROCESSING.

24 (II) EITHER PARTY MAY ELECT TO NEGOTIATE A SEPARATE
25 AGREEMENT ON THE ACCESS OF THE EXCLUSIVE REPRESENTATIVE TO THE PUBLIC
26 SCHOOL EMPLOYER'S NEW EMPLOYEE PROCESSING IN LIEU OF REOPENING THE
27 EXISTING COLLECTIVE BARGAINING AGREEMENT.

28 (B) THIS SECTION DOES NOT PROHIBIT A PUBLIC SCHOOL EMPLOYER AND
29 AN EXCLUSIVE REPRESENTATIVE FROM NEGOTIATING ACCESS TO NEW EMPLOYEE
30 PROCESSING THAT VARIES FROM THE REQUIREMENTS OF THIS SECTION.

31 (C) NOTHING IN THIS SECTION SHALL ABROGATE EXISTING COLLECTIVE
32 BARGAINING AGREEMENTS BETWEEN PUBLIC SCHOOL EMPLOYERS AND EXCLUSIVE

1 REPRESENTATIVES.

2 **6-509.2.**

3 (A) WITHIN 30 DAYS OF THE DATE OF HIRE, OR BY THE FIRST PAY PERIOD
4 OF THE MONTH AFTER THE DATE OF HIRE, OF EACH NEW PUBLIC SCHOOL
5 EMPLOYEE, A PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE EXCLUSIVE
6 REPRESENTATIVE WITH THE EMPLOYEE'S:

7 (1) NAME;

8 (2) POSITION CLASSIFICATION;

9 (3) HOME AND WORK SITE ADDRESSES WHERE THE EMPLOYEE
10 RECEIVES INTEROFFICE OR UNITED STATES MAIL;

11 (4) HOME AND WORK SITE TELEPHONE NUMBERS;

12 (5) PERSONAL CELL PHONE NUMBER; AND

13 (6) WORK AND PERSONAL E-MAIL ADDRESSES.

14 (B) (1) (I) THE PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE
15 EXCLUSIVE REPRESENTATIVE WITH THE INFORMATION DESCRIBED IN SUBSECTION
16 (A) OF THIS SECTION FOR EACH EMPLOYEE IN THE BARGAINING UNIT REPRESENTED
17 BY THE EXCLUSIVE REPRESENTATIVE AT LEAST ONCE EVERY 120 DAYS.

18 (II) SUBJECT TO § 6-510 OF THIS SUBTITLE, THE PUBLIC
19 SCHOOL EMPLOYER MAY NEGOTIATE WITH THE EXCLUSIVE REPRESENTATIVE TO
20 PROVIDE:

21 1. THE INFORMATION REQUIRED UNDER THIS
22 PARAGRAPH MORE FREQUENTLY THAN ONCE EVERY 120 DAYS; AND

23 2. MORE DETAILED INFORMATION THAN REQUIRED
24 UNDER THIS PARAGRAPH.

25 (2) THE PUBLIC SCHOOL EMPLOYER SHALL PROVIDE THE EXCLUSIVE
26 REPRESENTATIVE WITH THE INFORMATION DESCRIBED IN SUBSECTION (A) OF THIS
27 SECTION REGARDLESS OF WHETHER THE NEWLY HIRED EMPLOYEE WAS
28 PREVIOUSLY EMPLOYED BY THE PUBLIC SCHOOL EMPLOYER.

29 **6-510.**

1 (c) (1) On request, a public school employer or at least two of its designated
 2 representatives shall meet and negotiate with at least two representatives of the employee
 3 organization that is designated as the exclusive negotiating agent for the public school
 4 employees in a unit of the county on all matters that relate to [salaries]:

5 (I) SALARIES, wages, hours, and other working conditions,
 6 including the discipline and discharge of an employee for just cause; AND

7 (II) THE STRUCTURE, TIME, AND MANNER OF THE ACCESS OF
 8 THE EXCLUSIVE REPRESENTATIVE TO A PUBLIC SCHOOL EMPLOYER'S NEW
 9 EMPLOYEE PROCESSING AS REQUIRED UNDER § 6-509.1 OF THIS SUBTITLE.

10 Article – General Provisions

11 4-311.

12 (a) Subject to subsection (b) of this section, a custodian shall deny inspection of a
 13 personnel record of an individual, including an application, a performance rating, or
 14 scholastic achievement information.

15 (b) A custodian shall allow inspection by:

16 (1) the person in interest; [or]

17 (2) an elected or appointed official who supervises the work of the
 18 individual; OR

19 (3) AN EMPLOYEE ORGANIZATION DESCRIBED IN TITLE 6 OF THE
 20 EDUCATION ARTICLE OF THE PORTION OF THE PERSONNEL RECORD THAT
 21 CONTAINS THE INDIVIDUAL'S:

22 (I) HOME ADDRESS;

23 (II) HOME TELEPHONE NUMBER;

24 (III) PERSONAL CELL PHONE NUMBER;

25 (IV) PERSONAL E-MAIL ADDRESS; AND

26 (V) DATE OF BIRTH.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
 28 1, 2018.