

# HOUSE BILL 904

P4

(1lr2141)

**ENROLLED BILL**  
— Appropriations/Finance —

Introduced by **Delegate Bridges**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Personnel – Collective Bargaining – Exclusive Representative Access to**  
3 **New Employees**

4 FOR the purpose of altering the type of access and the circumstances under which certain  
5 access to new employees by exclusive representatives is required to be permitted by  
6 the State, a system institution, Morgan State University, St. Mary’s College of  
7 Maryland, and Baltimore City Community College; altering the period of time for  
8 which an exclusive representative is required to be permitted to address certain new  
9 employees under certain circumstances; requiring that an exclusive representative  
10 be permitted at least a certain amount of time to meet with a new employee;  
11 requiring that a certain meeting between a new employee and an exclusive  
12 representative be in person; authorizing a certain exclusive representative ~~and a new~~  
13 ~~employee~~ to meet *with a new employee* ~~with a new employee~~ through certain video  
14 technology under certain circumstances; requiring that the State, a system  
15 institution, Morgan State University, St. Mary’s College of Maryland, and Baltimore

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics* indicate opposite chamber/conference committee amendments.



1 City Community College encourage but not require certain new employees to meet  
 2 with certain exclusive representatives; requiring that a certain notice be provided on  
 3 the start date of a new employee; requiring that a certain notice be provided to  
 4 certain individuals in a certain manner within a certain time period and include and  
 5 exclude certain information; requiring that a certain notice be considered confidential  
 6 by an exclusive representative; prohibiting an exclusive representative from disclosing  
 7 certain information, subject to a certain exception; authorizing an exclusive  
 8 representative to authorize a third-party contractor to use certain information in a  
 9 certain manner and for a certain purpose; making conforming changes; and generally  
 10 relating to collective bargaining for State employees and access by an exclusive  
 11 representative to new employees.

12 BY repealing and reenacting, with amendments,  
 13 Article – State Personnel and Pensions  
 14 Section 3–307  
 15 Annotated Code of Maryland  
 16 (2015 Replacement Volume and 2020 Supplement)

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

19 **Article – State Personnel and Pensions**

20 3–307.

21 (a) Each exclusive representative has the right to communicate with the  
 22 employees that it represents.

23 (b) (1) The State, a system institution, Morgan State University, St. Mary's  
 24 College of Maryland, and Baltimore City Community College shall permit an exclusive  
 25 representative to:

26 **(I) MEET WITH A NEW EMPLOYEE IN A BARGAINING UNIT**  
 27 **REPRESENTED BY THE EXCLUSIVE REPRESENTATIVE WITHIN THE FIRST FULL PAY**  
 28 **PERIOD OF THE NEW EMPLOYEE'S START DATE; OR**

29 **(II) attend and participate in a new employee program that includes**  
 30 **one or more employees who are in a bargaining unit represented by the exclusive**  
 31 **representative, IF THE NEW EMPLOYEE PROGRAM OCCURS WITHIN 14 DAYS OF THE**  
 32 **NEW EMPLOYEE'S START DATE.**

33 (2) The new employee program in paragraph [(1)] **(1)(II)** of this subsection  
 34 may be a new employee orientation, training, or other program that the State, a system  
 35 institution, Morgan State University, St. Mary's College of Maryland, or Baltimore City  
 36 Community College and an exclusive representative negotiate in accordance with § 3–501  
 37 of this title.

1 (3) Except as provided in paragraph [(4)] (5) of this subsection, the  
 2 exclusive representative shall be permitted AT LEAST [20] 30 minutes to MEET WITH THE  
 3 NEW EMPLOYEE OR TO collectively address all new employees in attendance during a new  
 4 employee program.

5 (4) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS  
 6 PARAGRAPH, A MEETING BETWEEN THE NEW EMPLOYEE AND THE EXCLUSIVE  
 7 REPRESENTATIVE SHALL BE IN PERSON.

8 (II) AN EXCLUSIVE REPRESENTATIVE ~~AND A NEW EMPLOYEE~~  
 9 MAY CHOOSE TO MEET WITH A NEW EMPLOYEE ~~WITH A NEW EMPLOYEE~~ BY VIDEO OR  
 10 SIMILAR TECHNOLOGY IF PUBLIC HEALTH CONCERNS NECESSITATE THAT A  
 11 MEETING BE CONDUCTED REMOTELY.

12 [(4)] (5) The State, a system institution, Morgan State University, St.  
 13 Mary's College of Maryland, and Baltimore City Community College and an exclusive  
 14 representative may negotiate a period of time that is more than [20] 30 minutes in  
 15 accordance with § 3-501 of this title.

16 [(5)] (6) The State, a system institution, Morgan State University, St.  
 17 Mary's College of Maryland, and Baltimore City Community College:

18 (i) shall encourage an employee to MEET WITH THE EXCLUSIVE  
 19 REPRESENTATIVE OR attend the portion of a new employee program designated for an  
 20 exclusive representative to address new employees; and

21 (ii) may not require an employee to MEET WITH AN EXCLUSIVE  
 22 REPRESENTATIVE OR attend the portion of a new employee program designated for an  
 23 exclusive representative to address new employees if the employee objects to attending.

24 (c) (1) Except as provided in paragraph (2) of this subsection AND SUBJECT  
 25 TO PARAGRAPH (3) OF THIS SUBSECTION, the State, a system institution, Morgan State  
 26 University, St. Mary's College of Maryland, and Baltimore City Community College shall  
 27 provide the exclusive representative at least 10 days' notice ~~[/in advance of [a new~~  
 28 employee program] OF THE START DATE OF A NEW EMPLOYEE IN A BARGAINING  
 29 UNIT REPRESENTED BY THE EXCLUSIVE REPRESENTATIVE.

30 (2) The State, a system institution, Morgan State University, St. Mary's  
 31 College of Maryland, and Baltimore City Community College may provide the exclusive  
 32 representative with less than 10 days' notice if there is an urgent need critical to the  
 33 [employer's new employee program] EMPLOYER that was not reasonably foreseeable.

34 (3) THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS  
 35 SUBSECTION SHALL:

1 (I) BE PROVIDED ELECTRONICALLY TO THE LOCAL PRESIDENT  
 2 OR UNION DESIGNEE WITHIN ~~24 HOURS~~ 5 DAYS OF THE EMPLOYEE'S FIRST  
 3 CHECK-IN; ~~AND~~

4 (II) EXCEPT AS PROVIDED IN ITEM (III) OF THIS PARAGRAPH,  
 5 INCLUDE THE NEW EMPLOYEE'S NAME, ~~AND,~~ UNIT, AND ALL EMPLOYEE  
 6 IDENTIFICATION NUMBERS, INCLUDING WORKDAY NUMBERS; ~~AND ALL EMPLOYEE~~  
 7 ~~IDENTIFICATION NUMBERS, INCLUDING WORKDAY NUMBERS.~~

8 (III) EXCLUDE THE NEW EMPLOYEE'S SOCIAL SECURITY  
 9 NUMBER; AND

10 (IV) BE CONSIDERED CONFIDENTIAL BY AN EXCLUSIVE  
 11 REPRESENTATIVE.

12 (4) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS  
 13 PARAGRAPH, AN EXCLUSIVE REPRESENTATIVE MAY NOT DISCLOSE THE  
 14 INFORMATION IN A NOTICE.

15 (II) THE EXECUTIVE REPRESENTATIVE MAY AUTHORIZE A  
 16 THIRD-PARTY CONTRACTOR TO USE THE INFORMATION IN A NOTICE, AS DIRECTED  
 17 BY THE EXCLUSIVE REPRESENTATIVE, TO FULFILL THE EXCLUSIVE  
 18 REPRESENTATIVE'S STATUTORY DUTIES.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
 20 1, 2021.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.