

SENATE BILL 717

P4

1lr2142
CF HB 904

By: **Senator Zucker**

Introduced and read first time: February 3, 2021

Assigned to: Finance

A BILL ENTITLED

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 to meet
13 with a new employee through certain video technology under certain circumstances;
14 requiring that the State, a system institution, Morgan State University, St. Mary's
15 College of Maryland, and Baltimore City Community College encourage but not
16 require certain new employees to meet with certain exclusive representatives;
17 requiring that a certain notice be provided on the start date of a new employee;
18 requiring that a certain notice be provided to certain individuals in a certain manner
19 within a certain time period and include certain information; making conforming
20 changes; and generally relating to collective bargaining for State employees and
21 access by an exclusive representative to new employees.

22 BY repealing and reenacting, with amendments,
23 Article – State Personnel and Pensions
24 Section 3–307
25 Annotated Code of Maryland
26 (2015 Replacement Volume and 2020 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – State Personnel and Pensions**

2 3–307.

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

5 (b) (1) The State, a system institution, Morgan State University, St. Mary’s
6 College of Maryland, and Baltimore City Community College shall permit an exclusive
7 representative to:

8 **(I) MEET WITH A NEW EMPLOYEE IN A BARGAINING UNIT**
9 **REPRESENTED BY THE EXCLUSIVE REPRESENTATIVE WITHIN THE FIRST FULL PAY**
10 **PERIOD OF THE NEW EMPLOYEE’S START DATE; OR**

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

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

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

24 **(4) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
25 **PARAGRAPH, A MEETING BETWEEN THE NEW EMPLOYEE AND THE EXCLUSIVE**
26 **REPRESENTATIVE SHALL BE IN PERSON.**

27 **(II) AN EXCLUSIVE REPRESENTATIVE MAY CHOOSE TO MEET**
28 **WITH A NEW EMPLOYEE BY VIDEO OR SIMILAR TECHNOLOGY IF PUBLIC HEALTH**
29 **CONCERNS NECESSITATE THAT A MEETING BE CONDUCTED REMOTELY.**

30 [(4)] **(5)** The State, a system institution, Morgan State University, St.
31 Mary’s College of Maryland, and Baltimore City Community College and an exclusive
32 representative may negotiate a period of time that is more than **[20] 30** minutes in
33 accordance with § 3–501 of this title.

34 **[(5)] (6)** The State, a system institution, Morgan State University, St.

1 Mary's College of Maryland, and Baltimore City Community College:

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

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

8 (c) (1) Except as provided in paragraph (2) of this subsection **AND SUBJECT**
9 **TO PARAGRAPH (3) OF THIS SUBSECTION**, the State, a system institution, Morgan State
10 University, St. Mary's College of Maryland, and Baltimore City Community College shall
11 provide the exclusive representative at least 10 days' notice [in advance of a new employee
12 program] **OF THE START DATE OF A NEW EMPLOYEE.**

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

17 **(3) THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS**
18 **SUBSECTION SHALL:**

19 **(I) BE PROVIDED ELECTRONICALLY TO THE LOCAL PRESIDENT**
20 **OR UNION DESIGNEE WITHIN 24 HOURS OF THE EMPLOYEE'S FIRST CHECK-IN; AND**

21 **(II) INCLUDE THE NEW EMPLOYEE'S NAME, UNIT, AND ALL**
22 **EMPLOYEE IDENTIFICATION NUMBERS, INCLUDING WORKDAY NUMBERS.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
24 1, 2021.