

Department of Legislative Services  
Maryland General Assembly  
2021 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 374  
Appropriations

(Delegate Smith)

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Collective Bargaining – Baltimore City Community College – Faculty

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This bill extends collective bargaining rights to specified full-time faculty at Baltimore City Community College (BCCC). The bill also authorizes the establishment of one additional bargaining unit for faculty at BCCC. **The bill takes effect July 1, 2021.**

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Fiscal Summary

**State Effect:** Expenditures for BCCC increase minimally to reimburse the State Higher Education Labor Relations Board (SHELRB) for collective bargaining expenses. Accordingly, SHELRB reimbursable revenues and expenditures increase minimally. In addition, BCCC administrative and personnel expenditures, including those related to State retirement, may increase.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Bill Summary:** “Faculty” is defined as an employee who has been designated with faculty status by the President of BCCC. The term does not include officers, supervisory employees, part-time faculty, or student assistants.

**Current Law:** Chapter 341 of 2001 provided collective bargaining rights for some employees of the University System of Maryland (USM), Morgan State University (MSU), St. Mary’s College of Maryland (SMCM), and BCCC. At BCCC, specified nonfaculty employees, including nonexempt, exempt, and sworn police officers, have collective

bargaining rights. Certain employees were exempt from collective bargaining, including administrators, faculty, student employees, and contractual employees.

Most local community college employees do not have collective bargaining rights. However, there are employees with collective bargaining rights at the Community College of Baltimore County, Montgomery College, and Prince George's Community College. At the Community College of Baltimore County, classified (nonfaculty) employees have collective bargaining rights. At Montgomery College, all employees (including faculty) except supervisory, confidential employees, and student assistants have collective bargaining rights. At Prince George's Community College, all eligible classified (nonfaculty) employees of the college, including all skilled professional service and skilled and nonskilled service employees, have collective bargaining rights.

SHELRB is responsible for enforcing collective bargaining laws with respect to employees of USM, MSU, SMCM, and BCCC.

SHELRB may investigate and take appropriate action in response to complaints of unfair labor practices and lockouts. Among the nine unfair labor practices included in statute is refusing to bargain in good faith. The State and its officers, employees, agents, or representatives are prohibited from engaging in unfair labor practices.

### **State Fiscal Effect:**

#### *State Higher Education Labor Relations Board*

SHELRB reimbursable revenues and expenditures increase minimally to conduct elections and process any cases brought before SHELRB. Based on 2019 data from the Integrated Postsecondary Education Data System (IPEDS), there are approximately 104 full-time BCCC faculty; it is assumed that the majority will qualify to collectively bargain. *For illustrative purposes*, if election costs (*e.g.*, postage) are \$3 per individual, revenues and expenditures increase by an estimated \$312 per election (for all eligible employees at BCCC).

#### *State Aid for Community Colleges and Potential Retirement Costs*

Since the State funds BCCC based on a per-student formula, any increase in personnel costs does not affect community college formula aid. As a State institution, BCCC retirement costs are paid with State funds. In general in recent years, BCCC retirement costs are funded out of its formula funding.

*Baltimore City Community College*

Higher education expenditures increase for BCCC to reimburse SHELRB for expenses related to collective bargaining. Actual costs depend on whether eligible employees decide to collectively bargain and the reimbursable amount. However, such costs are assumed to be minimal. Based on 2019 data from IPEDS, approximately 104 additional BCCC employees are eligible to collectively bargain under the bill. *For illustrative purposes*, if election costs are \$3 per individual, BCCC expenditures increase by an estimated \$312 per election.

BCCC administrative expenditures may increase to expand collective bargaining to faculty.

Salary and salary-driven fringe benefit costs, including retirement, may increase due to collective bargaining. Although actual increases cannot be reliably estimated, increases of 1% to 3% are probable. BCCC would have to fund any such additional costs within its formula funding and from tuition revenues.

In fiscal 2022, BCCC professional salaries are estimated to be \$11.4 million. *For illustrative purposes*, if these costs were to increase by 1% in fiscal 2023 (in addition to a 2% annual projected salary increase), BCCC would spend an additional \$114,000 in fiscal 2023 for salaries and an additional \$18,000 in fiscal 2025 for retirement.

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**Additional Information**

**Prior Introductions:** HB 775 of 2020 was referred to the House Appropriations Committee but was withdrawn without a hearing.

**Designated Cross File:** None.

**Information Source(s):** State Higher Education Labor Relations; Baltimore City Community College; Department of Budget and Management; Department of Legislative Services

**Fiscal Note History:** First Reader - January 25, 2021  
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