



190 West Ostend St., #201
Baltimore, MD 21230
Phone: 410.547.1515
Fax: 410.837.5436

Patrick Moran - President

Testimony
HB 616 – Department of State Police – Alternative Workdays
Appropriations
February 18, 2020
Support with Amendments

AFSCME Council 3 supports HB 616 with amendments. This legislation, put forth by the State Law Enforcement Labor Alliance (SLEOLA), affects not only their membership, but also AFSCME's. Specifically, AFSCME Local 3675 represents over 400 Civilian employees including Police Communications Employees, Aviation Maintenance Mechanics, and MSP Helicopter Pilots. In spite of that, no one reached out to AFSCME to determine our support for this legislation, or even explore the impact on our membership.

We may be able, in principal, to support the idea of removing the restriction which says that a workday can be no more than 12 hours. Ideally, we would be given enough time to survey our members. More importantly, we are concerned that this legislation will impinge on the obligation of management to negotiate any change in schedules with the elected exclusive representative of the affected bargaining unit. As the law is currently drafted, the Secretary is "authorized" to enact an alternative workweek. With the bill, the Secretary, redundantly is also the one to "approve" this workweek. We believe that this redundancy will embolden management to act in defiance of the collective bargaining law contained in the State Personnel and Pensions Article

The fact that AFSCME was not consulted when this legislation was submitted, is offensive. However, the possibility that this bill could encourage MSP management to impose an alternative workweek without negotiations is a further concern – and a concern founded in past experience. We offer the following amendment for consideration:

Article – Public Safety

2-411.

(a) If authorized by the Secretary **AND APPROVED BY THE EXCLUSIVE REPRESENTATIVE OF THE AFFECTED EMPLOYEES**, a police employee or a 40-hour civilian employee may work an alternative workday [of not more than 12 hours instead of an 8-hour workday] **AS APPROVED BY THE SECRETARY.**

Every AFSCME Maryland State and University contract guarantees a right to union representation.
An employee has the right to a union representative if requested by the employee.
800.492.1996

