



MARYLAND STATE & D.C. AFL-CIO

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HB 380 - Arbitration Reform for State Employees Act of 2023 House Appropriations Committee February 7, 2023

SUPPORT

Donna S. Edwards

President

Maryland State and DC AFL-CIO

Chairman and members of the Committee, thank you for the opportunity to provide testimony in support of HB 380 - Arbitration Reform for State Employees Act of 2023. My name is Donna S. Edwards, and I am the President of the Maryland State and DC AFL-CIO. On behalf of the 300,000 union members in the state of Maryland, I offer the following comments.

Under current law, when the Governor and state workers reach an impasse in bargaining, the Governor can simply choose to ignore the process and appropriate funds for workers based on their previous contract. In theory, any Governor could completely bypass the negotiations process and leave workers in the lurch for the entirety of his/her term in office. It creates a perverse incentive for a Governor to do nothing, stalling negotiations indefinitely while workers' wages and benefits remain stagnant for years.

HB 380 fixes these issues by amending the Maryland Constitution to include binding arbitration for state worker collective bargaining. Binding arbitration is a common dispute resolution process in both private and public sector labor relations. It recognizes that both parties do not always agree and that negotiations can reach an impasse. When this happens, a neutral arbitrator is tasked with drafting a written award that lays out the terms of a settlement. Importantly, HB 380 makes it clear that the state is required to fund any final awards that the arbitrator imposes. Without a provision like this, there would be nothing binding about arbitration.

HB 380 will provide balance in the negotiations process, giving both parties every motivation to work toward a timely agreement. Management will no longer have the incentive to wait out negotiations in the hopes that they can save money and unilaterally implement and fund their own proposals. The process listed in the bill for the selection of neutral arbitrators is shared by many unions and employers across the country. Workers deserve balance and timely decisions. By putting the conditions of the memorandum of understanding directly into the budget, we ensure that what has been negotiated and agreed upon, is honored. This bill is a fair and balanced approach to providing effective and efficient negotiations for our state employees. We urge a favorable report on HB 380.