P4 3lr1078 CF HB 183

By: Senators Kramer and Ellis

Introduced and read first time: January 27, 2023

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning 2 State Personnel - Collective Bargaining - Supervisory and Managerial 3 **Employees** 4 FOR the purpose of providing collective bargaining rights to certain supervisory and 5 managerial State employees; establishing separate bargaining units for certain 6 supervisory and managerial State employees; and generally relating to collective 7 bargaining for supervisory and managerial State employees. 8 BY repealing and reenacting, with amendments, 9 Article – State Personnel and Pensions 10 Section 3-102 and 3-403 11 Annotated Code of Maryland (2015 Replacement Volume and 2022 Supplement) 12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 13 That the Laws of Maryland read as follows: 14 Article - State Personnel and Pensions 15 3-102.16 17 (a) Except as provided in this title or as otherwise provided by law, this title 18 applies to: 19 (1) all employees of: 20 (i) the principal departments within the Executive Branch of State 21government; 22 the Maryland Insurance Administration; (ii)



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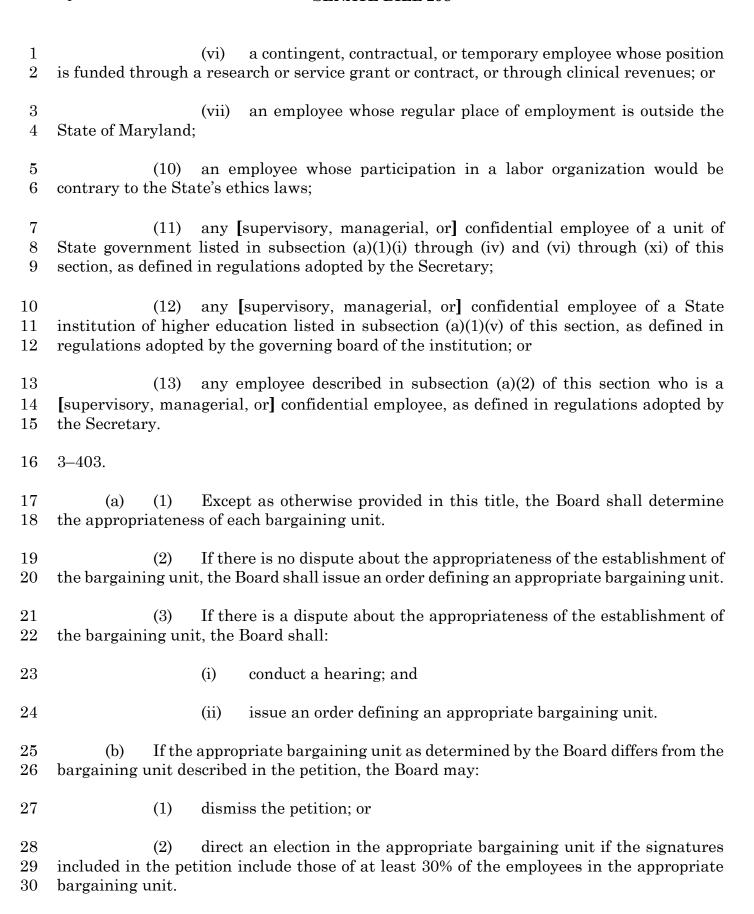
1	(iii) the State Department of Assessments and Taxation;									
2	(iv) the State Lottery and Gaming Control Agency;									
3 4	(v) the University System of Maryland, Morgan State University St. Mary's College of Maryland, and Baltimore City Community College;									
5	(vi) the Comptroller;									
6 7	(vii) the Maryland Transportation Authority who are not police officers;									
8	(viii) the State Retirement Agency;									
9	(ix) the State Department of Education;									
0	(x) the Maryland Environmental Service;									
.1	(xi) the Maryland School for the Deaf; and									
2	(xii) the Office of the Public Defender;									
3	(2) firefighters for the Martin State Airport at the rank of captain or below who are employed by the Military Department; and									
5	(3) all full-time Maryland Transportation Authority police officers at the rank of first sergeant and below.									
7	(b) This title does not apply to:									
8	(1) employees of the Maryland Transit Administration, as that term is defined in § 7–601(a)(2) of the Transportation Article;									
20	(2) an employee who is elected to the position by popular vote;									
$\frac{21}{22}$	(3) an employee in a position by election or appointment that is provided for by the Maryland Constitution;									
23	(4) an employee who is:									
24 25	(i) a special appointment in the State Personnel Managemen System; or									
26 27	(ii) 1. directly appointed by the Governor by an appointmen that is not provided for by the Maryland Constitution:									

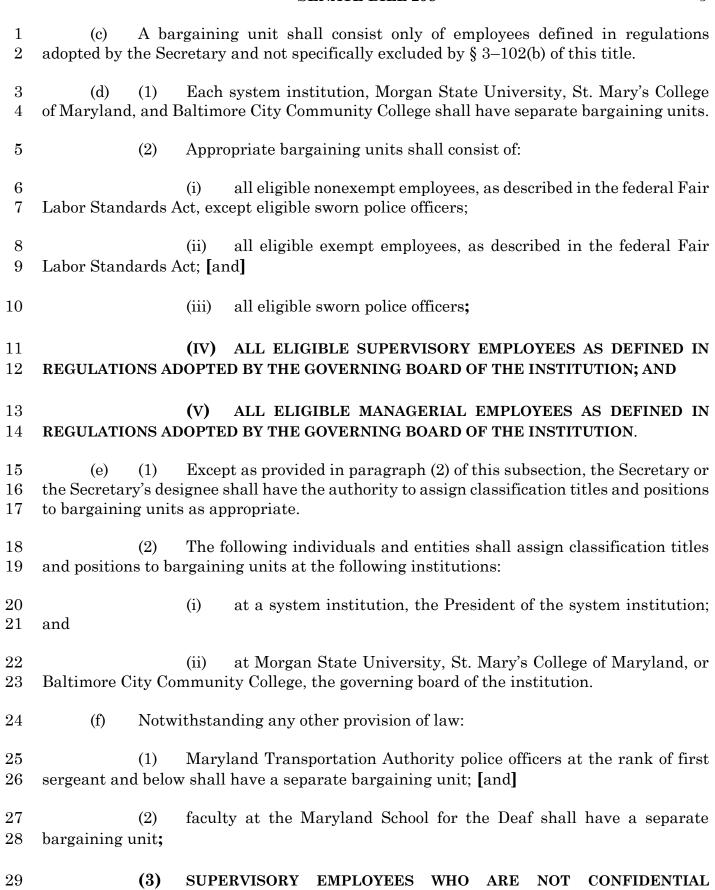
1 2	Governor; or		2.	appointed	by or o	n the staff	of the Go	overnor o	r Lieuter	nant
3 4	Office;		3.	assigned t	to the	Governme	ent Hous	se or the	e Goverr	nor's
5 6	(5) Board;	an er	nploye	e assigned	to the	Board or	with acc	ess to re	cords of	the
7	(6)	an en	an employee in:							
8	System; or	(i)	the e	executive so	ervice	of the S	tate Per	sonnel I	Managen	nent
10	system who is:	(ii)	a uni	t of the Exe	ecutive	Branch w	rith an ir	ıdependeı	nt person	nnel
12 13 14	1. the chief administrator of the unit or a comparable position that is not excluded under item (3) of this subsection as a constitutional or elected office; or									
15 16	comparable position	on;	2.	a deputy	or ass	istant adı	ministrat	or of th	e unit o	or a
17 18	(7) Management Syste	(i) em; or	a ten	nporary or	contrac	ctual emp	loyee in	the Stat	e Person	nnel
19 20	Executive Branch	(ii) with a		tractual, ten pendent per		•	gency em	ployee in	a unit of	the
21 22	(8) under another law		mploye	e who is e	ntitled	to partic	ipate in	collective	e bargaiı	ning
23 24	(9) University, St. Ma			e of the Union				•	_	
25		(i)	a chie	ef administr	ator or	in a comp	arable po	osition;		
26 27	comparable position	(ii) on;	a de	puty, asso	ciate,	or assist	ant adn	ninistrato	or or i	n a
28		(iii)	a mer	nber of the	faculty,	, including	g a faculty	y libraria	n;	
29 30	comparable position	(iv) on, fello		ident empl post doctora	-	_	a teach	ning ass	istant o	r a

a contingent, contractual, temporary, or emergency employee;

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(v)





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EMPLOYEES

OF

Α

UNIT

OF

STATE

3–102(A)(1)(I), (II), (III), (IV), (VI), (VII), (VIII), (IX), (X), OR (XI) OR (2) OF THIS TITLE,

GOVERNMENT

LISTED

IN

- 1 AS DEFINED IN REGULATIONS ADOPTED BY THE SECRETARY, SHALL HAVE A
- 2 SEPARATE BARGAINING UNIT; AND
- 3 (4) MANAGERIAL EMPLOYEES WHO ARE NOT CONFIDENTIAL
- 4 EMPLOYEES OF A UNIT OF STATE GOVERNMENT LISTED IN §
- 5 3-102(A)(1)(I), (II), (III), (IV), (VI), (VII), (VIII), (IX), (X), OR (XI) OR (2) OF THIS TITLE,
- 6 AS DEFINED IN REGULATIONS ADOPTED BY THE SECRETARY, SHALL HAVE A
- 7 SEPARATE BARGAINING UNIT.
- 8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 9 October 1, 2023.