

BILL: House Bill 746
TITLE: Public School Labor Relations Board – Administration and Enforcement – Revisions
DATE: March 7, 2017
POSITION: SUPPORT
COMMITTEE: Ways and Means Committee
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) supports House Bill 746, which includes several technical and substantive provisions to enhance the efficient administration of the Public School Labor Relations Board (PSLRB).

This legislation would address operational issues identified and requested by the PSLRB and staff. This bill would assist in the mission of the PSLRB by ensuring appropriate staffing by the Attorney General’s Office; specifying that the member who represents the public should chair the five-member PSLRB; clarifying that written communications, such as letters and notices, include electronic communications; and providing that the PSLRB may extend the time limits set forth in law for good cause. These and other provisions of the bill will serve to support the work of the PSLRB, without substantively amending key provisions of the law relating to collective bargaining.

The Fairness in Negotiations Act enacted in 2010 included several major and even nationally unprecedented, reforms in public school labor relations. The Act abolished Maryland’s system of resolving contract disputes through an impasse negotiation overseen by the State Superintendent of Schools; and abolished the State Board of Education’s authority to resolve scope of bargaining disputes as to whether a specific proposal is a permissible, mandatory or illegal subject for bargaining. In both cases, these responsibilities were shifted to the newly established PSLRB. For local boards of education, the passage of the 2010 legislation represented a major shift in bargaining power in favor of employee organizations.

However, one provision of the law enacted in 2010 stands out as ensuring that local boards of education retain the ability to make the final determination on the contract in cases when the local government fails to fully fund the negotiated agreement. Under current law, “If a fiscal authority does not approve enough funds to implement the negotiated agreement, the public school employer shall renegotiate the funds allocated for these purposes by the fiscal authority with the employee organization before the public school employer makes a final determination in accordance with a timetable and procedure established by the Board.” MABE greatly appreciates that this bill does not include the proposal to substantively amend this “keystone” provision of the law.

For these reasons, MABE supports House Bill 746 and requests a favorable report.