

BILL: Senate Bill 367
TITLE: Public Employees Relations Act
DATE: February 16, 2023
POSITION: OPPOSE
COMMITTEES: Finance and Education, Energy, and the Environment
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) strongly opposes Senate Bill 367 with respect to the provisions of the bill that would expand the scope of school system collective bargaining by adding class size and school calendar issues; replace the use of mediation with arbitration; and eliminate the Public School Labor Relations Board (PSLRB) in favor of consolidating its role with that of a new Public Employee Relations Board. MABE opposes Senate Bill 367 in light of these dramatic and disruptive reforms to the manner in which school employee contracts are negotiated, and disputes are resolved.

The Blueprint for Maryland's Future is requiring wholesale revisions to each of Maryland's 24 collective bargaining agreements. The agreements are negotiated annually through a highly regulated process and with an established dispute resolution process. Adding class size and school calendar to the topics which may be negotiated and included in bargaining agreements would introduce unanticipated complicating factors into the entire transition to implementing the Blueprint. Again, neither the Blueprint nor the current process for resolving teachers' contract disputes are aligned with adding these significant funding and policy issues to the types of matters which may be negotiated.

The quasi-judicial body created by the legislature to resolve collective bargaining disputes is the Public School Labor Relations Board (PSLRB). Since its inception in the Fairness in Negotiations Act of 2010, the PSLRB has been hearing and resolving disputes between employees and their unions, and unions and school systems. The PSLRB is comprised of members appointed by MABE, the Public School Superintendents Association of Maryland (PSSAM), the teachers' associations, and the Governor. In this way, the PSLRB is intended to reflect expertise in school system governance, administration, employee contract negotiations, and dispute resolution. Adding to the scope of bargaining as proposed in Senate Bill 367, and replacing mediation with arbitration, would only make an already complex and time-sensitive process more likely to bog down in contentious disputes.

For these reasons, MABE urges an unfavorable report on Senate Bill 367.