

EMPLOYEE RELATIONS & COLLECTIVE BARGAINING

MABE POSITIONS

The Maryland Association of Boards of Education, representing all local boards of education in Maryland:

- ✓ **Supports** the current Maryland law defining the scope of bargaining between school systems and the employee associations representing educators and other employees.
- ✓ **Supports** the use of a balancing test for appeals from bargaining disputes to determine whether the impact of a negotiated matter on the school system as a whole outweighs the direct impact on employees.
- ✗ **Opposes** legislation to expand the scope of bargaining to include class size, education policy issues, and other matters precluded by other state law.
- ✗ **Opposes** legislation, regulations, or Public Employee Relations Board decisions that compromise the authority and responsibility of the State Board and local boards to establish educational policy in collaboration with all key stakeholders including parents, students, teachers, and the community.

BACKGROUND

Since 1968, Maryland's public school teachers and most other school employees have enjoyed the right to organize through employee organizations, or unions, and negotiate contracts for salaries and benefits. MABE does not oppose the role of employee organizations or collective bargaining in representing the interests of teachers and other employees.

In 2023, the Public Employee Relations Act was enacted to consolidate the State Labor Relations Board (SLRB), the State Higher Education Labor Relations Board (SHELRB), and the Public School Labor Relations Board (PSLRB) into the Public Employee Relations Board (PERB), and substantially restructure the State's rules, procedures, processes, rights, and prohibitions regarding collective bargaining by public employees.

In 2018, a bill passed to allow school employees disciplined by the superintendent, through suspension or termination, to appeal not to the local board but to an outside arbitrator for a final and binding decision. MABE opposed this initiative to remove the local board role of reviewing the superintendent's decision and ensuring a high quality and safe learning environment for all students by responding to the immorality, misconduct, insubordination, incompetency or willful neglect of teachers and administrators. In 2017, bills passed to require procedures for mutual agreements with teachers' unions on the amount of time devoted to federal, State, and locally mandated assessments; and another bill passed to require agreements with teachers' unions on the use of prekindergarten assessments. In addition, a whistleblower protection act for school employees was enacted.

In 2010, the Fairness in Negotiations Act created the Public School Labor Relations Board (PSLRB) to replace the State Board of Education as the arbiter of scope of bargaining and contract disputes. MABE advocated successfully for a provision which ensures that if a county government does not approve sufficient funds to implement a negotiated agreement, the local school board is required to negotiate with the employee organization, but has the authority to make the final determination in response to the available funding. Local boards and local governments agree that this provision is a key statewide protection of local board fiscal control to invest available funding in the best interests of student learning.

The Blueprint for Maryland's Future law codifies new statewide systems of compensation, working conditions, and professional development for teachers and principals, and increases per pupil funding to support these initiatives. However, the law preserves the role of collective bargaining negotiations to develop these new systems at the local level, including the career ladders. In addition, the law requires teacher preparation programs to be aligned with the Blueprint and increase the diversity of new teachers. MABE supports the Blueprint's provisions for increased state funding and other policy reforms consistent with local decision-making on salaries and benefits relative to local priorities, available state and local resources, and locally negotiated agreements.

For additional information, see MABE's [Resolution on Employee Relations and Negotiations](#).