

Chapter 357

(House Bill 948)

AN ACT concerning

Baltimore County – Bargaining Unit for Public School Employees

FOR the purpose of altering certain provisions of law relating to the designation of the exclusive representative for certain public school employees in Baltimore County; repealing provisions that authorized Baltimore County to designate as a separate bargaining unit only certain registered nurses in certain schools in the county; prohibiting more than two bargaining units in Baltimore County and requiring each unit to consist of certain employees; and generally relating to bargaining units for public school employees in Baltimore County.

BY repealing and reenacting, without amendments,
Article – Education
Section 6–401(d)(1) and (3)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 6–404
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

6–401.

(d) (1) “Public school employee” means a certificated professional individual who is employed by a public school employer or an individual of equivalent status in Baltimore City, except for a county superintendent or an individual designated by the public school employer to act in a negotiating capacity as provided in § 6–408(b) of this subtitle.

(3) In Baltimore County, “public school employee” includes:

(i) A secondary school nurse, an elementary school nurse, and a special school nurse; and

(ii) Supervisory noncertificated employees as defined under § 6–501(h) of this title.

6–404.

(a) Each public school employer shall designate, as provided in this subtitle, which employee organization, if any, shall be the exclusive representative of all public school employees in a specified unit in the county.

(b) [(1) Except as provided in paragraph (2) of this subsection, the] **THE** public school employer shall determine the composition of the unit in negotiation with any employee organization that requests negotiation concerning the composition of the unit.

[(2) In Baltimore County, the public school employer may designate a separate unit comprised of all registered nurses employed by the county in elementary schools or special schools.]

(c) (1) [Except as provided in paragraph (2) of this subsection, there] **THERE** may not be more than two units in a county.

(2) In Baltimore County, [there may not be more than three units, provided that one unit consists of elementary and special school nurses and one unit consists] **ONE OF THE TWO UNITS SHALL CONSIST** of employees whose position requires an administrative and supervisory certificate and supervisory noncertificated employees as defined under § 6–501(h) of this title. **THE SECOND UNIT SHALL CONSIST OF ALL OTHER PUBLIC SCHOOL EMPLOYEES AS DEFINED UNDER § 6–401(D)(1) AND (3) OF THIS SUBTITLE.**

(d) All eligible public school employees shall:

- (1) Be included in one of these units; and
- (2) Have the rights granted in this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.

Approved by the Governor, May 4, 2010.