



2025 Legislative Priorities

Arbitration Reform for State Employees Act of 2025

State employees deserve an efficient and reliable dispute resolution process when collective bargaining negotiations reach impasse. Collective bargaining agreements establish compensation, benefits, and working conditions for public employees, and they deserve quick, professional resolution of disputes when labor and management cannot agree. Twelve states in the United States recognize the right of certain public employees to strike but Maryland does not.ⁱ Currently, if impasse is reached during contract negotiations for state and higher education employees, a neutral factfinder is selected to evaluate the parties' proposals. The factfinder then issues non-binding recommendations. Moreover, management may impose the budget they see fit, and non-budgeted items are left unresolved. The current system fails to promote good-faith bargaining by management and leaves workers with unnecessary economic anxiety while they wait for a protracted decision.

Binding interest arbitration is a sensible and orderly mechanism to resolve impasse in collective bargaining negotiations. The process enables a professional neutral to hear the disputed positions from labor and management and issue a decision based on the parties' advocacy and other factors set by law including, the fiscal condition of the public employer, economic conditions, and other objective considerations. Twenty-six states and the District of Columbia authorize binding interest arbitration for certain public employees. Additionally, jurisdictions within Maryland authorize binding interest arbitration for public employees including, the Maryland Transit Administration,ⁱⁱ certain county and municipal employees (Anne Arundel County, Baltimore City, Baltimore County, Frederick County, Howard County, Montgomery County, Prince George's County, and the Town of Ocean City), and public school employees.ⁱⁱⁱ AFSCME Council 3 will continue to advocate for binding interest arbitration to make certain negotiations are conducted in good-faith.

Davis Martinez Public Employee Safety and Health Act

Public employees deserve to go to work each day without the threat or fear that they will be harmed or injured on the job. Sadly, this is not the reality for far too many public employees. On May 31, 2024, Parole and Probation Agent Davis Martinez was murdered during a routine home visit.^{iv} Agent Martinez's death was a tragedy, made worse by the fact that AFSCME Local 3661 repeatedly raised safety concerns to his public employer beforehand. Yet, Martinez's public employer failed to address the safety concerns raised by AFSCME Local 3661. Nationally, public employees face alarmingly high rates of workplace violence.^v Here in Maryland, public employees incur workplace injuries and illnesses at higher rates than their private sector counterparts and higher rates of workplace injuries and illnesses than the national average for state and local government workers.^{vi} Maintaining the status quo for public employees' workplace safety and health is unacceptable.

The Davis Martinez Public Employee Safety and Health Act will make significant progress towards creating safer workplaces for public employees. The Davis Martinez Act will: i) create a Public Employee Safety and Health Unit within the Maryland Occupational Safety and Health (MOSH) to regulate, administer, and enforce workplace safety and health provisions for public employees; ii) make certain public employees' safety and health is valued by improving inspections of public sector worksites and subjecting public employers to penalties for violations of workplace safety and health laws; iii) promote transparency and accountability for public employee safety by expanding workplace safety and health data collection and reporting requirements; and iv) direct MOSH to promulgate a Workplace Violence Prevention Standard for the public sector on or before October 1, 2026. AFSCME Council 3 implores the General Assembly to prioritize this necessary piece of legislation to ensure Maryland's public employees' workplaces are safe and healthy.

Local Government Collective Bargaining Uniformity Act

Public sector collective bargaining in Maryland has evolved in an incremental, piecemeal fashion resulting in varying legal rights and duties for public employers, unions, and public employees across the state, county, and municipalities. Maryland has made strides recently to streamline and establish uniformity in public sector labor relations among state, higher education, and public school employees, but too many public employees at the county and municipal level are subject to differing standards for public sector labor relations or may have no collective bargaining rights at all. AFSCME Council 3 will work in partnership with other public sector unions this session to make certain public employees at the county and municipal level have access to a uniform framework governing public sector labor relations. Public employees should have access to the same framework of legal rights for public sector collective bargaining, regardless of their jurisdiction.

Revenue Reform

Maryland is facing a challenging fiscal climate, now and into the near future. In fiscal year 2026, the structural deficit is expected to increase to \$2.7 billion and grows to nearly \$6 billion by fiscal year 2030. Revenue reform is desperately needed to secure Maryland's future. Deficits must not be solved by austerity measures that inflict economic harm on public employees and slash essential public services for Marylanders. Rather, Maryland must embrace revenue reform to ensure all Marylanders have access to critical public services and economic dignity is afforded to dedicated public employees.

AFSCME Council 3 is supportive of all revenue reform measures necessary to meet the demand for quality public services. Specifically, AFSCME Council 3 urges the General Assembly to pass the following revenue reforms: i) the Maryland Fair Share Plan; ii) modernization of the sales tax to include services; iii) increase excise taxes; iv) increase the current maximum permissible income tax rate for counties; v) review and audit existing tax credits for savings; and vi) demand five percent savings from private contracts entered into with the state. The General Assembly and Governor must enact broad-based revenue reform to save vital public services and protect public employees from harmful austerity measures.

P-12 School Support Staff Bill of Rights Campaign

P-12 school support staff provide essential services for Maryland's public schools and students, yet they are not compensated commensurate with the critical role they play in public education. In the 2022-2023 school year, almost half of full-time K-12 school support staff in Maryland earned less than \$35,000 per year.^{vii} This legislative session, AFSCME Council 3 will stand in solidarity with other public sector unions to advocate for a minimum starting pay rate for school support staff and expanded worker voice on the State Board of Education by requiring a reserved position on the Board for a person employed in a school support staff role. Maryland's public schools must increase minimum starting pay for school support staff to fill critical vacancies and make certain essential public school services are delivered without interruption due to a staffing shortage. The General Assembly and Governor can correct deficiencies with the Blueprint for Maryland's Future by enacting these important pieces of legislation.

ⁱ Milla Sanes and John Schmitt, *Regulation of Public Sector Collective Bargaining in the States*, Center for Economic Policy and Research, pg. 9 (March 2014).

ⁱⁱ MD Code, Transportation, § 7-602.

ⁱⁱⁱ MD Code, Education, § 6-406; MD Code, Education, § 6-507.

^{iv} Tommie Clark, *AFSCME demands action after killing of parole agent in Montgomery County*, WBALTV (June 11, 2024).

^v U.S. Dep't of Justice, et al., *Indicators of Workplace Violence, 2019*, pg. 23 (July 2022) (Finding that from 2015-2019, the average annual rate of nonfatal workplace violence against government workers (18.9 violent crimes per 1,000 workers age 16 or older) was more than three times that against private-sector workers (6.1 per 1,000)).

^{vi} U.S. Bureau of Labor Statistics, *Employer-reported workplace injuries and illnesses in Maryland – 2022* (Dec. 20, 2023) (The rate of injury and illness cases reported in 2022 for the state and local government sector was 5.3 cases per 100 full-time workers, compared to 2.4 cases per 100 full-time workers in private industry, and a national rate of 4.9 cases per 100 full-time workers among state and local government workers.)

^{vii} National Education Association, *Education Support Professional Earnings Report* (April 2024), Table 5b, pg. 19.