

APRIL 14TH 2022

AFSCME 3 NEWSLETTER

AFSCME Members Take Action to Support Veto Override of Important Legislation

This year, AFSCME Council 3 members stood together to ensure legislation important to working people would not be vetoed by Governor Hogan. AFSCME Members spoke out in the media and sent hundreds of letters urging the Governor not to veto important legislation. Despite this, the Governor vetoed the legislation, and the Maryland Legislature overturned his veto this past Saturday. Thanks to the advocacy of AFSCME Members and our allies these important pieces of legislation will now become law without further delay.

As a result of our actions, several important bills will become law including:

Office of Public Defender Merit Status and Collective Bargaining Rights

Under present law, Maryland Office of Public Defender core support staff and social workers are considered “merit” employees, but frontline attorneys are considered “special appointment” employees, making their employment “at will” and denying them many of the basic rights and opportunities provided to merit-based state employees. This legislation would remove the special appointments status of OPD attorneys and place them within the state’s merit-based system, and then grant ALL Office of Public Defender staff the right to collectively bargain. Effective date October 1, 2022.

Time To Care Act

The Time To Care Act would establish the Family and Medical Leave Insurance (FAMLI) Program in the Maryland Department of Labor to provide up to twelve weeks of paid leave benefits to individuals who take leave from employment for the following reasons:

- Is caring for a newborn child or child newly placed for adoption or foster care;
- Is caring for a family member with a serious health condition or disability;
- Has a serious health condition that makes the employee unable to perform his or her job;
- Is caring for a military service member who is next of kin; and
- Has a specified need resulting from the military deployment of a family member.

The program itself would “go live” on January 1, 2025. Leave taken by an employee would run concurrently with eligible leave taken under the federal Family & Medical Leave Act. Employees would not be eligible to take this leave until all other forms of available leave are exhausted. Stay tuned for more information on this legislation and it’s implementation!

Hogan’s actions are not surprising given that over his time in office he has signed into law just a single law impacting Maryland’s workers. The Governor has a clear bias against working people and continues to delay or reject legislation that would positively impact workers. This is why AFSCME members immediately took action by sending letters and speaking out in the press. Visit our website to read more of the coverage: www.afscmemd.org.

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One Step Forward in Fight to Stop Closure of MDH Facilities

Last September, Governor Hogan released his 2041 Facilities Master Plan (FMP) for the Maryland Department of Health (MDH). In the Maryland Department of Health's "2041 Facilities Master Plan" they state one of their goals is "Identifying strategic partners to transfer services from Western Maryland Hospital Center in Hagerstown and Deer's Head Hospital Center in Salisbury to healthcare and community providers". These hospitals serve chronically ill individuals and those with severe disabilities, including brain trauma patients and those with severe kidney disease. They also provide long-term respiratory care, which is so important during COVID. Closing these facilities and subsequently privatizing them would result in a loss of over 830 state-run, licensed beds.

AFSCME Council 3 members came together to oppose this plan by stopping funding that would have been used to begin implementation. By sending letters, testifying in person and virtually, and meeting with legislators, members were able to halt the implementation of this plan.

AFSCME was able to insert a year's delay of the 2041 Master Facilities Plan into the adopted State budget. In addition, no PINS were eliminated for this year from DHHC or WMHC. In the coming year, members across the Maryland Department of Health will stand together to ensure patients are prioritized over profit and that in the coming year we elect politicians who agree and are willing to take action to strengthen Maryland's vital public services.

AFSCME Members Stop Legislation to Weaken Maryland's Public Employee Workforce

Each year, there are several bills proposed that would harm Maryland's public employees which we must work together to stop. This year several pieces of legislation were put in that would have hurt Maryland's public workforce. By coming together at lobby nights, writing letters, and testifying against these bills AFSCME members were able to stop these legislations from passing.

SB 212 would have reduced, from 21 to 19, the minimum age requirement for employment as a correctional officer in any unit of the Division of Correction, any unit of the Division of Pretrial Detention and Services, or the Patuxent Institution within the Department of Public Safety and Correctional Services.

SB 599 would have authorized the Motor Vehicle Administration to establish a pilot program in Howard County and Montgomery County to allow drivers' schools to administer the driver skills examination required for an individual to obtain certain driver's licenses, effectively privatizing a service delivered by our members.

SB 794 would have effectively rolled back worker protections for hiring and firing within the Maryland Department of Education. This law would mean MSDE would not have to follow the standard protocols for hiring, advancement, or termination of employees. This would be done by converting positions to "Special Appointments", effectively removing labor protections and workplace rights for employees.

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2022 Legislative Session Victories Waiting for Governor Hogan to Take Action

The 444th Session of the General Assembly of Maryland ended on April 11. The legislature now has until April 30 to present bill to the Governor for his consideration. The Governor then has until May 30 to take action on legislation by signing, vetoing, or allowing to become law through passivity i.e. neither signing nor vetoing. This has been a standard practice of Governor Hogan, using passivity to a much greater extent than his predecessors.

Below is a review of the outcome of bills AFSCME Council 3 advocated for this past session:

Presumption of Line-of-Duty Death Benefits Eligibility with COVID-19 + Diagnosis

SB 409 / HB 742 extends for two years and one month eligibility of members of the State Retirement and Pension System for "line-of-duty" death benefits when COVID-19 caused or contributed to the death of a member. Effective date June 1, 2022.

Union Dues Deduction

HB 172 would allow union dues to be tax deductible, just like other "business expenses" are allowed to be deducted. This reinstates a deduction that existed before federal taxation legislation removed it during the Trump Administration. Effective date July 1, 2022.

20 Year Retirement for DJS Case Management Specialists- HB 763 - Del. Bridges

This legislation would place DJS Case Management Specialists and Group Life Managers into CORS. Effective date July 1, 2022.

Saint Mary's College of Maryland COLA- HB 54 - Del. Crosby

This legislation would have the State pick up 100% of the costs and hold SMCM harmless going forward. Effective date July 1, 2022.

Drinking Driver Monitor III SB803

This law recognizes that there is a gap in the career ladder for DDMP Monitors and addresses it by creating a DDMP III position. Effective date July 1, 2022.

Office of the Chief Medical Examiner Staffing

HB 373 requires that the Maryland Department of Health ensure the number of staff employed by the State Postmortem Examiners (OCME) does not fall to a level that would constitute a Phase II violation according to the National Association of Medical Examiners. If not for COVID, the division would have most certainly fallen into violation given staffing shortages and significant backlogs of postmortem examinations. Effective date October 1, 2022.

Formally Establishing Juneteenth as a State Holiday

HB 227 establishes Juneteenth National Independence Day as a State legal holiday and State employee holiday. Effective date June 1, 2022.
