



# MONTGOMERY COUNTY BOARD OF EDUCATION

850 Hungerford Drive ♦ Room 123 ♦ Rockville, Maryland 20850



**Bill:** House Bill 145  
**Title:** Public School Labor Relations Board - Renegotiation Procedures and Administration  
**Committee:** Ways and Means  
**Date:** February 11, 2016  
**Position:** **SUPPORT**  
**Contact:** Michael Durso, President, Montgomery County Board of Education

The Montgomery County Board of Education supports House Bill 145.

This bill is a collection of technical corrections to the *Fairness In Negotiations Act* passed in 2010. We support this legislation and the technical corrections for the following reasons: the proposed law would allow the parties to determine a procedure and timetable that best suit the local Board of Education for renegotiation in the event the fiscal authority does not approve sufficient funds to support a negotiated agreement. The current statute has the Public School Labor Relations Board (PSLRB) establishing the procedure and timetable. The PSLRB has recognized a local procedure that had been negotiated. This change would formally approve of such approaches. Montgomery County Public Schools (MCPS) is best served by this change in language which would allow us to adopt the procedures that work best for us. Some local boards, with the advice of their counsel, are raising highly technical objections to this common sense approach. (6 – 408.1, 6 – 511).

Continuing, the effective functioning of the Board requires continuity in legal advice which is best achieved by having a particular member of the Attorney General’s staff develop labor law expertise. Assigning a particular attorney to the three Maryland Labor Relations boards makes sense and serves MCPS. (6 – 805 (B)).

Finally, providing that venue for any judicial proceedings involving PSLRB decisions or orders is in the court where the PSLRB is located best serves the interests of MCPS. Some Maryland school districts, with the advice of their counsel, are seeking to have these cases heard in the judicial district where the local board is located in an effort to get the benefit of “home-court” advantage. MCPS is best served by a predictable and consistent development of case law under the *Fairness in Negotiations Act* passed only six years ago. This amendment is in the best interests of MCPS. (6 – 806 (a) (2) (III)).

For these reasons, we support this bill and ask for an favorable report.