

[THE LOCAL BOARDS OF EDUCATION OF THE TWENTY-THREE COUNTIES MAY NEGOTIATE IN THE SAME MANNER AS PRESCRIBED IN THIS CHAPTER WITH ORGANIZATIONS WHICH REPRESENT NON-CERTIFIED PUBLIC SCHOOL EMPLOYEES. HOWEVER, FOR THE PURPOSES OF THIS SECTION, THE PROVISIONS OF SECTION 160 (D) OF THIS SUBTITLE ARE MODIFIED SO THAT THERE SHALL BE NOT MORE THAN THREE UNITS FOR NON-CERTIFIED EMPLOYEES AND THERE MAY BE ONE UNIT FOR MANAGEMENT.]

(A) THE FOLLOWING WORDS SHALL HAVE THE FOLLOWING MEANINGS FOR THE PURPOSES OF THIS SECTION:

(1) "EMPLOYEE ORGANIZATION" MEANS ANY ORGANIZATION WHICH INCLUDES NON-CERTIFICATED EMPLOYEES OF A PUBLIC SCHOOL EMPLOYER AND WHICH HAS AS ONE OF ITS PRIMARY PURPOSES THE REPRESENTATION OF SUCH EMPLOYEES IN THEIR RELATIONS WITH THAT PUBLIC SCHOOL EMPLOYER.

(2) "PUBLIC SCHOOL EMPLOYER" MEANS A COUNTY BOARD OF EDUCATION [OR THE BOARD OF SCHOOL COMMISSIONERS OF BALTIMORE CITY] IN ANY COUNTY EXCEPT THE FOLLOWING: CARROLL, FREDERICK, HOWARD, SOMERSET, WICOMICO, AND WORCESTER.

(3) "PUBLIC SCHOOL EMPLOYEE" MEANS ANY NON-CERTIFICATED PERSON EMPLOYED FOR NINE MONTHS OR MORE PER YEAR ON A FULL TIME BASIS BY A PUBLIC SCHOOL EMPLOYER, EXCEPT FOR MANAGEMENT PERSONNEL, CONFIDENTIAL EMPLOYEES, AND PERSONS DESIGNATED BY THE PUBLIC SCHOOL EMPLOYER TO ACT IN A NEGOTIATING CAPACITY AS SPECIFIED IN SUBSECTION (H) (1) OF THIS SECTION.

(4) "MANAGEMENT PERSONNEL" INCLUDES PERSONS ENGAGED PREDOMINATELY IN EXECUTIVE AND MANAGERIAL FUNCTIONS, AS DETERMINED BY THE PUBLIC SCHOOL EMPLOYER IN NEGOTIATIONS WITH THOSE EMPLOYEE ORGANIZATIONS WHICH REQUEST NEGOTIATION THEREON.

(5) "CONFIDENTIAL EMPLOYEE," AS DETERMINED BY THE PUBLIC SCHOOL EMPLOYER IN NEGOTIATION WITH EMPLOYEE ORGANIZATIONS REQUESTING NEGOTIATION THEREON, INCLUDES ANY INDIVIDUAL WHOSE EMPLOYMENT RESPONSIBILITIES REQUIRE KNOWLEDGE OF THE PUBLIC SCHOOL EMPLOYER'S POSTURE IN THE COLLECTIVE NEGOTIATION PROCESS.

(6) "SUPERVISORY EMPLOYEE" AS DETERMINED BY THE PUBLIC SCHOOL EMPLOYER IN NEGOTIATION WITH EMPLOYEE ORGANIZATIONS REQUESTING NEGOTIATION THEREON, INCLUDES ANY PERSON WHO RESPONSIBLY DIRECTS THE WORK OF OTHER EMPLOYEES.

(B) PUBLIC SCHOOL EMPLOYEES HAVE THE RIGHT TO FORM, JOIN, AND PARTICIPATE IN THE ACTIVITIES OF EMPLOYEE ORGANIZATIONS OF THEIR OWN CHOOSING FOR THE PURPOSE OF