



**153rd GENERAL ASSEMBLY  
FISCAL NOTE**

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**BILL:** **HOUSE BILL NO. 234**

**SPONSOR:** **Representative Burns**

**DESCRIPTION:** **AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE DELAWARE CONSTITUTION RELATING TO WORKERS' RIGHTS.**

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**Assumptions:**

1. This Act takes effect upon final adoption of the proposal constitutional amendment in accordance with Del. Const. art. XVI, § 1, following passage by the 153rd General Assembly and the subsequent General Assembly.
2. This Amendment would establish in the Delaware Constitution, a right for all employees to organize and bargain collectively through representatives of their own choosing for the purpose of negotiating wages, hours and "...working conditions and to protect their economic welfare and safety at work." Further, the Amendment holds that no law may be passed that diminishes the right to bargain collectively for "...other terms and conditions of employment and workplace safety...".
3. State merit employees currently are authorized to bargain collectively pursuant to 19 Del.C. §1311A and 29 Del.C. §5938. The scope of bargaining includes compensation, but does not include such items as position classification, health care and other benefit programs established pursuant to Chapters 52 and 96 of Title 29, overtime, workers compensation, disability programs, and pension programs.
4. The rights granted under the Amendment do not necessarily immediately affect the current statutes contained in Title 19 and 29. However, if adopted, these existing provisions governing state employee benefits and the terms and conditions of employment may be subject to being collectively bargained. The resulting costs to salary and benefit programs, as well as administrative costs of the Department of Human Resources and the Office of Management and Budget are indeterminable, but potentially significant.
5. It is assumed that any change to the current scope of collective bargaining would not be implemented until Fiscal Year 2028.

**Cost:**

Fiscal Year 2027:	N/A
Fiscal Year 2028:	Indeterminable, but potentially significant
Fiscal Year 2029:	Indeterminable, but potentially significant

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