

Dear Members of the House Government, Labor, and Elections Committee,

Thank you for taking time out of your busy schedule to consider **HB 388**, Baltimore County Public Library – Collective Bargaining – Supervisory Employees. And thank you to Delegate Forbes and all the co-sponsors of this important legislation.

My name is Heather Faust and I'm currently a Library Supervisor with Baltimore County Public Library (BCPL). However, when legislation was passed in 2021 initially permitting non-supervisory Baltimore County Public Library employees to unionize, I was still a non-supervisory employee. I was proud and excited to join the new BCPL union, and I even volunteered to serve as a steward at BCPL's Lansdowne Branch where I have worked since 2017.

As I mentioned in my testimony last year, when the opportunity for promotion to my current position suddenly presented itself in the summer of 2022, the biggest drawback I felt, and something that almost caused me not to apply for the position, was that if I were to be promoted to Library Supervisor I would have to leave the union. I thought long and hard about this before deciding to apply, eventually concluding that, for me, management and unions are not mutually exclusive, and that being a manager who understands how unions work and recognizes their benefit could only be a good thing for all concerned.

I think that concept has been made abundantly clear during the past few months, as BCPL has experienced a tremendous amount of upheaval as a direct result of the actions of certain individuals formerly in BCPL administration. Perhaps not surprisingly, those same individuals were vocally opposed to both BCPL's original non-supervisory bargaining unit in 2021 **and** the mere possibility of a supervisory bargaining unit - even though HB 388 simply brings BCPL into line with other employers throughout the state, including other Maryland public library systems.

Those opposed to this bill have made repeated claims about how closely BCPL administration and the BCPL union have worked together to successfully negotiate four contracts. But regardless of how closely the two named parties worked together, the fact is that branch- and department-level managers and supervisors like me who are **not** "confidential employees,"<sup>1</sup> and who do **not** take part in setting library policy or budgets, are left out of the negotiation process – and the entire conversation - completely under the current system.

As a supervisor on the branch level, not only am I **not** part of the negotiation process, I cannot even talk to anyone **about** the process. I have no outlet to ask any questions about what's being negotiated, offer my support (or opposition) at any point in the process, or give any input about how any part of the negotiations might affect my staff or my branch, let alone my own workload or experience as a supervisor.

This is very isolating. And unfortunately, especially for those managers and supervisors who were not previously familiar with unions, the current structure that excludes us from the collective bargaining process seems to have created an unnecessary estrangement between managers and staff by drawing an artificial – but very visible – "us vs them" line between us, undermining trust while still leaving branch- and department-level managers and supervisors out in the cold.

At no time was this more evident than just a few months ago when many BCPL managers and supervisors found out **after the fact** about a major – and completely unprecedented - personnel action that had already taken place against 14 valued BCPL staff members, despite the fact that active negotiations between BCPL administration and the BCPL union were ongoing at that time.

Managers across the BCPL system were further shocked (but sadly not surprised) to find that those of their colleagues who did know about the planned action ahead of time had been explicitly threatened with the loss of their own jobs if they were to disclose that knowledge to anyone.

To make it very clear - managers and supervisors were purposely kept from communicating with each other and with their staff under threat of retaliation and had no recourse and no network of support. This is entirely unacceptable and is a powerful illustration of why the option to organize a supervisory bargaining unit is needed for BCPL managers and supervisors, especially as we are now in the process of undoing the damage that was done by those draconian, unilateral actions and rebuilding open communication and trust among all BCPL staff.

So far the assumption has seemed to be that as a supervisor my position must necessarily be aligned more with the institution and library administration than with the staff I supervise or even with my fellow supervisors. Yet managers and supervisors at BCPL have a great deal in common with the staff we supervise. We face many of the same challenges and concerns, we share many of the same goals, and we too deserve a process whereby we can advocate for improvements to our own working conditions as well as those of our staff, conditions which are really interrelated. We already act as a bridge between the staff we supervise and library administration, as we are expected to understand and communicate both library policies and procedures and the needs of branch and department staff in a two-way channel, which is why it's so important to include the voice of this group in the negotiation process as well.

HB 388 clearly spells out the roles and expectations of the two bargaining units (supervisory and non-supervisory), assisting in clearer communication and an improved working relationship between all parties. The legislation has been carefully crafted to remove the possibility of conflict of interest, in keeping with other supervisory collective bargaining units already in existence throughout the state.

Any budgetary impact would presumably be primarily the result of an agreement negotiated and agreed upon by all parties. BCPL already makes periodic adjustments to its salary scale to ensure that as an employer BCPL is competitive and that BCPL staff at all levels are fairly compensated for their work. Collective bargaining for branch- and department-level managers and supervisors would not change this fact, only the process by which it occurs.

HB 388 does **not** automatically establish a supervisory bargaining unit at BCPL. What it **does** do is bring BCPL's collective bargaining structure in line with the 2024 Library Workers Empowerment Act, and indeed with all the other library systems in Maryland, while retaining all the processes of the 2021 BCPL law.

I hope you will support HB 388 and encourage your colleagues to do likewise, and I thank you again for your time and consideration.

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February 25, 2026

## ADDENDUM:

As I shared in my 2025 testimony, other managers and supervisors both in Baltimore County and throughout the state of Maryland already have similar collective bargaining rights. Below are a few supporting links that I found in only a very quick and cursory search online. For example:

- In 2024 Governor Moore signed not only HB 609/SB 591, the Library Workers Empowerment Act (LWEA), which included collective bargaining rights for supervisory employees of all other Maryland public library systems currently without a union, but also HB 260/SB 192, which allowed over 5,000 supervisors working for the state of Maryland to collectively bargain.<sup>2</sup> Those state supervisors now have their own supervisory unit within the Maryland Classified Employees Association (MCEA)<sup>3</sup>
- Since 1994 Baltimore County Public Schools have had the Council of Administrative & Supervisory Employees (CASE) as their designated bargaining unit for those supervisory personnel whose job requires them to be state certified.<sup>4</sup>
- In addition, the BCPS Organization of Professional Employees (BCPSOPE) represents professional, technical, and supervisory positions that do not require state certification.<sup>5</sup>
- Both the Baltimore City and Baltimore County Police Departments include employees up through the rank of Lieutenant in their collective bargaining units.<sup>6</sup>
- Prince George's County Library has had both non-supervisory and supervisory units in their union for many years.

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<sup>1</sup> <https://koffassociates.com/news-and-notes/confidential-employee-designation/>

<sup>2</sup> <https://afscmemd.org/press-room/gov-moore-signs-bill-giving-5000-state-supervisors-ability>

<sup>3</sup> <https://mcea-su.md.aft.org/>

<sup>4</sup> <https://case-bcps.org/>

<sup>5</sup> <https://bcpsope.org/>

<sup>6</sup> <https://fop3.org/>