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**SB 138 / HB 45 - SUPPORT**

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**Baltimore County Public Library - Collective Bargaining**

Finance Committee / Appropriations Committee

February 4, 2021

Dear Madam Chair Kelley, Vice Chair Feldman and members of the Finance Committee,

My name is Laura Ewan, and I am Associate General Counsel with the International Association of Machinists and Aerospace Workers (IAM). I am honored to be here today speaking to you about S.B. 138, a crucial piece of legislation that will grant the Baltimore Public Library System's employees the right to select a representative of their choosing to bargain on their behalf for their wages, hours, and working conditions.

Many of you already understand the importance that unions play in our society. Unions have fought throughout our Nation's history to give workers across the country many of the benefits they enjoy at work, whether it is the notion of a weekend for rest or child labor laws. Working people turn to unions not only to protect their rights, but to improve their working conditions, pay and benefits, and to give them security on the job. Union representation means having someone who will stand up for your interests at work. It means having a voice, a way to communicate to your employer your concerns about the workplace without fear of retaliation or reprisals. Workers today need a union voice more than they ever have. Between productivity expectations skyrocketing without much else in return, and the demands placed on workers due to the unprecedented nature of COVID-19 and the global pandemic it sparked, workers providing crucial community services see more asked of them than ever before. But by coming together and working collectively, workers who choose to form a union have the strength to improve their wages, hours, and working conditions, and to secure protections and provide stability in these uncertain times.

That brings us to why we are here. In Maryland, each county library system exists as a creature of state statute. When we first undertook this endeavor, we did our research and found out that while the state laws allow for boards of trustees or county governments to operate library systems, the state laws do not automatically grant these entities the right to enter into binding collective bargaining agreements absent a grant of the legislature. But Prince Georges County, Montgomery County, and Howard County have undertaken steps to allow for their library employees to be represented for purposes of collective bargaining. They came before this Body and got legislation passed to allow them to seek out representation if they so wished. Two of those three counties' library systems have done just that, and have established relationships with unions for their employees.

We talked to the county executive's office, and we read the laws and county codes that applied to the respective counties who had already gone down this road. And we applied that to the specific circumstances here. No part of our law was written, borrowed, or mirrored from any other law without careful consideration of the rationale and the intent behind its inclusion.

Now, BCPL and the Board of Trustees have proposed some language to submit as amendments to the bill we have submitted through our sponsors. But these edits, if applied across-the-board, are entirely problematic. First, there seems to be a desire to make this law identical to Howard County's, without any

context for the independent culture and circumstances of Baltimore County Public Libraries' employees and bargaining unit. It also presupposes that if something was included in Howard County's law, it **must** exist in Baltimore County's law—without understanding **why**. Was it excluded for a reason? Might it be redundant or inapplicable? Those questions were not asked, as far as we can tell. In fact, the suggested edits were literally submitted as Howard County's law marked-up.

For example, they flagged the Howard County law section outlining separate bargaining units as something that “should” be included in the Baltimore County law. In the Howard County law, they spelled out multiple bargaining units under the definition of employee—because the drafters of that law, for whatever reason, wanted to have distinct bargaining units of library employees. But here, there is no such need or desire for distinct bargaining units. The employees want to bargain as **one** bargaining unit. So the definition that already exists within the bill before you is sufficient. In addition, the exact scope of the bargaining unit would be included on the petition for an election, and would need to show a community of interest with each other. Adding it to the law here is not necessary. We would also note that Prince George's County's law does not do this at all. But these are the consequences of presenting the Howard County law as the template for **this** law without engaging in a careful review of the circumstances of Baltimore County.

The suggested revisions also show what seems to be a misunderstanding of S.B. 138, and of state and county labor law and how they would all interact in these circumstances. For example, one proposed amendment requires the employees to submit a petition for representation directly to the Director of BCPL—clearly not a neutral party—to determine if an election may proceed, and then turn to the State mediation and conciliation service for those proceedings. While we do not oppose the State service as a possible venue, there is already a system within Baltimore County's Code, at Title 5: Employee Relations Act, which allows for the County Clerk to handle the election (which has been done before). All of the procedural issues here are addressed within the Act and would be able to apply to BCPL if the Employees so wish.

This is comparable to two other counties who have adopted similar approaches:

- **Prince George's County:** Prince George's County authorized its County Memorial Library System employees to organize and bargain collectively through representatives of their choosing in the Prince George's County Charter, Section 908, as of July 1, 1986. These employees are covered by the Prince George's County Labor Code, which is contained in Subtitle 13A of the County Code.
- **Montgomery County:** Montgomery County authorized its public employees—including library employees—to organize and bargain collectively in 1984. It is codified in Sec. 511 of the Charter (Collective Bargaining—County Employees.). It is also codified in Chapter 33, Article VII of the County Code, where employees subject to collective bargaining are defined as all employees except those excluded in 33-102(4).

In sum, many of the proposed changes would create real problems if included. Some are minor, but many are not, for the reasons outlined above.

We need S.B.138 passed just to have the opportunity for BCPL employees to go through the unionization process. What we seek here has been reviewed by the House Appropriations review process, which indicates state revenues will not be affected; the County Library system can handle things like payroll deductions for union and service fees using existing resources; and any increases in expenditures for BCPL would only occur if outside mediators were to be needed or if the parties bargain for items requiring increases in funding.

Every single BCPL employee we have spoken to sees this as an opportunity to make the job they love even better. These workers provide critical services to county residents, and all they ask is for the opportunity to have a collective voice at the table. We ask you to vote in favor of this bill as written so BCPL employees can move forward and determine whether they wish to be represented by a union.

Thank you.