

## HB 284 – Trustees of the Walters Art Gallery – Collective Bargaining

### Position: Support

I joined the board of the Walters Art Museum in 2021 as the first artist on the Board of Trustees in the Museum's history. It felt like an opportune time as so many museums were seeing that there was a shift happening across the country as to how Institutions address the shared histories of oppression and violence that mar the founding of this country, as well as a shift in how workers are treated. Talks of Unionization were already in the air at the Walters, but as I soon learned, there was a consistent message from Management: Workers can at any time go through the established routes of Unionization, which meant going through the National Labor Relations Board to organize an election. This path, however, was inadequate to the desires of the Walters Workers, who were committed to forming a wall-to-wall union which would unite museum workers and security into the same union, thus giving them further bargaining strength and deeper and more substantial material unity. The wall-to-wall union was never addressed by management, nor was there an effort to meet with workers to discuss it further. Additionally, the NLRB may not have jurisdiction given the Walters' contested status as a public institution and instrumentality of the State of Maryland. Given that workers may not be able to petition the NLRB for recognition, another path to union recognition is needed. This would require a 3rd party agreement which Management never addressed or entertained until this legislation was proposed and passed in the House. Years have gone by prior to Management's acknowledgement where Walters Workers have consistently proposed a third-party agreement over the last two years without hearing any kind of acknowledgement, and moreso, Management has made it appear as if the Walters Workers had not been in touch and were not largely unified in their organization. The Museum's leadership has said in multiple public statements that Workers have not presented any such agreement, which is simply false. It has led me to believe that Management is not acting in good faith.

Workers have gone so far as to speak to the City to see if they would oversee an election so that neutrality and a democratic process could be maintained. This too was not met with any acknowledgement. For years museum leadership resisted this inclusive path and ignored or declined every overture workers have made regarding a conversation between Walters Workers United members and leadership, or around moving an election agreement or voluntary recognition process forward. After seeing how the House hearings went, I realized that without legislation. I do not trust that the Museum leadership will honor a 3rd party agreement so that Walters Workers can unionize the way they would like. It should be said that they already have a majority of workers' signatures in wanting this kind of union.

A final and important note to address is the language of the bill itself. A few board members have countered to say that the language in the bill stating that the Walters is an "instrumentality" of the state has given them pause, saying that this would shift the mission and overall organization of the museum. After seeking separate legal counsel, I found that based on the documents from the US Treasury Department that use the same language - calling the Walters an "instrumentality of the State of Maryland" - there is sufficient paperwork to substantiate that the Walters is an instrumentality of the State and has been treated as such throughout its history. Therefore, I am not concerned with the criticism that this legislation would enable a seizure of funds or objects by the state, as it is clear to me that this legislation recognizes the Walters public status while leaving in tact its self-governance which remains subject to City oversight as it always has been. The purview of the language is specific enough that the museum is not at risk of transforming into an institution run by the Government but will remain entrusted to the Trustees. It is with all this in mind that I urge you to pass SB284.

Thank you,  
Ajay Kurian  
Board Member of the Walters Art Museum