

February 12, 2024

Mark J. Swerdlin
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**Re: House Bill Appropriations Committee
House Bill 493
State Personnel - Collective Bargaining - Faculty, Part-Time Faculty, Post Doctoral
Associates, and Graduate Assistants**

Chair Barnes, Vice-Chair Chang, and Members of the Appropriations Committee,

Thank you for the opportunity to provide feedback on House Bill 493. I submit these comments based on my experience in labor relations, especially regarding the collective bargaining process, and on behalf of Morgan State University (“Morgan State” or the “University”). We would like to highlight concerns regarding potential disruption to collaborative decision-making processes already in place and the potential negative impact on institutional sustainability, and the shift of focus from excellence in teaching, intensive research, effective public service and community engagement to union interests.

Morgan State utilizes its University Council to provide for a participatory system of governance in order to provide the University community an opportunity for involvement, communication, and accountability. University Council serves as the University’s governance structure involving the administration, faculty, professional administrative staff, classified employees, and student body in the ongoing operation of the University. Three faculty members come from each of the academic colleges and schools at the University. For academic colleges and schools with graduate programs, at least one of the three representatives shall be a member of the graduate faculty. Two members are from the University's classified employees. The University Council reviews proposed policies and advises the University’s President concerning those policies, providing the President an insight into the University-wide impact that proposed policies may have. The University Council may also, on its own initiative, make recommendations to the President for the President's and the Board of Regent's consideration with respect to any matter of University-wide significance and impact.

The University Council serves a valued role in providing all members of the University’s community a part in shared governance. Collective bargaining can lead to slower progress and

February 12, 2024

Page 2

hindered implementation of initiatives which effectively address the concerns of multiple stakeholders, as already accomplished by the University Council.

Further, a collective bargaining environment can create an adversarial relationship between faculty, research assistants, and post-doctoral associates, creating the possibility that collective bargaining agreements and the nature of the relationship may prioritize union interests over collaborative solutions, thereby impacting curriculum development, faculty hiring, and resource allocation, leading to a tense learning environment for students. This legislation would likely lead to the promulgation of union rules for faculty, research assistants, and post-doctoral associates which restrict the autonomy they currently enjoy through course design, pedagogy, and assessment. Similarly, the immense amount of time that the collective bargaining process requires would surely impact their commitment to these aspects of their academic lives.

Enactment of this bill would likely also result in the University's need to hire a significant number of additional personnel to manage relations with additional bargaining units. These new employees would entail significant added expense to the University. Moreover, these new employees, along with incumbent employees, would require substantial training and be tasked with additional responsibilities to remain in compliance with labor relations laws. Diverting focus from core academic functions to complex administrative procedures to comply with union and collective bargaining obligations will only further the strain on already financially burdened administrative departments.

Morgan State University remains committed to the success of all faculty, research assistants, and post-doctoral associates. However, a collective bargaining environment for all faculty, research assistants, and post-doctoral associates will not lead to that success. Morgan State University respectfully urges an unfavorable report on House Bill 493.

Sincerely,

SHAWE ROSENTHAL LLP

/s/

Mark J. Swerdlin

cc: Armada Grant, Special Assistant to the President, Morgan State University