

Dear members of the House Appropriations Committee,

Thank you for taking time out of your busy schedule to consider HB 1071, Baltimore County Public Library – Collective Bargaining – Supervisory Employees. And thank you to Delegate Forbes for sponsoring this important legislation.

My name is Heather Faust, and I'm a Library Supervisor with Baltimore County Public Library (BCPL). 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 the Lansdowne Branch where I have worked since 2017.

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.

You may hear those opposed to this legislation claim that extending collective bargaining rights to branch- and department-level managers and supervisors at BCPL is unprecedented and will lead to catastrophe. They may say something like, "If we extend bargaining rights to library managers and supervisors in Baltimore County then everyone else will want those same rights, and it will be unsupportable."

On the contrary, many other managers and supervisors both in Baltimore County and throughout the state of Maryland already have such collective bargaining rights! I included a few supporting links below that I found in only a very quick and cursory search online. For example:

- Just last spring, 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>1</sup> Those state supervisors now have their own supervisory unit within the Maryland Classified Employees Association (MCEA)<sup>2</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>3</sup>
- In addition, the BCPS Organization of Professional Employees (BCPSOPE) represents professional, technical, and supervisory positions that do not require state certification.<sup>4</sup>
- Both the Baltimore City and Baltimore County Police Departments include employees up through the rank of Lieutenant in their collective bargaining units.<sup>5</sup>
- Prince George's County Library has had both non-supervisory and supervisory units in their union for many years.

In other words, this is certainly not a new concept and many examples of successful, clearly and appropriately structured collective bargaining by managers and supervisors already exist in Maryland.

The fact that HB 1071 provides for two separate bargaining units removes the issue of conflict of interest, and with the two units I expect the roles and responsibilities of each will be defined even more clearly than they are now.

When I listened to testimony on HB 1071 from the Baltimore County Delegation hearing last month, and from the Senate Finance Committee hearing on sister legislation SB 914, I was particularly struck by the opposition's repeated claims about how closely BCPL administration and the BCPL union have worked together to successfully negotiate four contracts. I realized again just how much branch- or department-level managers and supervisors like me who are **not** "confidential employees,"<sup>6</sup> and who do **not** take part in setting library policy, are left out of that process under the current system.

To address some other claims made by the opposition:

- **All** BCPL staff, including those whom I supervise, are expected to **enforce** existing library policies as part of our daily responsibilities, but we are not involved in **creating** policy.
- If I happen to serve on an interview panel I may have **input** into hiring or promoting staff, but I do not have the final say, that comes from administration.
- I may **recommend** the firing of a staff member (thus far I have never had to do so, nor have the vast majority of my colleagues), but again the final decision comes from administration and the Board of Trustees.
- Once branch- and department-level managers and supervisors are allowed to collectively bargain, we will have the opportunity to send a small number of representatives from our bargaining unit to **participate** in the negotiation process when it takes place, and the procedures for how this works will of course be clearly articulated in any collective bargaining agreement, but again this is **not** a regular part of our job!

The suggestion that any of these actions are a significant part of what BCPL's branch- and department-level managers and supervisors do is inaccurate.

The current view seems to be that as a supervisor my viewpoint must necessarily be aligned more with the institution and library administration than with the staff I supervise or even with my fellow supervisors. Yet as a supervisor on the branch level, not only am I **not** part of the negotiation process (contrary to what the opposition suggests), 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.

In fact, managers and supervisors at BCPL often have much 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 1071 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.

Any budgetary impact would presumably be primarily the result of an agreement negotiated and agreed upon by all parties. To oppose this legislation purely on possible future budgetary implications ignores the fact that 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. Collective bargaining for branch- and department-level managers and supervisors would not change this fact, only the process by which it occurs.

HB 1071 brings BCPL's collective bargaining structure in line with last year's Library Workers Empowerment Act, and indeed with all the other library systems in Maryland, while retaining all the processes of the 2021 BCPL law. 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.

I hope you will support HB 1071 and encourage your colleagues to do likewise, and I thank you again for your time and consideration.

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<sup>1</sup> <https://afscmemd.org/press-room/gov-moore-signs-bill-giving-5000-state-supervisors-ability>

<sup>2</sup> <https://mcea-su.md.aft.org/>

<sup>3</sup> <https://case-bcps.org/>

<sup>4</sup> <https://bcpsope.org/>

<sup>5</sup> <https://fop3.org/>

<sup>6</sup> <https://koffassociates.com/news-and-notes/confidential-employee-designation/>