

**Written Testimony Submitted to the
Maryland Senate Finance Committee
By Sarah Fouts, Assistant Professor
SB0750**

**State Personnel - Collective Bargaining - Faculty
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FAVORABLE**

Good afternoon Chair Beidle, Vice Chair Hayes, and members of the Senate Finance Committee.

My name is Sarah Fouts, and I am a tenure-track faculty member at UMBC, specializing in food studies, immigration, and informal economies in the American Studies department. I also direct our Public Humanities Minor Program and have served as our department's Faculty Senate representative since 2019. I have been at UMBC for six years and I teach a 2-2 along with 2 labs plus independent studies. I love living in Maryland and I am extremely proud to be part of UMBC.

We need stronger faculty representation, especially as higher education faces increasing challenges. While I believe in the integrity of our administration and their commitment to our best interests, I want these processes to be transparent and involve faculty at the forefront. Faculty Senate, which is currently our primary collective voice, is framed as "shared governance," but it lacks the binding power to enforce decisions or address systemic issues such as wages, benefits, and working conditions.

Collective bargaining rights and a union will provide legal protections and the ability to negotiate enforceable agreements with the administration. While faculty senate's focus on academic policies and governance, unions advocate for labor rights, equity, and job security, offering stronger protections and the capacity to take collective action.

Here are some both specific and general examples (in no particular order!) of why we need to ensure collective bargaining rights:

1. We need stronger, more informed advocates for faculty labor rights--Faculty Senate alone is not enough. During a Faculty Senate meeting, senators attempted to undermine sabbatical procedures for tenured and tenure-track faculty without fully considering the impact on our already limited rights. As a junior faculty member, I had to step in and advocate for my colleagues to ensure our rights were protected. We managed to table that policy, but it should never have gotten this far. With union representation and our own legal advocates, such issues would be addressed proactively, identifying and protecting our rights before they are even threatened.

2. We must prioritize faculty labor rights with our own legal protections. While I trust our administration and their legal hires to ensure the university's compliance with policies, I do not believe these legal departments are able to fully advocate for faculty labor rights. They are stretched thin, focused on the broader operational needs of the institution, and lack the capacity to fully support faculty, especially regarding freedom of speech and job protections. A union provides dedicated representation to protect our rights and work alongside the university's legal team, ensuring that faculty concerns are addressed and protected.

3. We need union support to safeguard academic freedom. I am concerned by the lack of meaningful representation in policy decisions at public institutions, particularly in light

of recent protests. Decision-making has often been unilateral, under the guise of "shared governance." Policies regarding "expressive activity" and "time, place, and manner" related to protected speech need clearer definitions. These policies are currently too broad, and we must ensure that faculty rights, including the freedom to express diverse viewpoints, are protected. A union provides the necessary advocacy to ensure that these policies are fair, transparent, and uphold academic freedom.

4. We need a union to address gender equity gaps, particularly in compensation. A union can build on the work of the Women's Faculty Network to analyze pay across the institution to identify and correct systemic disparities between genders, ensuring that individuals in similar roles with comparable qualifications, experience, and responsibilities receive equal pay. Moreover, this effort should be applied retroactively to ensure that past pay disparities are corrected, and individuals who have been underpaid due to systemic biases are compensated fairly.

5. We need to prioritize faculty hires over the continued expansion of administrative positions. I am concerned by the growing salaries allocated to an increased administrative structure, while funding for faculty remains limited. As we figure out our R1 status, it is crucial to invest in robust academic departments that can support student instruction and research (especially in the humanities), rather than diverting resources to an expanding network of centers. Reducing the focus on administrative growth and redirecting those resources toward faculty hiring will strengthen our academic mission and better serve our students.

6. Retirement benefits are often unnecessarily limited, especially for contingent faculty. When I was hired as a visiting faculty member, I was forced to choose between a pension and a 401(k). I wanted the pension, but because my contract only guaranteed one year, I had to make a permanent choice to opt for the 401(k). Later, when I transitioned to a tenure-track position, I was unable to revisit that decision. HR offered no recourse, and faculty senate was unable to help. A union would address such inequities by advocating for more flexible and fair benefits policies, ensuring contingent faculty aren't locked into irreversible decisions.

7. Collective bargaining also ensures workload equity. Without it, faculty often take on disproportionate service responsibilities, especially in underfunded departments. A union can advocate for transparent policies on service, teaching loads, and research support, promoting fair workloads for all faculty. While the Provost has acknowledged the issue of excessive service (average was well over 25%), we need collective bargaining to ensure that faculty have a fair voice in how to address these shifts and shape policies that reflect our needs. A union gives us the power to negotiate balanced, sustainable workloads that support both teaching and research excellence.

8. Unions empower faculty to play a stronger role in shaping institutional priorities. For example, we initially had no faculty representation in the university's strategic planning process. While this issue has been addressed, we should never have been excluded from a critical conversation about the direction of the institution. A union ensures that faculty's voice is always central in institutional decision-making.

9. We need to better protect non-tenure track faculty. Lecturer positions, often part-time or non-tenure track, are vulnerable to unstable working conditions, low pay, and lack of job security. Without union protection, lecturers may face unpredictable workloads, minimal benefits, and little recourse for advocating for better terms. A union ensures fair compensation, equitable treatment, and the right to negotiate for better working conditions. A union can help prevent exploitation by ensuring clear contracts and protections against arbitrary dismissal, ultimately improving both job stability and academic quality.

10. We need protections against unilateral restructuring, and a union can provide the

transparency and support necessary to safeguard our voice in these decisions. There is ongoing concern that our college could undergo a restructuring process that fails to recognize the unique value of our distinct programs and centers. We must ensure that any changes are made with our input and that we are not forced into mergers or restructuring plans that disregard our needs and perspectives. A union will help ensure we have a seat at the table and are not sidelined in critical decisions affecting our future.

We are performing well and regularly undergo major reviews that provide valuable, expert guidance on areas for growth and improvement. A union can ensure that the university acknowledges these strengths and actively supports us, enabling us to continue excelling. Through collective bargaining, we can secure the resources and recognition necessary to build on our successes and enhance our contributions to the institution. We can also be realistic about areas that need improvement, but we need legal backing to ensure that these conversations are constructive and lead to meaningful change. A union would provide the necessary support to engage in these discussions with the protection and leverage needed to advocate for our needs effectively.

Faculty may appear secure in their positions, but collective bargaining offers essential protections that strengthen their roles and ensure long-term stability. 2025 is different. We are embarking on uncharted territory, and it is quite frightening. We need a unified voice to negotiate not only salaries and benefits but also working conditions. It's crucial to safeguard academic freedom by establishing formal protections against administrative overreach and external pressures. A union contract provides clear, enforceable safeguards that protect faculty rights, ensuring that our work environment supports both academic excellence and personal well-being. Through collective bargaining, we gain the power to defend our professional autonomy and secure fair treatment.

I have great respect for President Valerie Sheares-Ashby and Provost Manfred H. M. van Dulmen. In fact, our Provost has openly acknowledged, even in Faculty Senate, his experience working with unions during his time at Kent State. While I trust that our administration has our best interests in mind, their ability to fully protect faculty is inherently limited--and ultimately, it's not solely their role. Collective bargaining is essential to ensure our voices are heard in a meaningful way, not as a symbolic or diluted presence. A union gives us the power to advocate for ourselves and shape decisions that impact our work and lives.

Members of the Committee, This state has for decades viewed collective bargaining between state employees and management as the best way to promote democracy in our workplaces and public institutions. The right to collective bargaining has long been recognized as not only a fundamental human right, but also as the best method of ensuring that employee voices play a vital role in constructing conditions that govern our workplaces. It is a right granted to many other public higher ed institutions in the nation, and indeed to many private, prestigious institutions in our own state. The reasons to exempt four-year public higher ed institutions from this path make no sense. I again therefore call for a favorable report to this Bill.

Sincerely,

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This testimony has been submitted on behalf of this individual by the United Academics of Maryland.