



Office of the President

**Morgan State University Testimony
David K. Wilson, President**

Senate Bill 006 (Senator Kramer, *et al.*)
House Bill 106 (Delegate Foley)
State Personnel – Collective Bargaining – Nontenure Track Faculty

February 5, 2026

Unfavorable

Senator Pamela Beidle, Chair, Finance Committee and Senator Antonio Hayes, Vice Chair, Finance Committee. We, at Morgan, thank you for the opportunity to share our position on House Bill 106. The summary of the Bill states the following: *Providing collective bargaining rights to nontenure track faculty of system institutions of higher education, Morgan State University, or St. Mary's College of Maryland whose assignments involve academic responsibilities, including teachers, researchers, and department heads and those in comparable positions; and establishing a separate collective bargaining unit for nontenure track faculty.*

Morgan State University is the Preeminent Public Urban Research University in Maryland, known for its excellence in teaching, intensive research, effective public service and community engagement. Morgan prepares diverse and competitive graduates for success in a global interdependent society.

Background

Morgan is not opposed to collective bargaining in general. However, HB 106 and Senate Bill 6 will have a negative administrative and fiscal impact on our institution.

Senate Bill 6 and HB 106 [3-102, (b),(9), (iii, v-vii)] attempt to explicitly exclude Nontenure Track Faculty from the list of public employment classes currently ineligible for collective bargaining. If this legislation were to pass, faculty not on tenure track at Morgan State University could unionize and, subsequently, collectively bargain with the University. The University has substantial reservations about extending collective bargaining rights to Nontenure Track Faculty. Including Nontenure Track Faculty among the public workers eligible for collective bargaining will impose considerable strain on the University's administrative resources, financial resources and academic independence.

Morgan State already uses a renowned governance structure, which collective bargaining would only frustrate. Notably, Morgan's University Council provides a participatory system of governance, offering the University community opportunities for involvement, communication,

and accountability. University Council involves 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 University’s academic colleges and schools. 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 insight into the University-wide impact they may have. The University Council may also, on its own initiative, make recommendations for the President and the Board of Regents’ consideration with respect to any matter of University-wide significance and impact.

As president, I take the University Council’s feedback and recommendations very seriously, and in my fifteen years as president, I have rarely, if ever, advanced any significant policy to the Morgan State University Board of Regents for action without reaching consensus with the Council.

In essence, the University Council serves a valued role in providing all members of the University’s community a part in shared governance. It has been my experience in higher education institutions that collective bargaining can slow progress and hinder the implementation of initiatives that effectively address the concerns of multiple stakeholders, as the University Council has already accomplished.

The Legislation

This legislation, HB 106 and SB 6, defines Nontenure Track Faculty as “full-time, part-time, or adjunct nontenure track employees of . . . Morgan State University . . . whose assignments involve academic responsibilities, including teachers, researchers, and department heads and those in comparable positions.”

Section 3-102 of the State Personnel and Pensions Article of the Maryland Code explicitly provides that faculty members, contingent, contractual, and temporary employees, as well as employees with a regular place of employment outside of Maryland, do not have collective bargaining rights. This legislation attempts to expand collective bargaining rights to Nontenure Track Faculty by specifically excluding them from those classes of workers. Deliberately excluding Nontenure Track Faculty from those classes is noteworthy because it implies that Nontenure Track Faculty are otherwise substantially equivalent to those classes that do not have bargaining rights.

Faculty Arrangements

As the definition of Nontenure Track Faculty is actually comprised of three distinct types of faculty: full-time, part-time, and adjunct, it is important to note that all three faculty types enjoy markedly different work arrangements at the University. Full-time faculty are salaried employees who receive benefits and teach a normal course load. Part-time faculty enjoy a reduced course load but still receive a salary and benefits. And adjunct faculty are part-time, course-to-course contract employees. Many adjunct faculty members are professionals or practitioners who teach a limited number of courses (sometimes only one) on a specific topic. Whereas full-time and part-time faculty are University employees who teach multiple courses simultaneously and are often

on annual or multi-year contracts. Consequently, Nontenure Track Faculty are not a homogeneous group; in reality, each of these faculty types maintains a unique arrangement with the University that differs from the others.

These unique circumstances raise significant concerns about the effects of collective bargaining on the Nontenure Track Faculty across Morgan State University. Indeed, the University is proud to offer over 160 degree-achieving programs across 12 schools and colleges. Nontenure Track Faculty enable the University to maintain this comprehensive academic offering. But it would be impractical for a single representative or a small group of Nontenure Track Faculty to effectively advocate for Nontenure Track Faculty members as a whole, particularly when each faculty member's duties and responsibilities, as well as work arrangements according to each faculty type, differ across schools and colleges. Moreover, it would be incredibly difficult for a single collective bargaining agreement to accommodate the range of interests, purposes, and programmatic nuances encompassed by the University's different schools and colleges.

In the case of adjuncts, again, their contracts with the University are often course-to-course. Therefore, it is possible, if not entirely likely, that an adjunct faculty member may complete their contract before the conclusion of a negotiation period. Additionally, their value to the University's curriculum often stems from their status as regular professionals in their fields, which allows them to impart practical, real-world knowledge and experience on their students. Some adjuncts might teach a specific course for one semester and then not teach for a prolonged period of time. This scenario raises concerns about the appropriateness of negotiating long-term conditions for roles defined by short-term, temporary engagement. Moreover, this short-term, temporary arrangement differs from the University's full-time Nontenured Track Faculty in ways that make it difficult to see how a representative group could effectively advocate for such opposite arrangements.

Academic Implications

Further, the academic freedom of Nontenure Track Faculty is critical to the University's ability to offer comprehensive academic programs. The University's ability to provide a world-class education is owed, in large part, to our faculty bringing their own styles, personalities, and course design to the classroom. However, expanding collective bargaining could hinder academic freedom, thereby jeopardizing the University's mission. This legislation would likely lead to the promulgation of union rules for faculty that restrict the autonomy they currently enjoy through course design, academic program development and proposals, pedagogy, research, service, 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.

Moreover, a collective bargaining environment can create an extremely adversarial relationship between Nontenure Track Faculty and academic deans and mid-level administrators, to include associate deans, assistant deans, department chairpersons and associate or assistant chairpersons who may serve as administrators with faculty rank, academic program directors and coordinators, and research center directors who oversee research staff with faculty rank, creating the possibility that collective bargaining agreements and the nature of the relationship may prioritize union interests over collaborative solutions, thereby impacting curricular development and alignment

with market needs, and resource allocation when resources are very limited, leading to a tense learning environment for students.

Financial Considerations

Morgan State University is proud to offer a world-class education at an affordable price. Currently, the University is a Carnegie Rank 2 Doctoral Research University. However, the administrative and financial impact of collective bargaining introduces uncertainties and additional costs that could jeopardize the University's continued ascent through the Carnegie ranks.

To manage relations with this additional bargaining unit, the University would need to hire a significant number of additional personnel. These new employees would entail a 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 strain already financially overburdened administrative departments. In this particular instance, the University's ability to fund additional personnel would be tied directly to its ability to raise tuition or make cuts elsewhere. Both outcomes are concerning for the University, particularly as we live in a time when students are facing unprecedented financial challenges in accessing higher education.

It is also unlikely that collective bargaining's effect on the University's financial obligations would be limited to additional personnel. In my experience, one of the first topics raised at the bargaining table is wages. The University is proud to offer competitive pay to its Nontenure Tracked Faculty. However, the effects of collective bargaining could require the University to seek additional funding, including tuition, or make cuts in other areas to meet otherwise currently unbudgeted obligations. This could result in the University encountering a significant funding shortfall, exacerbating the financial strain already experienced by administrative departments.

Agency infrastructure and staffing needed to support additional unionization efforts and activities could exceed \$2M to 2.5M or more for a larger member union. This estimated additional cost does not include any current benefits or related payments to individuals seeking to unionize. Further, this estimate of costs to support unionization would not include any additional negotiated cost, such as potential wage, benefits and miscellaneous payments, that are typically the subject of negotiation and would be contingent on additional funding provided by the State to meet any such agreed arrangements.

Conclusion

Morgan State University remains committed to the success of all faculty members, including those on nontenure tracks. Nevertheless, the diversity of nontenure track work arrangements, the principles of academic independence, and the financial ramifications of this legislation collectively complicate the practicality of implementing collective bargaining. Therefore, Morgan State University respectfully urges an unfavorable report on House Bill 0106/Senate Bill 0006.

We appreciate the opportunity to work with the State in reaching a solution to support our students as we continue to grow the future and lead the world.

Sincerely,



David K. Wilson
President, Morgan State University