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Remarks to the Education, Workforce, and Youth Committee of the Baltimore City Council

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Thank you, Councilman Stokes and other members of the Education, Workforce, and Youth Committee for inviting me to participate in this informational hearing to discuss the feasibility of unionization of museum workers, and to share some perspectives today in my role as the director of the Walters Art Museum.

If there is a single take away from my remarks today, then I hope it will be this: there are no institutional impediments to the feasibility of the employees of the Walters forming a union or unions if they elect to do so. The leadership of the museum is not standing in their way.

Since I was first notified by Walters Workers United of their intention to unionize, I have been consistent in making several points—both to employees and to the public at large. I am sure you have seen my letters to the community. The museum's position—my own position, supported by our Board of Trustees—is not a secret.

As the director of the Walters Art Museum, I represent and respond to the needs of all of the museum's employees. Just as each of you must represent all of the constituents in your districts, I have a similar obligation.

As to the efforts of some employees to form a union: my position has consistently and adamantly been one of impartiality and non-interference in this process. That is the best approach because it puts all union-eligible employees on the same footing. Let me be very clear on this point -- as I have said since the spring, management has no role to play in employees deciding to unionize, which unions with which to affiliate, and management should not and will not take steps to interfere with or influence the outcome of a vote.

The most inclusive approach for our employees is to leave this decision at this point in the process to staff, where it belongs. By excluding management from the process, I can be sure that we neither support nor oppose employees on either side of the internal employee discussions about whether to unionize. Active engagement with one group of employees, a union or unions that do not yet represent Walters employees, or a group of employees who are not interested in forming a union is taking a stance. I refuse to engage actively because active engagement takes a side for one group of museum employees against another.

And so my third point: there is a straightforward process available for employees, and it is the normal and well established one. It is the only one available to employees that absolutely ensures that management remains hands-off and has no role before a vote to unionize. It is the process that employees at dozens of art museums and other cultural institutions have used both in recent years and in prior decades with great success: a confidential vote in an election managed by the National Labor

Relations Board. The Board is THE AGENCY established by Federal law to support and protect employees' rights.

I have heard the argument that we are pushing an NLRB process because we want to exclude some eligible employees from being represented. We do not understand where this claim originates. Our assumption from the start has been that at the conclusion of this process, all eligible staff might be represented by a union or unions, with different units represented by different unions based on decisions from the NLRB. Let me repeat: we expect each eligible employee will be represented in a unit in the workplace, wall-to-wall.

This is a process that is not only common but has become the STANDARD in the cultural sector. I thought you might be interested in findings from research done in preparation for today's hearing. Just in the last 10 years, we identified about 30 museums whose employees have effectively used the NLRB process to form unions, two-thirds of them in the last two years. As recently as earlier this summer, staff at the Brooklyn Museum, Whitney Museum, and the Portland Museum of Art in Maine, and the Massachusetts Museum of Contemporary Art all held votes managed by the NLRB.

In fact, some employees at the Walters have themselves publicly cited the Philadelphia Museum of Art as an example to follow, and Walters management agrees: eligible staff there are represented, wall-to-wall, and formed their bargaining unit through an NLRB managed vote. And it should be noted that employees at every museum that has petitioned the NLRB to create a union have been successful. I am not aware of any examples in which that process has not resulted in bargaining units being created or a scenario in which the NLRB has not been supportive of employees' rights.

To reiterate, because the NLRB has managed these processes for other privately run museums, they are also well-versed in the specific nature of and needs of employees in the museum sector, much as they are for other companies.

Moreover, the NLRB voting process is both fair to employees and incredibly efficient: among other museums recently, the average time from filing a petition to certification of union representation is 31 days. By contrast, it has been more than 150 days since I was notified of some employees' intentions to form a union, and they still have not filed a petition.

So, to end where I began: it is feasible for Walters Art Museum employees to unionize. Any process other than the NLRB process requires management to be involved at a point in which management/we should NOT be. That is in order to be fair to all employees. We respect unions and are ready to bargain in good faith with any union or unions our employees elect to represent them.

Walters leadership supports our employees' right to get to a vote quickly, and to affirm their representation by a union or unions through this vote.