

Dear Baltimore Museum of Art Board of Trustees and Senior Leadership Team,

As you know, it has been six months since we announced our intent to organize our union (Baltimore Museum of Art Union with AFSCME Council 67). We have been met with arbitrary delays. Most recently these delays have been placed at the feet of the City and on you, the Board. In September 2021, we formed our union because we want more job security, fair and livable wages, staff advancement, a seat at the table, and manageable workloads among other reasons.

Today, we met with Chris Bedford and Chris Dietze. We had over 10 colleagues join the meeting and express our urgency about moving forward with our unionization process. We also shared why we still want to organize, the many delays that have occurred, anti-union sentiments that we have read through emails from the BMA administrations, addressed some of the concerns that Bedford has raised, and tried to share the reasons why guards would like to be in one bargaining unit.

We also requested to attend this afternoon's board meeting. Instead, we were given the option to share this written statement with you.

We would like to reaffirm our desire to be represented in one unit and one union. Particularly at a time when the BMA is honoring its guards so publicly—it feels even more imperative to ensure that guard and non-guard employees are able to bargain together as colleagues.

During our meeting, Chris raised several points of concern and also shared several points of agreement. He affirmed that he was in support of guards and non-guards being in one unit and part of one union. He raised concerns about the arbitration and dispute resolution processes following a City run election. We were able to clarify and affirm that the NLRB would have jurisdiction over these matters and be able to adjudicate accordingly following a City election process. While he may say that he is in support of all colleagues being in one union, the impact of going to the NLRB for an election essentially divides us into two unions. We remain in disagreement over the question of who is the appropriate body to conduct our election.

In December, the City Administrator affirmed that the City could certify a union election to Bedford. After, the city drafted an election agreement where the election would be conducted through an accredited arbitrator and certify the results of that election (something the City has done before). That election agreement was presented to BMA leadership in January. AFSCME Council 67 signed the agreement within 24 hours; we continue to wait for a signature from the BMA and Bedford. Bedford maintains that he and you (the Board) are not comfortable with an election conducted through a third-party arbitrator and certified by the City, despite overwhelming precedent for this sort of election process both locally and nationally. In 2006, the Labor Commissioner oversaw the union election for home healthcare workers in Baltimore using a reputable vendor. In addition to this local precedent, all of the following are instances of a third-party arbitrator overseeing a unionization process:

Voluntary Recognition + American Arbitration Association

- The Museum of Contemporary Art, Los Angeles
- The Walker Art Center, Minneapolis (includes guards)
- The Shed, NYC (UAW) also a AAA certification
- Brooklyn Museum, DC37 had an election overseen by AAA.
- Open Society Institute in Baltimore, New York City and Washington DC all were overseen by AAA. Baltimore was a AAA election and the other two were card check.
- The City of Baltimore used an accredited vendor for card check with home care workers in 2006.

Some options for accredited third-party arbitrators include:

- [American Arbitration Association \(AAA\)](#)
- [Federal Mediation and Conciliation Services \(FMCS\)](#)

We assert that Bedford is making a distinction without a difference- if we were to move to an election conducted by a third-party arbitrator the City has affirmed it would certify the results of that election. In our meeting with Bedford he said that the City had conveyed to him that they would not be able to directly conduct the election because of staff capacity, which he has taken to mean the City cannot conduct the election. This is not our understanding of the City's commitment and capabilities. The City is offering to take responsibility for conducting a fair and just union election process. We trust them to facilitate the election even if that means using an accredited third-party arbitrator who specializes in conducting union elections. To deny us a fair union election process that would allow us to be represented as one unit and one union, guards and non-guards alike, due to a misunderstanding and distrust of standard union election procedures is egregious and offensive, and flies in the face of Bedford and the BMA's alleged commitment to diversity and progressive values.

We are urging you to end the delays and are calling on the leadership of the BMA to demonstrate respect for the work, dignity, and labor rights of all employees, including security guards, and sign the election agreement put forth by the City of Baltimore that would grant us one union and one voice.

We are formally requesting that you sign the City's election agreement today.

Sincerely,

BMA Union