Following vote by staff to unionize, Maryland Institute College of Art announces layoffs

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The Maryland Institute College of Art (MICA) announced this summer that it would be laying off two dozen staff employees. The declaration came just weeks after workers at the 196-year-old private art school voted to join the Service Employees International Union (SEIU).

MICA claims that the move against staff, who include workers like librarians, campus cashiers, and maintenance and security personnel, is not retaliatory. It asserts that restructuring is necessitated by budget constraints and reduced enrollment due to the COVID-19 pandemic.

For its part, SEIU is not opposing the layoffs. It will instead be involved in the "restructuring."

On May 24, by a margin of 86 to 17, college staff voted to join SEIU Local 500, which operates at educational and nonprofit institutions in the Maryland and Washington, DC region. Faculty and adjunct faculty had previously joined SEIU Local 500, in 2014.

In an email sent June 29 to all staff and faculty, MICA administration informed employees of layoffs across multiple departments, affecting 24 positions. The email was sent just two days after the SEIU sent a petition to MICA President Samuel Hoi requesting the art school "respect the National Labor Relations Act" and refrain from changes in working conditions before official contract negotiations begin. No one from the administration responded to the petition, with Hoi's office claiming it never received it.

The layoffs will reduce the union's bargaining unit at this workplace, that is, the jobs represented by the SEIU, by about 10 percent. In the email announcing the layoffs, Hoi's office wrote:

> Of the approximately 24 filled positions that will be affected, we expect that about half of them will be within the newly formed staff bargaining unit represented by SEIU Local 500. We have agreed to bargain with Local 500 about how the restructuring process will affect those positions and about the details of the severance package that will be offered to the represented staff members in those positions.

In March 2020, MICA moved all in-person classes online. As a result of the $2.2 trillion CARES Act passed two years ago, $14.25 billion was set aside to create the Higher Education Emergency Relief Fund (HEERF). From this pool of funding, MICA received $1,318,621, half of which was required to be spent on emergency financial aid for students.

The pandemic reduced enrollment for fall classes that year, adding to the sort of budgetary pressures that many educational and cultural institutions are presently facing. Hoi announced that as part of its budget planning for fiscal year 2021, which began on June 1, 2020, salaries for all staff and full-time faculty would be frozen with no cost-of-living adjustments. Additionally, a planned 1.5 percent raise for full-time faculty was deferred, while employer match contributions to 403(b) retirement plans were suspended.

MICA would go on to furlough over 100 employees that summer. The school also slashed divisional budgets not related to compensation by $1.5 million. It initially sought to reopen for in-person instruction in the fall of 2020, but that September a faculty assembly voted overwhelmingly—92-9, with 10 abstentions—for a vote of no confidence in Hoi's leadership, as well as that of Provost David Bogen, and Vice Provost of Operations and Finance Douglas Mann.

The Faculty Assembly's vote of no confidence pointed to poor planning for a return to classes as one of the reasons for the loss of faith in school leadership. MICA

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would ultimately reopen in fall of 2021. The faculty also blamed administration for low morale.

The Faculty Assembly's recommendations are largely advisory, but faculty enjoy some protections of shared governance and tenure. Staff Empowerment Council is even more impotent. This led some staff at MICA to believe that SEIU would be able to protect their jobs and salaries.

As one of the staff who helped organize the union vote this year, librarian Siân Evans, said to the *Maryland Daily Record* in May, "You're being asked to advocate for staff but have no actual power."

Now, in the wake of the announcement of layoffs, staff like Evans worry the demands placed upon them at work will only increase. Speaking to *Artforum*, Evans called it "disingenuous" of the administration "to make any unilateral changes to our working conditions prior to entering contract negotiations." She continued, "The elimination of approximately twenty-four staff positions, at least ten of which are union members, will cause the loss of well over forty years combined of institutional knowledge, which will unfortunately have a detrimental impact on our students."

But the SEIU has no perspective to fight layoffs, as has been so quickly revealed at MICA. The American trade unions accept, as a basic principle, management's "right" to lay off workers to preserve revenue.

Evans acknowledged the union is not working to prevent the layoffs from taking place, saying that, "While we believe there are other options to realize cost savings at the college, and we don't believe that these options have been explored, we are in the process of attempting to negotiate a fair and balanced severance package for our members."

Those negotiations began earlier in July with two meetings with the administration. For its part, MICA issued a statement to *Artforum* saying, "the short-term impact of the pandemic on enrollment as well as long-range strategic considerations" precipitated its staffing decision. "During the pandemic, MICA experienced smaller incoming classes," the school continued, adding that, "Having absorbed three academic years of reduced campus-based student cohorts, MICA is effectively a smaller residential college and the current restructuring reflects this reality and is organizationally responsible."

The union vote at MICA occurred as part of a broader effort by unions in the region. Workers at the Baltimore Museum of Art voted this month to join the American Federation of State, Local and Municipal Employees, with an 85-percent participation rate and a final tally of 89 to 29. Meanwhile, workers at the nearby Walters Art Museum, the Enoch Pratt Free Library, and the Baltimore County Public Library may soon follow suit.

Their votes could add to the recent organization by Apple store workers in Towson, Maryland under the International Association of Machinists and Aerospace Workers, as well as Starbucks employees at a location in Baltimore's Mount Vernon neighborhood who voted unanimously to join SEIU affiliate Workers United.

Workers will discover that these unions are not fighting organizations. SEIU Local 500 is a case in point. Already this year, it undermined a strike of adjunct and non-tenure track faculty (NTT) at Howard University in Washington, DC. In March, the SEIU Local 500-affiliated University Lecturers Union announced a "historic victory" in negotiations with the university administration literally hours before the faculty strike was set to begin.

Among the demands of the adjunct and NTT faculty were calls for better pay and an end to the hated "seven-year rule," under which NTT lecturers are fired after seven years if they do not receive tenure.

The union called off the strike even though negotiations had been strung out for three years by that point. SEIU Local 500 leaders themselves told the *Washington Post* that Howard University administrators had a tendency "of ignoring requests for information, walking out on contract bargaining meetings, and canceling meetings at the last minute."

In June, Howard revealed it had reached agreements with SEIU that provided only market pay increases for three years and did nothing to address the seven-year rule.

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