

Testimony of Mark Brunton  
Maine Service Employees Association, SEIU Local 1989

In Support of LD 2121, An Act to Address Chronic Understaffing of State Government Positions,  
Sponsored by Representative Drew Gattine

Before the Joint Standing Committee on State and Local Government,  
1:30pm Thursday, February 8, 2024, Cross Office Building Room 214 and Electronically

Senator Nangle, Representative Stover and members of the Committee on State and Local Government, I'm Mark Brunton, president of the Maine Service Employees Association, Local 1989 of the Service Employees International Union. We are a labor union representing over 13,000 Maine workers, including workers in all three branches of Maine State Government.

In 2023, I wrote to the Legislature to urge passage of LD 1854, An Act to Complete and Implement the Comprehensive Review of the Classification and Compensation System for Executive Branch Employees. The bill went under the hammer and was included in the budget legislation passed last July. The enacted budget required the Mills administration to complete the comprehensive review by January 31, 2024, and begin negotiation with workers on the implementation of the recommended changes to the state classification and compensation system.

The classification and compensation system for state employees was put in place in the late 1970's. When the system was created, the Legislature also included in state law a requirement for the Bureau of Human Resources to provide active reviews, management and oversight of the entire compensation and classification system every 10 years. Each subsequent administration has failed to do this basic maintenance, and both state workers and Mainers who count on state services are paying the price for their intransigence.

The efforts of MSEA members and workers to correct the Bureau of Human Resources' dereliction of duty began in 2019. In our negotiations with Governor Mills' administration, MSEA and Executive Branch workers agreed to a Memorandum of Understanding to complete a compensation and classification study to support a discussion, grounded in empirical evidence, to determine whether the pay gap still existed, to measure the extent of the gap and to outline the deficiencies in the classifications across all departments. The State contracted with Segal Consulting to conduct the study. The compensation study was designed by a joint labor-management committee and utilized a sampling of "benchmark" positions to determine the average compensation of state government positions.

The compensation portion of the study was completed in 2020. It showed state workers were underpaid 15% on average compared to their public and private sector counterparts throughout Maine and New England. At the time, the administration attempted to block MSEA from releasing the results of the compensation study to our members.

In contract negotiations in 2021, MSEA demanded immediate action to end the pay gap. The administration and DAFS insisted they needed more time to finish the classification portion of the study. MSEA agreed to extend the MOU and assumed there would be good faith to complete the study, then negotiate its implementation. After a six-month delay in the start of contract negotiations in 2023, we discovered that little progress was made on the classification portion of the study, and thus we relied

upon Representative Gattine and the Legislature to enact a deadline for the administration to meet its obligations to state workers.

On February 1, 2024, I received a copy of the Report and Recommendations of the Maine State Government Classification and Compensation Plans Study presented to the Joint Standing Committees on Appropriations and Financial Affairs and State and Local Government on behalf of Department of Administrative and Financial Services (DAFS) Commissioner Figueroa. To say I was disappointed would be a gross understatement. The report is not only incomplete, it is wholly inadequate in terms of meeting the State's obligations under our negotiated contracts and state law. The report declares "it's time to set aside the phrase 'pay gap'" without providing any evidence of progress in terms of competitiveness of state employment with local governments, the federal government, or the private sector. In fact, according to the DAFS' own data, the report shows that Maine State Government per-job wages grew 19% from 2019 to 2022, whereas the total growth in all sectors in Maine was 23.3%. As such, their data contradicts the report's purported findings. Other publicly available data shows that average wage growth in Maine has been 30% from 2019 through the first quarter of 2023, according to a quarterly census report on wages – meaning that the pay gap continues to grow.

I have recounted the events of the past five years to emphasize each opportunity Governor Mills and DAFS missed to fix the employment system in Maine State Government and avert the current crises in several departments which directly result from severe staffing shortages. MSEA members and staff have worked tirelessly to convince the administration and DAFS to address the pay gap. It is clear to me that the Mills administration is not interested in addressing critical staffing shortages and raising state employment up to regional and national pay standards. It is also clear that the Legislature must appropriate the funds to close the pay gap and direct the administration to complete their work to fix the compensation and classification system. We are fully prepared to work with the administration between now and July 1<sup>st</sup> to negotiate the terms of implementation and assist DAFS in this effort.

Thank you and I would be glad to answer any questions.