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*Testimony of Breena Bissell, State Director of Human Resources
Department of Administrative and Financial Services
testifying in opposition to*

LD 1792, An Act to Support Employees of the Riverview Psychiatric Center, including the Riverview Psychiatric Center Outpatient Services Team

Sponsored by Rep. Berry
Before the Joint Standing Committee on Health and Human Services

Senator Claxton, Representative Meyer, and members of the Joint Standing Committee on Health and Human Services, I am Breena Bissell, Director of the Bureau of Human Resources.

LD 1792 seeks to immediately increase wages of all employees at the Riverview Psychiatric Center, including the Riverview Psychiatric Center Outpatient Services Team, by an additional three dollars per hour (\$3/hr). We certainly understand the sponsor's good intent to affect the compensation of the hardworking employees of Riverview through legislation. However, the Bureau of Human Resources fundamentally opposes increasing pay through legislation and instead recommend the avenues that already exist in statute, civil service rules, and collective bargaining agreements to conduct analytical review and make appropriate determinations with regard to compensation for all employees. Please allow me to highlight these existing processes:

Collective Bargaining – The State Employees' Labor Relations Act (SELRA) requires the State and its bargaining agents to bargain collectively, in good faith, with respect to wages and other subjects. As such, the bargaining table would be a more appropriate forum for addressing the pay increase requested by this bill. In fact, at the bargaining table, this administration has negotiated a number of wage increases, including a 3% wage increase September 1, 2019; a step add/drop equal to a 4% wage increase effective December 31, 2020; a 2% wage increase effective December 1, 2021; a \$15 minimum wage increase which went into effect December 15, 2021; and an upcoming 4% wage increase to be effective July 1, 2022. Benefits negotiated during this administration include improved and extended longevity pay as of October 1, 2019; paid parental leave beginning with two weeks in 2019 and increasing to four weeks in 2021; a December 1, 2021 \$2,000 lump sum; and more. Additionally, many employees of Riverview receive negotiated pay for shift differential, weekend differential, a direct care stipend of \$1.00 per hour, an additional \$.50 per hour for a CNA certificate; and all Mental Health Worker Is, IIs, and IIIs, and Habilitation Aides receive an additional negotiated \$1.00 per hour.

Recently Negotiated Classification and Compensation Study - The State is in the midst of a Classification and Compensation Study agreed to through collective bargaining. The consultant for the study, Segal, has made recommendations on classification structure, and those recommendations are being reviewed by Bureau of Human Resources and agency subject matter experts. The project team reports to the Steering Committee, which includes members from DAFS, BHR, the Governor's Office, and the Maine Service Employees' Association (MSEA). Though the project team has not yet met with DHHS on classifications specific to its agency, including many of those at Riverview, such reviews will be taking place in the future.

As part of the negotiated Classification and Compensation Study, Segal provided a wage comparison report of benchmark positions in November 2020. At this time, of those benchmark positions, four classifications at Riverview were found to have minimum pay at or above market: Hospital Nurse II at 108% of minimum; Hospital Nurse IV at 110% of minimum; Hospital Psychiatrist at 100% of minimum; and Mental Health Worker II at 122% of minimum. And as already noted, there have been several negotiated wage increases since the November 2020 report. Benchmark classifications found at Riverview that reported below market minimum pay included mostly administrative roles such as Secretary, Accounting Associate I, and Office Assistant II.

Reclassification - The State has a long-standing process through the Bureau of Human Resources to evaluate proper classification and determine through a functional job analysis whether a position or classification should be reclassified. This process also determines the correct associated pay for the requisite job. The collective bargaining unit agreements have negotiated language related to reclassification and an appeals process.

Recruitment and Retention Stipends – 5 MRS §7065, “Compensation Plan” allows for the approval of recruitment and retention adjustments when the payment of an adjustment would aid the recruitment and retention of an adequate workforce. The statute provides the process and criteria.

It is important to point out with respect to the bill before you, that the Department of Health and Human Services has two psychiatric hospitals—Riverview Psychiatric Center *and Dorothea Dix Psychiatric Center*. Singling out one entity impacts parity among like employees. Also, important to note is that many of the position classifications at Riverview are not specific to hospitals but are found across State government in many departments. For example, the accounting and office positions mentioned previously.

Following established procedures allows the State, as an employer, to thoughtfully review requests for pay increases, in an organized manner consistent with set procedures, ensuring a comprehensive overall view of all related State positions. Increasing pay through legislation contributes to pay inequity across State government. Legislatively increasing pay for one facility but not another, or for employees in classifications of one department or facility but not others, creates an imbalance.

Again, while we certainly understand the good intentions of this bill, and we respect and support our employees who carryout this important work at Riverview and Dorothea Dix Psychiatric Centers, we

suggest utilizing collective bargaining, the classification and compensation study underway, and the already established procedures rather than adjusting pay through this bill.

Thank you for this opportunity to testify. I am happy to answer questions.