

CIVIL SERVICE APPEALS BOARD
Department of Administrative
and Financial Services

2021 GOVERNMENT EVALUATION ACT REPORT



Submitted to the Joint Standing Committee on
State and Local Government

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ENABLING LEGISLATION

5 MRS, Chapter 372: State Civil Service System
Subchapter 3: State Civil Service Appeals Board
§7081-7085

PROGRAM DESCRIPTION

The Civil Service Appeals Board is established to mediate grievances and disputes and to hear and resolve classification appeals which are filed by employees of the State who are excluded from the collective bargaining process pursuant to 26 MRS, § 979, and 1021-1034.

The primary responsibilities of the Board are:

- to conduct hearings to mediate grievances,
- to conduct hearings to resolve classification appeals, and
- to make rules and regulations and prescribe forms to secure speedy, efficient and inexpensive disposition of all hearings.

The Civil Service Appeals Board historically has received between three and six new cases per year. However, it has received no new cases since the beginning of 2019. As of the date of this report, there are no cases pending. The Board does not have information regarding the reasons for the decrease in appeals.

ORGANIZATIONAL STRUCTURE

The Civil Service Appeals Board consists of 5 members with experience in personnel management or labor relations. No more than 3 members of the board may be of the same political party and no member may be a state employee. Each member is appointed by the Governor and subject to review by the joint standing committee of the Legislature having jurisdiction over state government and confirmation by the Legislature. The Governor designates one member of the Appeals Board as chair. Except as otherwise provided by law, each member shall be appointed for a term of 4 years and until their successor has been appointed and qualified. Any vacancy is filled for the unexpired portion of the term in the same manner as described above.

FINANCIAL SUMMARY

The Civil Service Appeals Board is funded through the Bureau of Human Resources (account 010-18H-0038-01).

Below is a summary of the Civil Service Appeals Board meetings and expenditures for the past six (6) years.

Calendar Year	Meetings Held	Per Diem and Expenses
2016	1	\$299.44
2017	2	\$362.64
2018	1	\$371.56
2019	0	\$0.00
2020	0	\$0.00
2021	1	\$150.00

AGENCY COORDINATION

The functions of the Board require varied coordination with other State agencies, only inasmuch as is necessary, i.e. hearings may require the attendance of a range of State employees who offer evidence and testimony; the Board receives administrative support from the Department of Administrative and Financial Services and legal counsel through the Office of the Attorney General. Annual reports are required to be submitted to the Secretary of State, per 5 MRS, Chapter 39, § 12004-B, sub-§ 4.

CONSTITUENCIES SERVED

The primary constituencies served by the Civil Service Appeals Board are the employees of the State who are excluded from the collective bargaining process pursuant to 26 MRS § 979, 1021 and 1034.

ALTERNATIVE DELIVERY SYSTEMS

The Civil Service Appeals Board serves as a dispute resolution process for State employees who are not covered by the bargaining contracts. Given the specific nature of the Board's work, the constituency to be served and the expertise of the members, an alternative delivery system would not improve the current process.

EMERGING ISSUES

There are three emerging issues as of the date of this report:

1. The Chairperson's appointment expired 01/20/2020. (still serving in the interim)
2. One member's appointment expired 01/20/2021. (still serving in the interim)
3. There is one vacancy as one member has retired.

POLICY FOR MANAGING PERSONAL INFORMATION

The Civil Service Appeals Board makes every effort to minimize and safeguard the use, dissemination, and disposal of personally identifiable information if received. The Board adheres to OIT's Information Privacy Policy, Information Security Policy and Security Awareness and Training Policy and Procedures.

REPORTS REQUIRED

The Civil Service Appeals Board shall report biennially to the Governor and Legislature facts and recommendations relating to the administration and needs of the board.