

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Protect Communications between Bargaining Agents and Bargaining Unit Members

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 26 MRSA §976 is enacted to read:

§ 976. Confidential communications

Communications between a bargaining agent and a member of a bargaining unit represented by that bargaining agent are confidential in any proceeding before the board to the same extent that such communications would be subject to the lawyer-client privilege under the Maine Rules of Evidence if the bargaining agent were a lawyer. The board may not accept evidence regarding such communications during any proceeding except under circumstances in which it would be admissible if the bargaining agent were a lawyer.

Sec. 2. 26 MRSA §979-V is enacted to read:

§ 979-V. Confidential communications

Communications between a bargaining agent and a member of a bargaining unit represented by that bargaining agent are confidential in any proceeding before the board to the same extent that such communications would be subject to the lawyer-client privilege under the Maine Rules of Evidence if the bargaining agent were a lawyer. The board may not accept evidence regarding such communications during any proceeding except under circumstances in which it would be admissible if the bargaining agent were a lawyer.

SUMMARY

This bill makes communications between a bargaining agent and a municipal or state employee confidential in proceedings before the Maine Labor Relations Board to the same extent that such communications would be subject to the lawyer-client privilege under the Maine Rules of Evidence if the bargaining agent were a lawyer.