

Good Morning Esteemed Members of the Committee,

My name is Cynthia Barre. As a Maine citizen I am personally providing my written testimony to address concerns of State employment. Thank you for taking the time to listen and to consider our concerns regarding our working conditions.

First, I would like to inform the Committee that as a State employee who has some knowledge of the Legislative process, I was completely unaware of your hearing on this issue until yesterday afternoon. There are far more State employees who do not have exposure to the Legislative process, than who do. For this reason I ask that you consider generously extending the deadline for the submission of written testimony beyond today. I believe you will find today that there is limited testimony because State employees were unaware of this hearing.

I started employment with the State of Maine in 2012 after working half of my career in the private sector. I started at MaineCare where the pay was low, the building was sickly, and the job was high stress due to working on many emergent issues. While at MaineCare my team filed an FJA to have our pay scale re-evaluated. It was a long and hard battle which took 5 years. The State fought hard against us. We were not willing to give up and we won. This resulted in moving up one paygrade. By the time this happened I had already left MaineCare and took a new State position.

Currently I work at the Maine Bureau of Insurance. The majority of our job descriptions were written in the 1980's, which is when they were assigned a paygrade. These outdated job descriptions and paygrades are common with the majority of the State's positions.

In 2020 MSEA was successful in getting a Pay Scale Study approved by the State. The study has been completed, however, to date the State has done nothing to consider re-accessing our pay scales. The data in the study reveals that employees in the private sector who have the same job titles and job duties are making considerably more than their counterpart does at the State of Maine. Since the study, the MSEA has negotiated our contracts and the State has held strong on not addressing the inequity in our pay, only agreeing to minimal pay raises in each contract negotiation.

Staff retention, and finding the best qualified candidates for State positions, is an issue due to the paygrade of State positions. While I was at MaineCare, Governor LePage put both a hiring freeze and a pay raise freeze on State positions. Due to these two factors if a position became open a new employee could not be hired to fill the position. By the time I left MaineCare I was doing three jobs for the same low paygrade I was hired at. Although today we no longer have a hiring freeze or pay raise freeze the issue of inequity in our pay and staff retention still persists. It is hard to find high quality candidates when they see the pay they will be offered.

Telework is also an issue State employees are greatly concerned about. During contract negotiations the State would not allow telework to be written into our contract. Instead the State said they were developing a telework policy. So far this telework policy has been a moving target as it is changed and been reworded more than once. Telework has been a big plus for my team since the pandemic sent us home to work in March of 2020. My Management tells us our work performance and employee morale has increased since we have started working from home. Telework is also a factor for prospective employees, so many companies are now offering full time telework. Between the paygrade and the lack of permanent telework, Management struggles to find the best qualified candidates to fill our State

positions.

I would like to ask the Legislature to address the sick buildings we work in as State employees. Currently my building is closed and employees are either working from home or in a temporary State space due to our building being unhealthy. Since I have worked for the State I have had multiple lung infections and health issues due to toxic air quality in the buildings I have worked in. I have addressed this issue over and over again since 2012 only to have it fall on deaf ears by the Administration. The majority of the State buildings I have been in (for meetings etc.) have made me and others sick.

There are a vast number of State buildings that are in horrible condition and very toxic to employees' health. It would be a significant cost savings to Maine taxpayers to close these old dilapidated buildings and enact a permanent telework policy. I understand this is not an option for all State positions as some employees interface with the public daily, however many employees do not. The State could keep a number of the newer State buildings for employees who must work on site.

In 2021 I was approved through an ADA request form to work from home due to the health ramifications State buildings have caused me. The State put a disclosure in this approval that for the purpose of work operations this approval can be revisited at any time. My long term health ramifications that have been caused by working in these toxic State buildings is not going to change. It is my greatest fear that the State will make me go back to work in a State building. Due to the State's disclosure my ADA approval seems to be the same moving target that our current telework policy is.

Lastly, enclosed is a copy of the letter I wrote and submitted with my completed ADA form. I find it both disturbing and sad that I had to fight for nine years and I had to advocate this hard for myself to be allowed to work in healthy working conditions. I can't breathe in State buildings and I have had multiple lung infections due to the condition of the buildings I have worked in. Today I have been working from home for 3 years and I have been breathing freely for these 3 years. I am grateful every day for the privilege of breathing freely. This in itself is sad because breathing freely should not be a privilege, but a right. I hold myself to a high moral standard and I have an excellent work ethic. I ask that my employer respect what I bring to the table with actions that address the concerns of employees. I am about to turn 59 and I thought I would be with the State until I retire. I have been seriously reconsidering this due to the issues I have outlined. Employment elsewhere has become an option that I am researching and considering.

Thank you for your time.

Cynthia Barre

6/2/2021

**I am requesting the following accommodations or modifications to my employment:**

I am requesting to permanently continue remote work from my home office. My supervisor, Deputy Director Kim Davis, can confirm that both her ability to rely on me to step up and take on additional projects, and my work ethic, has not changed in the past year plus that I have been working remotely from my home office. My quality of work has not changed and I have handled my workload and additional assignments in the same attentive manner that I displayed when working inside my State building. I received a step increase during my annual evaluation in May of 2021, attesting that my quality of work and work ethic has not changed since I began working from home over a year ago.

I was born with a genetic respiratory issue which has resulted in a lifetime history of acute bronchitis's and pneumonia's due to my extreme sensitivity to poor air qualities and toxins. My first pneumonia was at 2 weeks old. In February of 2011 I was diagnosed with COPD. Years of pneumonia's and acute bronchitis's caused the onset of this COPD. On September 24, 2012 I became employed by the State of Maine and I have worked in two State buildings to date. Both buildings have made me sick numerous times and sent me to Urgent Care and Express Care with bronchial spasms requiring nebulizer treatments. For years I used my own sick time and paid out of pocket for medical care during these episodes. My employee file will reveal that I finally reported it to HR and filed Worker's Comp the last few times I had these bronchial spasm episodes. Since working in my home office I have not had one episode of bronchial spasms and I certainly have not needed any nebulizer treatments. When I have these bronchial spasm episodes, they do not end with the nebulizer treatment, that is only the beginning. Having these episodes causes me to then develop either an acute bronchitis or a pneumonia, leading to a longer sick time away from my job and my workload. In these State buildings I need a prescribed inhaler and use the inhaler almost daily. In the past year plus while working at home I have not needed or used the inhaler once.

My lungs can't afford exposure to toxins that cause me these respiratory illnesses which in turn will accelerate the progression of the COPD. I work in a profession that serves Maine citizens. I did not choose a position in a chemical plant where working conditions and air quality would obviously and knowingly impact my long term health. As a State employee who is serving the public, I did not expect to work in buildings that have conditions which seriously affect my health and are causing me long term health ramifications. I am 57 years old and did not envision a retirement filled with doctor appointments, hospitalizations and oxygen dependency, because the air quality and conditions of the State buildings that I worked in, accelerated the progression of my COPD. Presently I still have the opportunity to avoid this outcome by continuing to work from my healthy environment and avoiding working conditions that are toxic to my health. My home office has proven to be beneficial to both my overall health and my respiratory health while State buildings have proven to be harmful to my health and respiratory system.

The first bronchial spasm episode I had in a State building happened only one month after I started State employment in 2012. The maintenance crew was working on the duct work in my building. Two coworkers and I all ended up with pneumonia (our cubicles were under the same ceiling vent). I was out of work for nearly three weeks and very ill. It required two rounds of Z-Pak to overcome this particular pneumonia. Before becoming a State employee, while sick with acute bronchitis, I had a coughing spell that became so violent I cracked two ribs and ruptured my spleen on February 26, 2011. This is when the COPD was discovered. My respiratory illnesses are not just a nuisance they are distressful, painful and life threatening at times. There is no logistic need for me to be exposed to

conditions and air qualities which aggravate and exacerbate my respiratory issues when I have proven that I can effectively do my job from my home office. I am a two time cancer survivor with an immune system that has been zapped and I am susceptible to all kinds of illnesses. At home, in my controlled atmosphere, I have avoided all community spread illnesses and all respiratory illnesses. I want to continue to be afforded good health by working from my home office which has proven to be a healthy environment for me. As a loyal and dedicated State employee I deserve to be allowed an air quality and working conditions that are not negatively impacting my health or causing me long term health effects.

My noticeably good health this past year has been an eye opening experience for me. It is unheard of for me to go this duration of time without a respiratory illness of any kind. This past year is the first time I was not required to sit inside a State building and it has made a significant positive impact on my health. I now can clearly see that I have been the canary in the coal mine while sitting inside these State buildings for 40 plus hours a week since 2012. Anytime air quality testing has been done in my buildings it was reported back that the air quality was at acceptable levels. Each time I heard these air quality reports, like the canary in the coal mine, I alerted my Management and the Union, that the air quality is really not acceptable, and it is causing me and others health issues. The higher percentage of State employees have strong respiratory systems and immune systems and they do not suffer noticeable effects from the air quality in our State buildings. This does not mean the air quality levels are acceptable or that these State buildings will not cause these employees long term health conditions in their future. Governor Mills just reported that 87 million has been allotted to assess building problems and finance the clean up and remodeling of our sick State buildings. I am one of your State employees who gets sick inside these sick State buildings and returning to my State building will risk my respiratory health and impact my future health by deteriorating my ability to breathe on my own. I certainly cannot be sitting in one of these State buildings when toxins are being disturbed during clean up and remodeling.

I live alone therefore I am a one income household. I am requesting my Employer rightfully grant me this reasonable accommodation and not force me to choose between my health and my paycheck. Thank you for your time and consideration.

Sincerely,

Cynthia Barre