

Joint Standing Committee on Labor and Housing
L.D. 1588, *An Act to Provide Public Sector Labor Unions Reasonable*
Access to Information Regarding Employees
Testimony of the Maine Community College System

Senator Tipping, Representative Roeder, and distinguished members of the Joint Standing Committee on Labor and Housing, good afternoon. My name is Becky Smith and I am the Director of Government and Community Relations for the Maine Community College System. I am sorry that I cannot be here in person, but I have an unmovable conflict. It is the position of the Maine Community College System that this legislation is unnecessary, it would violate the privacy interests of employees, and potentially even further violate the privacy interests of student employees. Also, during the 129th Legislature, we agreed to an expansion of access to our employees by the unions (bill language attached) and reluctantly agreed to absorb the costs of that expansion, despite the increased workload on our staff.

The Maine Community College System has collective bargaining agreements with six different bargaining units represented by three unions. Each negotiated agreement details the information, and timing for employee information to be provided to the representing bargaining unit. MCCS is further responsive to requests by the bargaining units for member information and have not received any concerns regarding the information provided or the timeliness of the responses.

Bargaining unit members are notified that their contact information, including personal phone and email addresses, if known, will be provided to their bargaining unit. However, there is no expectation that personal contact information will be provided to any other bargaining unit, or to any other outside entity. This legislation, as drafted, does not consider the many legitimate reasons an employee might have for withholding this personal information. Essentially, this legislation would mandate disclosure as a condition of employment.

Further, MCCS does not disclose personal contact information for students, unless they have agreed, in writing, to the disclosure. This is in accordance with federal law.¹ Under this legislation, there is no recognition that student employees would be impacted if they also work for a College. Many student employees are recipients of financial aid, funding their work study employment. The disclosure of personal information of a student employee is akin to disclosing the student receives financial aid.

Given the existing law, and MCCS' collective bargaining agreement with each represented unit, and the privacy concerns outlined, I respectfully request that this committee report that this bill Ought Not to Pass.

Thank you.

¹ Family Educational Rights and Privacy Act (FERPA). 20 U.S.C. § 1232g; 34 CFR Part 9