

Written Testimony of Jon Woodard

LD 2214 - An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2024 and June 30, 2025

Joint Standing Committee on Appropriations and Financial Affairs

Senator Rotundo, Representative Sachs, and Committee Members:

My name is Jon Woodard. I am an Oil and Hazardous Materials Responder 3 in the Department of Environmental Protection, Division of Response Services. I supervise the State's Oil and Hazardous Materials Response Team in the Central Maine Region, headquartered in Augusta. I have been a member of this team since 1991 and a Supervisor since 1998, first of the Southern Maine Regional Office and now the Central Maine Regional Office. The Central Maine Regional Office is a 6 member team that is part of the larger state team of 24, located in 4 regions of the state. These responders provide 24/7 response to oversee the mitigation of oil and hazardous materials discharges.

This testimony is intended to inform you of the impact that the current wage scales of the state has on hiring and retention of responders in this Division.

When a person is hired there is a 9 month probation period which is longer than the usual 6 month period for most state jobs. This was implemented as it takes longer than 6 months for a new hire to complete all mandatory training in order to perform duties. With a 6 month probationary period we were not able to assess the performance of the person in this dangerous job with a high level of responsibility. To be qualified for the job a person must have a 4 year degree and 1 year of relevant experience or a combination of the two; essentially 5 years of education and experience. Most people who meet this qualification are already employed in a "relevant" field, and are making more than the starting pay the state offers for an Oil and Hazardous Materials Responder 1. I have been a supervisor in this Division since 1998, and over that time been involved in dozens of hiring committees. Twenty years ago the difference was not as much, or applicants were more willing to take a cut in pay for the perceived added benefits of working for the State of Maine. We would get 50-60 qualified applicants for jobs. We would pare it down to 5-10 to interview. Even at that time one of the first questions asked was whether or not we could negotiate pay. As you know we cannot do that. We can request that an individual starts at a higher step based on their experience. I know of one instance where I was allowed to hire an applicant at a higher step, but Human Resources would routinely tell us we could not. We lost a few candidates in the process, however the 2nd and 3rd choices were usually very good and we were able to hire them.

When I started in the Department of Environmental Protection as an entry level Environmental Specialist 2 in May, 1990, my pay rate was \$10.33 hr. If that same position received a 2% every year until May, 2023 the rate would be \$19.79 hr. In May, 2023 starting pay for this job was \$19.73 hr. I do not know the rate of inflation over that time but I suspect is more that 2% annually.

It should also be noted that when I started working for the state in 1990 I left private industry in a similar job and did take a \$2.00/hr cut in pay. However, like most people at that time I was willing to do that for reasons such as better benefits, state retirement system, work conditions, and job security. With these benefits the pay gap that existed at that time did not seem as much of a detriment. As the

years have gone by the health benefits have eroded to the point that they are no better and in many cases worse than other employers. While responders in The Division of Response Services are fortunate to be in the Hazardous Duty Retirement System, for most state employees the retirement system has gone from Age 60 with a 2.5%/yr penalty for early retirement to an age 65 with 6%/yr penalty. Job security is not as strong as it once was and in some cases work conditions are no better than other employers.

As time has gone on, and the pay gap has widened, we are not even getting a lot of qualified candidates to apply for the positions. In recent years we have gotten only half dozen apply for positions and 2 or 3 of them qualified. Some of the staff we have hired have not passed probation, and others just stay long enough for us to train them and they move on to something for higher or even the same pay with less responsibility, less physically demanding, and less night weekend work. There is a lot of money and effort put in to training new staff. For the first dozen or so years that I was in this Division we had very little turnover, and that was generally due to retirement. In recent years it seems that there is always an opening and/or training of new staff. Currently the busiest region in the state (Southern Maine) has three vacancies, including the supervisor position, and two other responders with 3 years of experience or less. This is in an office of 8. The requires a lot of oversight and training time for Supervisors and more senior staff, while there is a still an expectation that other duties will be completed.

In recent years we have also lost trained and experienced responders who have found employment elsewhere for at least 50% more salary. This is also result of the our pay scale not being consistent for staff with 8 or 10 years experience. It is likely that way on all levels. Staff with 25 years or more like me could also receive much higher compensation given our experience and expertise in the oil and hazardous response field. Most people at that point do want to start over for only a 5 or 10 year commitment. We have had several of our supervisors leave and find employment with a large petroleum company. One as the Spill Response Preparedness Director for North and South America, and one for the same company as a Spill Response Supervisor in Europe. The State of Maine is certainly not going to compete with an International Petroleum Corporation, however this shows the expertise we are developing, and we should value those investments we have made in staff. We are a small group and I am sure larger Divisions and Agencies in the state are seeing similar issues and probably have greater needs for staffing all driven by the fact that the pay is just not competitive.

The state has put off closing the pay gap while increasing the gap in these other areas for far too long. It is time to reset the bar. In my Division we are barely able to meet the basic requirements the people of the state expect from us, even when fully staffed. Providing salaries commensurate with the duties as compared to private and public counterparts would help build a more experience workforce and allow us to focus on providing the necessary services at the level expected rather than constantly training new staff.

I could provide more specific instances but I do not want to keep repeating the same point. The pay gap needs to be addressed or positions will not be filled and necessary life threatening issues will not be addressed.

Thank you very much for you time and consideration in this matter.

Jon Woodard