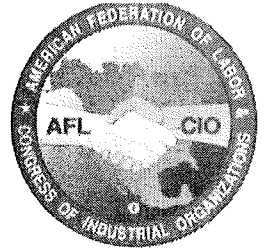




# **MAINE AFL-CIO**

**A Union of Unions Standing for Maine Workers**  
21 Gabriel Drive, Augusta, Maine 04330



(207) 622-9675

Visit our website: [www.maineaflcio.org](http://www.maineaflcio.org)

*President*  
**Cynthia Phinney**

*Vice President*  
**Grant Provost**

*Secretary Treasurer*  
**Doug Born**

## **Testimony of Maine AFL-CIO Legislative & Political Director, Adam Goode, in Support of LD 373, "An Act to Improve Labor Conditions for Maine Workers"**

Senator Tipping, Representative Roeder and members of the Labor & Housing Committee, my name is Adam Goode. I'm the Legislative and Political Director of the Maine AFL-CIO. We represent 40,000 working people in the state of Maine. We work to improve the lives and working conditions of our members and all working people. We testify in support of LD 373.

LD 373 ensures that when the State of Maine engages in leasing state lands for clean energy development, installs or enhances broadband internet access using public funds, or contracts for public transit, that those funds deliver results in the fastest, safest, and most efficient way by ensuring that there will not be disruption of the work by labor unrest.

The focus of our testimony is on the state's proprietary interest in having efficient, timely and predictable completion of the work it either contracts out for, leases or funds. Having a labor harmony agreement in law is one of the best ways to protect important areas of state work from slow downs due to labor stoppages caused by employees or the employer.

A labor harmony agreement is a contract between an employer and a union in which the employer agrees to be neutral during an organizing campaign and not interfere with worker's efforts to organize a union. In exchange, the workers agree not to engage in work stoppages, like pickets, boycotts and strikes.

Like most common labor harmony agreements, LD 373 puts into law an agreement between the state and one or more labor organizations representing or seeking to represent its employees that includes a guarantee against strikes, lockouts, and other similar disruptions, mechanisms for labor management cooperation on matters of mutual interest and concern including productivity, quality of work, safety and health and mutually binding procedures for resolving labor disputes. This law would narrowly apply to just the leasing of state lands for clean energy development, public funds used to improve broadband access and contracts for public transit.

Maine is in the midst of receiving and spending a once-in-a-generation amount of federal money from the Inflation Reduction Act and the Infrastructure Investment and Jobs Act. This money is designed to transform our climate, energy and broadband infrastructure. Our goals of getting every Mainer who wants high-speed internet connected by the end of this year, reducing emissions from vehicles, increasing state spending on public transit and using 80% renewable power by 2030 and 100% by 2050 mean we have a clear interest in seeing state investment in the three areas covered by this law go well.

We cannot afford to have disruptions in the roll out of any of these programs. Adopting labor harmony as the law where the state participates in these few areas assures that we won't have labor stoppages caused by the employees or the employer. This law would only apply to a limited set of areas and builds on information from the other states and jurisdictions that have similar laws and practices in place in order to make certain that work happens as expected.

While required agreements vary widely in how much they require, we know there are a number of them in statute or ordinance, including in New York, New Jersey, Maryland, California, Miami-Dade County in Florida, Chicago, New York City and Montgomery County in Maryland. Agreements like this can take many forms, including ensuring that disputes are resolved in ways other than work stoppage, directing entities to remain neutral in organizing drives, prohibiting strikes, lockouts, or any other economic interference with a project, such as boycotts or even simply requiring that employers aren't allowed to retaliate against employees who attempt to unionize. The agreements also cover a wide array of public investment, including operations and maintenance work at offshore wind ports<sup>1,2</sup>, and commercial cannabis retailers, trash and recycling pickup, health care services and airport workers.

We do not want anything to slow down Maine's goals of connecting every citizen to high quality broadband, building a future with clean energy, and creating our future infrastructure. Spending of this scale should be done efficiently and responsibly. Passing LD 373 will create high-quality jobs for Maine workers and ensure that public money is spent prudently.

Finally, it is worth reminding ourselves that it is the official policy of the United States – through the National Labor Relations Act passed in 1935 – “to encourage collective bargaining by protecting workers’ full freedom of association.” The Act is very clear that in order to correct an “inequality of bargaining power” between employers and employees we need a law and a set of rules to actively encourage worker organization and collective bargaining. By extension, state policies should similarly encourage collective bargaining and rights for workers. LD 373 is a natural way to more deeply extend this commitment in Maine.

<sup>1</sup><https://portal.nyscrda.ny.gov/servlet/servlet.FileDownload?file=00P8z000003cmKBEAY>

<sup>2</sup><https://mgaleg.maryland.gov/2023RS/bills/sb/sb0781E.pdf> (page 24-25)