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TESTIMONY IN FAVOR OF L.D. 2218

“An Act to Increase the Per Diem Rate for Members of the Maine Labor Relations Board”

Neil P. Daly, Executive Director
Maine Labor Relations Board
March 3, 2026

Senator Tipping, Representative Roeder, and members of the Joint Standing Committee on Labor, my name is Neil Daly, and it is my privilege to serve as the Executive Director of the Maine Labor Relations Board (MLRB).

As you are aware, the MLRB, a tri-partite panel composed of gubernatorial appointees, plays a key role in labor-management stability in Maine, primarily by enforcing the state’s four public sector collective bargaining laws. As recently discussed with this Committee during the MLRB’s Government Evaluation Act meeting, we are fortunate to have Board members with many collective decades of professional experience in labor law including time spent as arbitrators, mediators, and representatives of labor organizations or employers. This level of experience helps to ensure the Board is appropriately deciding cases, as reflected, in part, by the relatively low number of appeals of Board decisions to the Maine courts.

Currently, the MLRB chair is paid a per diem of \$100 per day and the other panel members receive \$75 a day for their services. This rate has not increased since 1989. For context, MLRB panel members typically spend many hours on a case that goes to hearing. Often, hearings last an entire business day or longer and the Board members conduct a thorough review of the record prior to discussing and deciding a case. It’s fair to say the MLRB members are not in it for the money, as the per diem rates are far below what they would otherwise earn as labor relations professionals.

We propose increasing the per diem for the MLRB chair to \$200 per day and to \$150 for the other Board members. The proposed increase strikes a balance between updating a per diem rate that is nearly forty years old while not imposing an undue financial burden on parties seeking the enforcement of statutory rights through the MLRB.

Notably, this proposed change will not require any additional budget allocation to the MLRB. By law, the parties to a case are responsible for sharing equally the cost of the MLRB per diems. More recently, the law was adjusted to permit the Board to provide panel per diems from the Board’s operating budget – but only if it does not create a financial hardship for the Board. In

other words, even with an increase in the per diem amount, the MLRB will remain within its budget whether it is the parties or the MLRB paying the per diem. Finally, to the extent that the per diems result in increased costs to the parties, the proposed rate does not appear likely to substantively affect the parties seeking MLRB services and the Board remains a bargain when compared to obtaining a decision from a private arbitrator.

Please consider supporting L.D. 2218. Thank you for this opportunity and I will try to answer any questions you have.