

TESTIMONY OF JEFF MCCABE, MAINE SERVICE EMPLOYEES ASSOCIATION, SEIU
LOCAL 1989 BEFORE THE JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE
AND PUBLIC SAFETY

IN SUPPORT OF LD 271

An Act to Recruit and Retain Corrections Support Staff

February 22, 2021

Senator Deschambault, Representative Warren, members of the Committee on Criminal Justice and Public Safety, my name is Jeff McCabe, Director of Politics and Legislation, representing the Maine Service Employees Association, SEIU Local 1989. MSEA-SEIU is a labor union representing over 13,000 members statewide. We urge you to support LD 271. Since coming before this committee two years ago on this issue, the issue has not been resolved and those working with in the correctional facilities have had the added stress of the COVID 19 Pandemic. The stress of getting sick themselves, bringing the virus home to family and in some cases, workers have gotten sick and/or been forced to quarantine themselves and their families. The other new information is that the state has reported its findings of a Market Study Report on Compensation from November 2020 (Link below) to the Committee on State and Local Government. My testimony mirrors testimony I gave on March 8, 2019 at that time the bill before you was LD 802 and that link is below.

The issue at hand today arose as a result of a \$2 an hour stipend that was given to corrections workers as part of a recruitment and retention bill that was enacted as part of the 2015/2016 budget negotiations. They seem to have helped to address recruitment and retention problems in the Maine State Prison System for some positions. At that time, the Legislature allocated money and the Department of Correction chose who would get the raises. Clarity around that process is something we are hoping to better understand. Many in the Legislature at the time and those from the two unions representing the workers, as well as Maine AFL-CIO, believed the stipends would be across the board. In reality, that turned out not to be the case. While many Corrections Officers received the stipend, other Corrections staff working side by side with them did not. You can only imagine the impact this has had on moral and on the cohesion of the employees, who are already working in a difficult and stressful environment.

For State Employees the last decade has been a struggle. It has as in many cases just been simply awful. A decade ago, Executive Branch employees were already far behind comparable private sector workers, and since then the problem has only worsened. The State has lost many dedicated, long-standing employees with considerable institutional knowledge due to lack of pay as well as the increased workload resulting from the failure to fill hundreds of positions.

According to a survey we did of state employees in Maine in 2018:

- 83% say their departments are having trouble recruiting and retaining staff;
- 63% say understaffing is a serious issue;

- 40% say they worry about their monthly bills;
- 60% say they have or are considering leaving state service.

Since January 2009, the state has increasingly struggled to recruit and retain employees. In some agencies, the problem reached such a crisis point that the Legislature got involved, passing bills to fund raises and/or stipends for particular classes where the need was most severe. While these measures have alleviated some of the problem, they have also created imbalance and significant wage compression in the State's compensation system, resulting in unintended inequities and disincentives to pursue promotional opportunities. We appreciate that the Legislature took that action to address wages and recruitment and retention. We now need you to address the problems resulting from the prior administration's misguided implementation of the Legislature's action.

The bill before you attempts to correct an issue created by the Legislature. While the raises have improved recruitment and retention in some positions, they left problems in others, created an uneven field, and resulted in bad feelings between individuals who must work together in an already stressful environment. This bill simply allows this committee to talk with the department and take time to figure who got the stipend and who did not. By simply identifying the wage inequity the committee may be able to address this pay parity issue in this bill or by work during the budget process.

Our members in corrections and law enforcement are often not the first to weigh in on legislative matters or come to testify before committees. I have come to understand that more and more over the last 10 years. However, they are listening and pay attention. If you know any of them, I encourage you to talk about recruitment and retention issues when you see them. Here is what some of them have to say.

Captain Maine State Prison:

"This is the last stop for all prisoners. It's maximum security, the end of the road. There is nowhere else to send them. We have the highest rate of assault on staff. We are losing staff every day. Why would someone start as a guard here when they could go work somewhere else and make more money and not be assaulted?"

Long Creek:

"There are open positions for electricians and facilities staff, but we can't get people to apply or keep people. It's just not worth it for what we make."

Maine State Prison:

"Our facilities staff are going out to work in areas where they are responsible for 100 tools and keeping track of those tools while working and with inmates right at their back. They are going into units with convicted murders to go do maintenance work and are taking on the risk and responsibility but are making far less than doing the same work somewhere else without the same risk and responsibility. We can't keep guys under those conditions."

Former Captain at State Prison:

"We can't get guys. The outside pays much better than we do. Why would someone work in such a tough atmosphere when they can work on the outside for much higher pay. We don't have competitive pay. We are losing guys every day to BIW"

This is why MSEA members look to the 130th Legislature for support on a number of compensation bills, and also are looking at the biannual budget to help prevent further erosion of the state's workforce. We look forward to working with you to address the needs of those who serve the citizens of Maine.

We view this as an issue created by the Legislature and we are looking to work with the Legislature to address this issue and make a plan going forward. It is our hope this committee will work with the Department of Corrections to identify which positions did not get the stipend and make a plan to correct it. Attached is a list provided by MSEA of who we believe did not get the stipend.

This is the most accurate list we can pull, but it's possible some of these classes aren't really in use anymore. We would need the Department to identify which classes received the stipend and who did not.

Inventory & Property Associate I
Office Associate II (this could be limited to in facilities)
Correctional Boiler Operator
Correctional Boiler Engineer
Correctional Electrician II
Correctional Maintenance Mechanic
Correctional Plumber II
Laborer II
Treatment Plant Operator
Advocate
Chaplain
Classification Officer (this could probably get taken out, as I understand it, there is only one and s/he is in Central Office now)
Community Programs Coordinator
Correctional Plant Maintenance Engineer I
Education Specialist II (these may also have been abolished or moved to DOE)
Prison Librarian
Psychiatric Social Worker
Substitute Teacher
Teacher BS
Teacher BS Juvenile
Teacher MS
Teacher MS Juvenile
Teacher MS+30

Teacher MS+30 Juvenile
Voc Trades Instructor BS
VTI BS Juvenile
Voc Trades Instructor MS
VTI MS Juvenile
Building Control Supervisor
Chief of Volunteer Services
Correctional Building Maintenance Supervisor
Correctional Building Maintenance Superintendent
Correctional Grounds and Equipment Supervisor
Correctional Plant Maintenance Engineer III
Correctional Plumber Supervisor
Correctional Warehouse Superintendent
Director of Class and Collateral Services
Principal – Corrections
Social Services Program Specialist II

I am happy to answer any questions and would be happy to work to bring other staff resources to the work session.

Bill link from 129th LD 802.

https://legislature.maine.gov/legis/bills/display_ps.asp?LD=802&snum=129#

Market Study Report Links Compensation November 2020.

<https://legislature.maine.gov/doc/5615>