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LD 1154, An Act To Improve the Safety of Prisoners and Jail Staff by Limiting Work Hours of Jail Employees (Emergency)

May 5, 2021

Chair Deschambault, Chair Warren, and members of the Joint Standing Committee on Criminal Justice and Public Safety, and my name is Stephen Gorden and in addition to serving as chair of the board of commissioners for Cumberland County, I am writing today in my role as board president of the Maine County Commissioners Association. We appreciate the opportunity to provide testimony to the Committee in **opposition** of LD 1154.

About MCCA. Briefly, the Maine County Commissioners Association was established in 1890 to assist Maine's county government in providing vital services to Maine citizens in a responsive, efficient, and credible manner. The Association is based in Augusta and currently represents 15 of Maine's 16 counties and is governed by a board with representation from each participating county.

About LD 1154. As drafted, this emergency bill would mandate that every county jail employee receive 8 hours "off duty" for every 16 hours "on duty." Presumably, this provision is intended to protect employees from overworking, which is a laudable goal. That said, however well-intentioned the bill, we believe it will work a disservice to the public and jail employees.

First, jail employees are members of labor unions who collectively bargain for their terms of work, and were this bill to pass, it would constrain the ability of employers and employees to establish the terms of employment. Second, many jail employees welcome the opportunity to work overtime and collect time and a half, or more, and if this bill were adopted, the flexibility of employees to voluntarily take on overtime shifts would be constrained. Third, this bill includes no recognition of emergency situations where working additional hours may be required in order to protect the public, jail inmates, or other employees. For these reasons, we cannot support LD 1154, and we urge the Committee to give the bill an "ought not to pass" report.

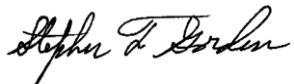
Comments of MCCA re LD 1154

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Conclusion. We appreciate the opportunity to provide testimony on this bill, and if you have questions or need additional information, please do not hesitate to let us know.

Respectfully submitted,

A handwritten signature in cursive script that reads "Stephen T. Gorden".

Stephen Gorden
President

cc: Commissioner Brian Hobart, Chair, MCCA Legislative Committee
James I. Cohen, Verrill Dana, LLP, MCCA Legislative Counsel