



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE & FINANCIAL SERVICES
BURTON M. CROSS BUILDING, 3RD FLOOR
78 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0078

SERVING THE PUBLIC AND DELIVERING ESSENTIAL SERVICES TO STATE GOVERNMENT

JANET T. MILLS
GOVERNOR

KIRSTEN LC FIGUEROA
COMMISSIONER

*Testimony of Anya Trundy, Director of Legislative Affairs
Department of Administrative and Financial Services
testifying in opposition to*

LD 1683, Resolve, To Compensate Department of Corrections Employees for Hazardous Work

Sponsored by Rep. Pluecker

Before the Joint Standing Committee on Criminal Justice and Public Safety

Senator Deschambault, Representative Warren, and honorable members of the Joint Standing Committee on Criminal Justice and Public Safety, my name is Anya Trundy, I am the Director of Legislative Affairs for the Department of Administrative and Financial Services (DAFS), and I come before you today to provide testimony in opposition to LD 1683, a Resolve, To Compensate Department of Corrections Employees for Hazardous Work.

When the pandemic first impacted Maine, with so many unknowns, certain job functions were offered an augmented hourly rate, known as “hazard pay.” The State moved swiftly to execute MOUs with the collective bargaining units of these job functions. At the time we could not yet fathom the State of Emergency lasting as long as it has. As such, expiration of the initial hazard pay agreements was tied to the end of the State of Emergency, whereas subsequent MOUs included language allowing for termination with seven days notice.

Hazard pay was funded with federal Coronavirus Relief Funds (CRF), which as of mid-December 2020 Congress still hadn’t taken any action to extend and were set to expire on December 30, 2020. Absent CRF, the State had insufficient resources to continue hazard pay into the next calendar year, and notified impacted employees that hazard pay would not continue as part of our response to COVID-19 as we moved into 2021.

It is important to recognize that in the many months between first executing the hazard pay agreements and terminating them, we have learned a great deal about COVID-19 and how to keep employees safe. We have instituted robust work rules and incorporated CDC-sanctioned coworker contact tracing for any employee impacted by COVID-19. Governor Mills has provided generous paid leave options for 2021 to ensure employees can keep themselves and their families safe. Additionally, we have instituted environment-specific safety protocols, and have procured significant specialty PPE. We take the safety and wellbeing of all our employees seriously and are proud of the time, energy, and significant funding invested in this effort.

AFSCME has grieved the December termination of the hazard pay agreements pertaining to corrections employees. MSEA has done similarly on behalf of certain DAFS and DHHS employees, in addition to the DOC employees they represent. DAFS respectfully requests that the grievances filed be resolved through the intended process, rather than this resolve superseding that process. Through the grievance process, settlement can be reached at any time, potentially averting the need for arbitration.

Thank you for allowing me to testify before you today. I am happy to respond to any questions you might have at this time and will be available to you at the work session.