

State of Maine
DEPARTMENT OF EDUCATION

Testimony of Pender Makin, Commissioner

In Support of: L.D. 52

An Act Regarding Collective Bargaining Negotiations by Public Employers of Teachers

Before the Joint Standing Committee on Education and Cultural Affairs

Sponsored by: Representative Brennan

Date: March 29, 2021

Senator Rafferty, Representative Brennan, and Members of the Joint Standing Committee on Education and Cultural Affairs:

My name is Pender Makin, Commissioner of Education, representing the Department in support of L.D. 52, An Act Regarding Collective Bargaining Negotiations by Public Employers of Teachers.

I am extremely proud of the leaders of Maine’s educational organizations; their professional courage and unwavering commitment to our education system are evidenced in the bill you have before you. Prior to the pandemic, leaders from the Maine Curriculum Leaders’ Association (MCLA), Maine Administrators of Services for Children with Disabilities (MADSEC), Maine Education Association (MEA), Maine School Board Association (MSBA), and Maine School Management Association (MSMA) gathered with DOE staff and leadership for nearly two months to engage in thoughtful and respectful discussions about extremely difficult issues. Our collective mission was to forge an agreement on collective bargaining and education policy. In partnership with Representative Brennan, we worked together to craft the language for this bill during the second session of the 129th Legislature. This bill is the result of collaboration, compromise, earnest discussion, and authentic partnership.

The bill includes permissible negotiations in two areas: teacher planning and preparation time, and teacher transfers. Given the permissive language, if a public employer of teachers (a school board) and the collective bargaining unit both agree to include planning and preparation time or teacher transfers in their contract negotiations, state law would not prohibit this bargaining. Both sides would need to agree to negotiate either of these education policy subjects for such negotiations to be allowed.

Furthermore, the language in the bill strengthens the ways in which bargaining units and public employers of teachers will work together to discuss, or “meet and consult” about matters of education policy. To that end, the bill clearly outlines obligations of, and procedures for, public employers and bargaining agents to meet and consult about changes in educational policies.

The Department believes that LD 52 is emblematic of the strong collaboration among leaders of Maine's educational organizations and the process by which it was developed is a testimony to their deep commitment to our State's education system. I urge you to support L.D. 52, An Act Regarding Collective Bargaining Negotiations by Public Employers of Teachers.