

TESTIMONY IN OPPOSITION TO

L.D. 60

AN ACT TO ALLOW EMPLOYEES TO REQUEST FLEXIBLE WORK SCHEDULES

February 5, 2025

Senator Tipping, Representative Roeder, and members of the Labor Committee. I am Eileen King, deputy executive director of the Maine School Management Association, testifying on behalf of the legislative committees of the Maine School Boards Association and Maine School Superintendents Association in opposition to L.D. 60.

Our associations oppose this bill because it is impractical and, more importantly, does not support the needs of students we are obliged to serve as public schools.

School days are defined in statute as follows:

Title 20-A, §4801. School days

The following provisions shall apply to school days.

1. Number. A school administrative unit shall make provision for the maintenance of all of its schools for at least 180 days a year. At least 175 days shall be used for instruction. In meeting the requirement of a 180-day school year, no more than 5 days may be used for in-service education of teachers, administrative meetings, parent-teacher conferences, records' days and similar activities.

A. The commissioner may reduce or waive the minimum number of days required on application from a school board. The commissioner may authorize an equivalent number of hours to be substituted for days for a limited time period upon application from a school board. The application must be supported in writing with a statement of the reasons for the request. [PL 2009, c. 87, §1 (AMD).]

Experiences of school closures during the COVID pandemic reinforced the importance of having every student in class, taught by a certified teacher, every single school day. We know that these consistent in-person experiences are vital towards supporting every child towards reaching their academic goals.

School leaders work to accommodate the people they employ when it comes to schedules, but our first obligation is to our students. Those schedules are a local decision, and that decision must remain a local decision and be in the best interest of the students we serve.

Our schools already have collective bargaining agreements in place that address work schedules, hours and conditions. This bill could bypass those agreements, creating conflict between existing contracts and new legal obligations. It also risks creating individualized agreements that undermine the collective nature of bargaining. We also worry that the need to accommodate such schedules could necessitate the hiring of additional staff, leading to increased costs that aren't always feasible within school budgets.

Should this bill, or a version of it, be passed, school districts should be exempt from the requirements put forth in this bill.