

TESTIMONY IN SUPPORT OF
LD 449, An Act To Strengthen the Ability of Public Employers and Unions To Negotiate

Nate Williams, Director of Collective Bargaining & Research
Maine Education Association
Before the Joint Standing Committee on Labor and Housing

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Senator Rafferty, Representative Sylvester, and the other esteemed members of the Committee on Labor and Housing:

My name is Nate Williams, and I am the Director of Collective Bargaining and Research for the Maine Education Association (MEA) which represents 24,000 teachers, education support professionals, and retired educators across Maine.

I am here to testify in support of LD 449, An Act To Strengthen the Ability of Public Employers and Unions to Negotiate.

The intent of this bill is to remove so-called “Zipper Clauses” from public sector collective bargaining agreements in Maine. A Zipper Clause generally states that the collective bargaining agreement is the entirety of all agreements between the parties and that during the life of the contract no additional negotiations on any issue can be held without the consent of both parties.

This sounds simple enough, but the current pandemic has taught us that things can, do, and will continue to arise that cannot wait for the expiration of a collective bargaining agreement. Experience has also shown us that collaboration and creative problem-solving are the best methods to resolve issues in a way that benefits students. Zipper Clauses restrict the parties’ ability to do that.

With a Zipper Clause, it just takes one party to withhold consent from negotiating an issue mid-contract. When that happens, the usual result is that administration unilaterally decides how the issue is to be resolved. That may be in line with how things work in some settings, but it is contrary to the very nature of collaboration in public education and in collective bargaining.

A quick search of our contract database shows virtually all MEA contracts have Zipper Clause language in them to one degree or another.

MEA believes it is in the best interest of students to continue to work collaboratively to address issues whenever they come up. We are not looking to be in a state of perpetual negotiation, rather we seek to engage directly and jointly with administrators and school boards in ways that help our students.

For these reasons, MEA encourages you to vote “Ought to Pass” on LD 449.