



**Janice Dodge**

17 Vine St

Belfast, ME 04915

Phone: (207) 338-1626

[Jan.Dodge@legislature.maine.gov](mailto:Jan.Dodge@legislature.maine.gov)

# HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION

AUGUSTA, MAINE 04333-0002

(207) 287-1400

TTY: (207) 287-4469

## *Testimony of Rep. Jan Dodge presenting*

### **LD 839, An Act to Address Unemployment Issues Facing School Employees *Before the Joint Standing Committee on Labor and Housing***

Good Morning, Senator Hickman, Representative Sylvester and esteemed members of the Joint Standing Committee on Labor and Housing. I am Representative Jan Dodge of House District 97 which includes Belfast, Northport and Waldo. I am here to present **LD 839, An Act to Address Unemployment Issues Facing School Employees.**

School bus drivers, food service personnel, educational technicians and custodians are important segments of our school workforce. Under current law, these school employees are not eligible for unemployment if they have a letter of “reasonable assurance” from their School Administrative Unit. (SAU). A letter of reasonable assurance is simply a communication of intent to rehire.

There are usually few employers who will hire a school employee at the end of June, knowing they are available for only six or seven weeks. It is important to note that employees who work under a private contractor, such as school bus drivers who work for Cyr or Luce Transportation, are not prohibited from collecting unemployment benefits over the summer months – an inequity legislators’ have attempted to address for decades, to no avail.

For a few, statements of “reasonable assurance” are issued so late in the school year the timing hinders the recipient from being certain whether they need to seek summer or full-time employment. Some school employees do not file for unemployment and discovered they should have applied, sought work and filed weekly reports as prescribed in the Unemployment Insurance (UI) process. Rules regarding Federal conformity, school units self-insuring for unemployment and the evolving rules for pandemic relief have presented challenges.

On May 13, 2019 the Department of Education acknowledged the complicated employment nuances found in the study initiated by LD 1641 in the 129<sup>th</sup> legislative session and declared that statute and rule changes should be addressed by the Department of Labor. Impending retirements, recruitment and retention and summer employment issues were identified. LD 300 required that pay averaging be offered so workers would have some money coming in during their six-week hiatus.

After consultation with the Department of Labor (DOL) and the Maine Education Association (MEA), I believe this bill will not solve or improve the school bus driver workforce shortage or ease the plight of non-salaried school employees who earn low wages and have difficulty finding supplemental employment in the summer. We have learned from the Department of Labor that there was a mistake made during last summer's federal Pandemic Unemployment Assistance Program. Last summer, school employees had their deferred compensation deducted in any and all benefits they could have earned under the UI PUA program. Sadly, this appears to now be an oversight and the Department of Labor has told us they will work to rectify this issue for those impacted last summer and to make sure we are prepared for any benefits for those in the coming summer, especially now that the PUA program has been extended into September of this year.

I look forward to working with committee members during the work session to find solutions for this segment of our workforce. I am open to suggestions and amendments that will improve the problems that continue to be identified, yet not addressed for a large segment of our school workforce.

Thank you. I will try to answer your questions but would ask that you make legal and technical inquiries of those with more expertise.