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LD 775, An Act To Include within the Definitions of "Public Employee" and "Judicial Employee" Those Who Have Been Employed for Less Than 6 Months

April 2, 2021

Chair Rafferty, Chair Sylvester, and members of the Joint Standing Committee on Labor and Housing, my name is Stephen Gorden and in addition to serving as chair of the board of commissioners for Cumberland County, I am writing today in my role as board president of the Maine County Commissioners Association. We appreciate the opportunity to provide testimony to the Committee in opposition to LD 775.

About MCCA. Briefly, the Maine County Commissioners Association was established in 1890 to assist Maine's county government in providing vital services to Maine citizens in a responsive, efficient, and credible manner. The Association is based in Augusta and currently represents 15 of Maine's 16 counties and is governed by a board with representation from each participating county.

Our position on LD 755. Counties provide important regional services to Mainers ranging from law enforcement, to correctional facilities for short-term detention, to emergency communications and administration, to registries of deeds, to registries and courts of probate, to maintaining facilities for Maine's superior and district courts and district attorneys offices. Counties are governed by elected county commissioners, and funded by a mix of property taxes, user fees, and state revenue contributions.

Counties are also employers, and as such, they hire and train many different employees. When a new employee is hired, that person enters a probationary period during which their performance and fit for the job is evaluated. This is an important tool that counties use to ensure they end up with qualified people in each job. As we understand it, current statute dictates that people employed by a public employer for under 6 months do not qualify under the definition of "public employee." LD 775 would strike that line in statute, making people who have been employed for under 6 months "public employees" according to the definition in Maine law, and therefore making these employees subject to everything else this statute entails.

While we appreciate that LD 755 retains the probationary period for new employees and allows that "during the probationary period, an employee may be dismissed, suspended or otherwise disciplined without cause," we do not feel the definition of public employee needs to be changed to incorporate people employed less than 6 months. It is for that reason that MCCA opposes LD 775.

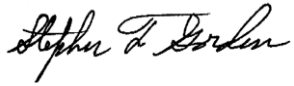
Conclusion. We hope this information is helpful to the Committee as it considers LD 755, and we hope the Committee will see fit to give this bill an "ought not to pass" report.

Testimony of MCCA in opposition to LD 755

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen T. Gorden". The signature is written in a cursive style with a large initial 'S'.

Stephen Gorden
President

cc: Commissioner Brian Hobart, Chair, MCCA Legislative Committee
James I. Cohen, Verrill Dana, LLP, MCCA Legislative Counsel