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TESTIMONY NEITHER FOR NOR AGAINST L.D. 151

“An Act To Protect Farm Workers by Allowing Them To Organize for the Purpose of Collective Bargaining”

**Neil P. Daly, Executive Director
Maine Labor Relations Board
April 7, 2021**

Senator Hickman, Representative Sylvester, and members of the Joint Standing Committee on Labor and Housing, my name is Neil Daly and it is my privilege to serve as the Executive Director of the Maine Labor Relations Board (MLRB or the Board), and its affiliates, the State Board of Arbitration and Conciliation (BAC) and Panel of Mediators.

Today, I'm here to testify neither for nor against L.D. 151, but rather to provide information as to the potential impacts of L.D. 151 on the Board's operations. In sum, L.D. 151 provides agricultural employees the right to organize and engage in collective bargaining. Under the proposed bill, the MLRB would be responsible for (1) conducting elections, (2) deciding related disputes over the composition of bargaining units, and (3) adjudicating complaints of alleged prohibited practices. Additionally, the bill provides parties the ability to use the Panel of Mediators and the BAC to resolve bargaining disputes. With several exceptions, L.D. 151's proposed framework for agricultural labor relations is comparable to the established procedures currently enforced by the MLRB for the State's four public-sector labor relations laws.

As you may have heard today, Maine's legislature enacted a version of an agricultural employee labor relations act in 1997. That law only applied to egg processing facilities with more than 500,000 birds and 100 employees and it's my understanding it resulted in very few filings with the MLRB before it was rescinded in 2011.

In contrast, L.D. 151 would apply to all farms with more than 5 employees. While it is difficult to predict with any certainty, L.D. 151 would presumably generate a substantively greater number of filings before the MLRB in comparison to its predecessor, especially in the law's first years of existence when filings are likely to be the greatest. If that were the case, it is doubtful the MLRB would be able to meet this demand with our existing resources and still provide timely and effective services for all our parties.

As a result, should L.D. 151 be enacted, the Legislature may want to consider additional appropriations to the MLRB in order to effectively accommodate the anticipated increase in filings with the Board.

Thank you for this opportunity to discuss L.D. 151. I will try to answer any questions you have.