

TESTIMONY

In Support of

LD 1509: An Act To Provide That Maine's School Bus Drivers Are Eligible for Unemployment Insurance in Certain Circumstances

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Before the Joint Standing Committee on Labor and Housing

May 3rd, 2021

Senator Hickman, Representative Sylvester and other esteemed members of the Labor and Housing Committee,

My name is John Kosinski, and I am here on behalf of the Maine Education Association (MEA) to testify in support of LD 1509, An Act To Provide That Maine's School Bus Drivers Are Eligible for Unemployment Insurance in Certain Circumstances. The MEA represents 24,000 educators in the state of Maine, including hundreds of bus drivers and other hourly support staff workers in our public schools.

This bill is a perennial one and a solution to this problem has eluded us thus far. Put simply, the current prohibition on bus drivers and other hourly school employees from collecting unemployment is patently unfair, economically disadvantages hourly school employees, and further challenges our ability to find suitable candidates for the many important roles in our public schools.

First, some background.

Title 26, Chapter 13 §1192 (link: [Title 26, §1192: Eligibility conditions \(maine.gov\)](#)) provides eligibility conditions for our unemployment insurance system. Tucked into that section of law, subsection 7, you will find a very complicated description that serves to deny hourly school employees' access to unemployment benefits if they have a "reasonable assurance" letter from their school district. This reasonable assurance letter is just that – a reasonable assurance that the school district will have a job for the person when they return in August or the Fall. The law does not specify when such a reasonable assurance letter must be given to hourly employees – in fact, we have reports of employees receiving these letters on the last day of school. However, this language is clear that if an hourly employee receives such a letter, they are prohibited from qualifying for unemployment even if they are unemployed over the summer months. This causes significant financial challenges for many hourly employees as they try to "make do" during the summer months. They often need to compete with college students or even their own students for employment to make ends meet during the summer. But they are

further disadvantaged in that their own schedule may be less accommodating than their students' because they work a bit beyond the student year.

It is important to note, this same provision in Title 26 does NOT apply to private contractors. If a school bus driver works for a private, subcontracted company, they are eligible for unemployment during the summer months – the language in Title 26 only impacts the hourly employees unfortunate enough to work in a public school.

If we want to improve the plight of hourly school employees, we should provide them access to the unemployment program. Hourly school employees are often underpaid for the work they do – yet they are the backbone of our schools. Having access to the unemployment program will help hundreds of hourly school employees meet their basic needs if they are unable to find work over the summer months. We fully realize this proposal comes with a cost. Yet we feel compelled to support the proposal to address this long-standing problem.

All around the state, schools are struggling to find hourly staff. Just last week, my own children had their classes transition to remote for two days because the district did not have enough bus drivers or substitute bus drivers to transport students. Allowing hourly school employees to collect unemployment will provide some basic peace of mind for these employees, that if they cannot find work during the summer, they can at least count on unemployment to get them through. Preventing these individuals, who are often low wage, from collecting unemployment over the summer must end if we want to address the current and impending workforce challenges of our schools.

Thank you for your time and attention and your service to the state of Maine. I will do my best to answer any questions you may have.