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LD 555, An Act To Expand the Rights of Public Sector Employees

January 19, 2022

Chair Hickman, Chair Sylvester, and members of the Joint Standing Committee on Labor and Housing, and 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 555.

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.

About LD 555. LD 555 would modify current Maine law by giving most public employees the right to strike, which is not currently permitted given the importance of government services to the everyday lives of Maine people and businesses. There is an exception in the bill, however, that would continue to prohibit strikes for a range of employees involved in public safety, including corrections, law enforcement, emergency dispatch, and ensuring due process rights.

Applied to counties, LD 555 would most likely cover a minority of county employees given that much of county government is focused on "law and order" -- law enforcement, corrections, emergency management, and the judicial system. However, employees falling outside these categories within county government would gain the right to strike.

The Maine Association of County Commissioners very much values its employees, and county commissioners take seriously their responsibility to engage fairly in collective bargaining with the unions representing county employees. Commissioners approach such bargaining with the understanding that employee salaries and benefits are important to attracting and retaining quality employees, and they also understand that county taxpayers ultimately pay for employee salaries and benefits. Hence, commissioners must take a balanced approach to collective bargaining, including with regard to the terms and conditions of employment.

The issue raised by LD 555 is whether public employees can exercise the right to strike as part of their leverage in collective bargaining. Current law resolves this issue by prohibiting strikes because of the negative impact a strike would cause to the public. LD 555 tries to walk a fine line by carving out certain public safety employees, but MCCA would contend that all members of county government are both valuable and essential for the public welfare, and even employees not on the front lines play key roles in the overall functioning of county government and everyday society

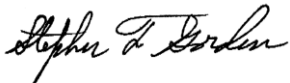
Moreover, county government and other levels of Maine government are inextricably linked, so if certain municipal or state employees go on strike, county government and its operations will be affected. Imagine financial transactions being held up, or certain labor or healthcare functions being paused, because of a strike at the state government level. Eventually, the absence of such services will impact the employees of county government, and eventually, impact the public.

And we don't have to imagine what a strike would be like. During the few times state government has shut down due to state budget impasses, Mainers have quickly come to experience tremendous hardship and inconvenience – even though the shutdowns have not impacted employees deemed “essential.” These are experiences that most of us do not want repeated.

For these reasons, we respectfully oppose LD 555 and ask the Committee to issue an “ought not to pass” report.

Conclusion. We appreciate the opportunity to provide testimony on this bill, and if you have questions or need additional information, please do not hesitate to let us know.

Respectfully submitted,



Stephen Gorden
President

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