

Testimony of Jeff McCabe

Maine Service Employees Association, SEIU Local 1989

Before the Joint Standing Committee on Labor and Housing

In Support of LD 1808, An Act to Address Employee Retention at the Maine State Police Crime Laboratory and the Computer Crimes Unit in the Department of Public Safety (Emergency), Sponsored by Senator Bill Diamond

9 AM Wednesday, Jan. 19, 2022, Cross Office Building 202

Senator Hickman, Representative Sylvester, members of the Committee on Labor and Housing, my name is Jeff McCabe, Director of Politics and Legislation for the Maine Service Employees Association, Local 1989 of the Service Employees International Union. The Maine Service Employees Association represents over 13,000 workers across the state, including workers at the Maine State Police Crime Lab and at the Computer Crimes Unit, both within the Maine Department of Public Safety. We're here in support of LD 1808.

Some of you may be thinking right now: Didn't this Committee address this exact same issue with the passage and enactment on July 15, 2021, of LD 1101, An Act to Expand the 1988 Special Retirement Plan to Include Civilian Employees Who Work for the Department of Public Safety Crime Lab and Computer Crimes Unit, which also was sponsored by Senator Diamond?

The answer is to that question is: While this committee and the 130th Maine Legislature did in fact take up this issue in 2021, the resulting legislation enacted into law, LD 1101, addressed this issue only for future hires, not for all workers in the Maine State Police Crime Lab or at the Computer Crimes Unit. To be sure, the enacted LD 1101 applied only to Crime Lab and Computer Crimes Unit workers hired after Sept. 30, 2021, by making them eligible for the 1998 Special Retirement Plan. Any civilian workers in either of these units employed at the time of LD 1101's passage, as well as any workers hired on or before Sept. 30, 2021, in either unit, were excluded from the enacted legislation.

While meeting with members from the CCU and Crime Lab during the fall of 2021, as well as talking with the bill sponsor and other legislators, it was clear a bill was needed in this emergency session to correctly amend statute to address the original intent of the bill sponsor and those employees who have testified several times before this committee.

The goal is to correctly amend the statute to reflect the intent of these workers:

- This change to retirement must be retroactive and cover the employees from date of hire.
- The change to retirement must cover all workers regardless of current years of service, and must allow current workers to move from their current plan into the Special Plan.
- The change in statute must be to a straight 25-year retirement, without an age requirement or penalty related to age, to mirror their coworkers and supervisors who are sworn State Police Law Enforcement and whom they work beside.

I would respectfully ask before the committee votes on the final language, that the committee consider having a subcommittee of two to three workers, a MainePERS employee, two committee members and a representative of MSEA work to make sure the bill language covers the intent of the bill sponsor, the committee and the workers who have come before the committee over the last two sessions. Furthermore, we have seen MainePERS testify this year before the committee and have had direct dialogue with the MainePERS Director and staff about working in a more collaborative nature on issues to better serve plan participants. We welcome this commitment to plan participants and also see we have a role in that effort to work collaboratively.

Many of these workers have testified before this committee in 2019 and again in 2021 seeking to be heard. They have provided deeply personal testimony, much of it traumatic for them to recount, to help inform your decision making. They have implored you to listen to them. Unless the current statute is amended by legislation like LD 1808, the workers who have been doing this work for years, and who have shared their stories with you, will not be able to retire before their normal retirement age of 62 or 65 without facing a 6% annual penalty. Their only option to limit their exposure to the traumatic and graphic content they handle on a daily basis would be to retire early and face significant cuts to the retirement benefits they have worked so hard to earn.

As you know from their prior testimony, the civilian workers at the State Police Crime Lab and at the Computer Crimes Unit possess a unique skill set. There's no other way to put it: They do gruesome work. It's work we all expect them to do every day, and it's work each of you as state legislators requires them to do every day. While their work impacts all of us in our Great State of Maine, much of what they do is about protecting children. We are forever grateful to them for their public service, and it's past time to turn appreciation and respect for their work into action.

LD 1808 is about setting things right for these often unknown and unseen workers in both the State Police Crime Lab and the Computer Crimes Unit. They do much of the same work as law-enforcement officers such as detectives or special agents. They often must wear hazmat suits while doing their jobs, which includes collecting evidence at all hours, day or night, weekdays and weekends. They work on homicides. They listen to traumatic 911 calls and view graphic photos and videos in the course of their work. Then they testify, as necessary, in cases at both the state and federal levels. Imagine having to experience graphic evidence and testimony all the time, every day, as part of your job, and then, at the end of the day, going home to your own family, your own life, your own children, all with that day's case still fresh in your mind. Imagine having to do that same gruesome work until you reach age 62 or, if you started state service after July 1, 2006, until you reach age 65, in order to retire without incurring a 6 percent annual penalty on your public employee pension.

Their work takes a toll on them as workers, as private citizens, as spouses or partners, as parents. With their "constant exposure to violence and death," as one of the workers has described their jobs, only one scientist in the State Police Crime Lab has made it to normal retirement age in the past 38 years. It's past time we stopped expecting these workers to do this work until their normal retirement age. It's past time to include all of these workers in the 1998 Special Retirement Plan. On behalf of these incredibly dedicated public servants who have given so much of themselves in service to Maine people, please pass LD 1808.

Thank you and I would be glad to answer any questions.