



DATE: Jan. 19, 2022
TO: Committee on Labor & Housing
FROM: Samantha Warren, UMS Director of Government & Community Relations
RE: LD 555, *An Act To Expand the Rights of Public Sector Employees*

Senator Hickman, Representative Sylvester and distinguished members of the Joint Standing Committee on Labor and Housing: I write on behalf of the University of Maine System (UMS) with serious concern about the negative impact to our students, workers and dependent communities if public university employees became entitled to strike, as proposed by LD 555, *An Act To Expand the Rights of Public Sector Employees*.

UMS values our employees and our productive partnership with the six labor organizations who represent them. Our employees' bargaining rights are enshrined in the University of Maine System Labor Relations Act ([Title 26, Chapter 12](#)). When promulgating this Act in 1975 and through five rounds of revision since, your predecessors rightfully recognized that **the mere possibility of work stoppage at our state's largest educational and research enterprise would undermine the important trust and responsibility Maine students and their families place in our public universities.**

UMS has an obligation to ensure the health and safety of our nearly 26,000 enrolled students and to keep them on track toward timely completion of the baccalaureate and advanced degrees that are the most proven path to social mobility. While the reduction in revenue caused by striking employees hurts the bottom line of a private business, it would be Maine's students who would bear the brunt of harm if our employees disrupted their education by walking out.

A strike could threaten the health and safety of our students (especially those in our residence halls), and prevent them from completing their coursework on time, jeopardizing their financial aid and their ability to graduate on-time, thus increasing their debt and delaying their career readiness. UMS – and by extension the State and its Legislature – could become responsible for refunding tuition and/or room and board payments if we are unable to provide our students with the education and related services they expect through each semester.

Beyond being incredibly disruptive to the lives and futures of these students and fellow UMS workers still on the job, a strike could also devastate the small Maine businesses and rural communities most reliant on our campuses.

As importantly, the right to strike is unnecessary.

The abovementioned UMS Labor Relations Act provides a process by which university and union leaders can – and do – work together in good faith until mutually agreeable resolutions are reached. In the rare circumstances when there are bargaining disputes or a legitimate impasse, a variety of redress can be sought through the statutory mechanisms for fact-finding, mediation and arbitration or through the Maine Labor Relations Board.

The premise of this proposal, insofar as it relates to UMS, is that the Legislature has to correct a supposed imbalance of power between UMS and its represented employees. The facts prove this isn't true. **UMS has consistently improved wages and benefits while holding the line**

on tuition and significantly decreasing student debt – even when the Legislature’s appropriations have not adequately supported our doing so. For example, after being unexpectedly flat-funded in FY21 and then subject to a multi-million dollar curtailment, UMS still honored its contractual commitments to our employees, raising their annual pay 3% at a collective cost of \$11.5 million just that fiscal year. Furthermore, as UMS suffered tens of millions of dollars in pandemic-related losses that will not be offset by State and federal relief, the System has provided our employees pay and benefit stability, no-cost comprehensive testing and PPE, flexibility including to teach and work remotely, and paid time for vaccination.

Maine ranks among the bottom third of all states for per capita spending on public higher education, and on average State appropriation for UMS has increased annually by less than 1.0% over the last 15 years. **If the Legislature wants to promote better pay, benefits and working conditions for UMS employees, it is not strike rights that should be enacted, rather State budgets that meaningfully increase investment in our public universities.**

This includes funding for improving our physical plant, which is among higher education’s oldest in the nation. After all, legislative appropriations have the greatest impact on the ability of UMS to keep higher education affordable and accessible for Maine families while concurrently compensating our workforce fairly.

The pandemic has uniquely reminded us all how essential our public universities are not just to meeting our students’ educational needs, but also their most basic needs for food, safe housing, and physical, mental health and child care. We all owe UMS faculty and staff our gratitude for their hard work to maintain these vital services and stability for our students and the people of Maine during this time of challenge and change. While we trust UMS employees would not take lightly the decision to walk away from their duties at our state’s public universities due to labor disagreements, if we are to truly put Maine’s students first, that option simply should not be on the table.

Thank you for your consideration.