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TESTIMONY NEITHER FOR NOR AGAINST L.D. 1922

“An Act to Allow Bargaining Agents for Public Sector Unions to Merge”

**Neil P. Daly, Executive Director
Maine Labor Relations Board
May 16, 2023**

Senator Tipping, Representative Roeder, 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).

This testimony is neither for nor against L.D. 1922 but will review my understanding of the proposed changes set forth through the bill.

As background, under the Municipal Public Employees Labor Relations Law, the MLRB is responsible for certifying unions as the designated bargaining agents for groups of employees, known as bargaining units. This is typically accomplished through either the majority sign-up process or through an election. Thereafter, if the bargaining unit wants to change union representation, they must generally do so through another election in which the employees choose between the incumbent union and a new union. These elections are known as decertification/new bargaining agent elections.

Currently, if two or more local affiliates of the same labor organization want to merge into a single local, and each of the local affiliates is the certified bargaining agent for their respective bargaining unit, the MLRB would need to conduct separate decertification/new bargaining agent elections for each of the bargaining units in question. In contrast, under L.D. 1922, the MLRB would conduct a single election for all of the bargaining units at issue to determine if they want to merge into a single local affiliate.

Notably, L.D. 1922 only addresses the merger of the actual bargaining *agents*, but not the bargaining *units*. In other words, should L.D. 1922 be enacted, local union affiliates could merge into a single entity. However, the actual bargaining units represented by that new local would remain separate. If the parties wanted to merge the actual bargaining units into a single unit, that requested merger would remain subject to the established unit merger process set forth in 26 M.R.S.A. 966(4).

Thank you for this opportunity to discuss L.D. 1922.