



# **MAINE AFL-CIO**

**A Union of Unions Standing for Maine Workers**  
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## **Testimony of Maine AFL-CIO Legislative & Political Director, Adam Goode, in Support of LD 2032, "An Act to Improve Maine's Labor Laws by Changing the Laws Governing Elections of Collective Bargaining Agents for Certain Public Employees"**

Senator Tipping, Representative Roeder and members of the Labor & Housing Committee, my name is Adam Goode. I'm the Legislative and Political Director of the Maine AFL-CIO. We represent 40,000 working people in the state of Maine. We work to improve the lives and working conditions of our members and all working people. We testify in support of LD 2032.

This legislation builds on a law passed in 2019 that granted municipal workers a more simplified process of organizing a union from one that exists for state, judicial and higher education employees.

Under current law, workers in the public sector who are in the state, judicial or higher education workforce use a convoluted process when forming a union. For workers in these three areas of employment, the process for organizing a union involves a Maine Labor Relations Act requirement that workers sign a type of petition, usually a card, that has the employee's name, signature, date, employer and language saying the employee authorizes a union to represent them for the purpose of negotiating wages, benefits and working conditions.

Even though signing this card clearly states that the employee wants a union to represent them, there is a set of complicated state laws that impose a time-consuming and costly representation process on workers and the public employer. The current process for state, judicial and higher education employees requires that after a majority of workers sign these cards, they then take them to their employer. The employer can either recognize the union (also known as "voluntary recognition"), decline and ask that a neutral third party examine the signatures with a list of employees and signatures or the employer can ignore that their employees have demonstrated interest in having a union and demand that the Maine Labor Relations Board (MLRB) hold an election. To hold the election, the MLRB must examine the list and all the cards to determine that at least a third of the cards have authentic signatures.

After the passage of a 2019 law, municipal employees and employers have a much more streamlined process that avoids the cost, time and animosity associated with employers ignoring the worker interest in forming a union. For the past 4 years, the municipal workplace has worked well under a system where the MLRB simply looks at all the cards and determines if the majority of the employees have legally signed with the intent of organizing a union.

This process is often called “majority sign up” and it simply requires public employers to honor their workers’ decision to form a union. Because the 2019 law only applied to municipal employees, public sector employers in the state, higher education and judicial branches are not required to honor their workers’ decision to form a union, even if 100 percent of employees demonstrate they want to have a union.

We have had reports of multiple groups of municipal employees reporting that their experience with the new process is one that has been smooth and has avoided bureaucratic hiccups that have had a tradition of stoking animosity in the workplace. In recent years, municipal workers have had unions formed at fire departments in Clinton, Raymond and Sabattus. Workers at the Knox County Regional Airport and Bangor International Airport and municipal workers at the towns of Orono and Easton have all formed unions under this new process.

Our experience is that this new process has been used regularly, but there has been no major tip in the scales resulting in a dramatic increase of worker power in municipal government. What we have seen is that the employee’s decision to form a union is honored and towns have not hired attorneys, often working at union avoidance firms, to advise them in elections. The ability for a town to use taxpayer dollars to hire lawyers to contest the group of workers and demand a hearing on various technicalities is now limited, and we think that is a good thing.

Majority sign up is also not an uncommon practice. Private sector employers are allowed to recognize a union if a majority of employees demonstrates they desire union representation, and we have seen examples in the past year of Maine employers who make the decision to do the right thing and to not go down a path of spending time and money hiring union avoidance firms to pressure workers and influence their decision on forming a union.

Graduate workers at the University of Maine System, Bangor Daily News staff, workers at multiple Sexual Assault Support Services agencies and workers at Coffee By Design are among the groups of workers that have been voluntarily recognized in the past year. For these workers, as well as the municipal workers we have already mentioned in this testimony, there has been a streamlined process that respects that the decision about union representation is up to the employees.

Municipal government has done well since we have stopped undertaking the administrative and personnel costs inherent in a mandated representation and certification process. All areas of public sector employment in Maine should recognize that when a majority of workers have signed authorizations indicating their decision to form a union to be able to bargain with their employer for better wages and working conditions, this decision should be respected. Majority sign-up provides a streamlined, less-costly path for the state to verify workers’ choice for union representation.

For all of the reasons above, we ask you to vote to support LD 2032.