



Maine Education Association

Grace Leavitt President | Jesse Hargrove Vice President | Beth French Treasurer
Rebecca Cole NEA Director | Rachelle Bristol Executive Director

Testimony 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 Before the Labor Committee January 16, 2024

Senator Tipping, Representative Roeder, and other esteemed members of the Labor Committee,

My name is John (Jan) Kosinski, and I am here on behalf of the Maine Education Association (MEA) to testify 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. The MEA represents 24,000 educators in the state of Maine, including teachers, certified professionals, and support staff in nearly every public school in the state as well as the faculty and other professionals in the University of Maine and Community College systems.

In May of 2019, the House and Senate passed LD 757, An Act to Improve Labor Law for Maine Workers and the bill became law. The overall premise of this new law is quite simple – rather than a lengthy process involving elections and loads of paperwork and opportunities for delay, if a majority of workers in a worksite demonstrate support for joining a union, the Labor Board is authorized to recognize the union and negotiations commence. The card check process is faster, simpler and saves us all from unnecessary delays due to creative or entrepreneurial management attorneys.

LD 757 in the 129th Legislature was written, as amended, only to apply to the municipal section of labor law. I believe this was a mistake. Typically, when adjustments are made to one section of labor law, we often argue that they should apply to others. Our hope is that public sector labor law in Maine remains synchronized and consistent among all four sections – municipal, state, judicial and public higher education. When the law is consistent across all four sections, we can apply decisions and rulings from the Maine Labor Relations Board and other bodies throughout and this provides consistency for representatives of employees and management. Inconsistency among the four sections of our public sector labor law only serves management attorneys who use any confusion to rack up the billable hours. This is especially important for the MEA since we represent workers covered by at least two sections of labor law – school employees are covered under the municipal public sector labor law and our members in the University of Maine and Community College systems are covered under the public higher education labor laws.

Since this bill was enacted, we have used it with great success. In 2021, bus drivers in the Auburn School Department used the card check process to join the MEA. This is a unit that has joined and disaffiliated from a few unions a few times over the past 15 years, and the workers there decided to join MEA again. More recently, adult education teachers in Oxford Hills (RSU 17) have joined the MEA under the card check provisions passed in 2019. There are additional examples. But the result has been

35 Community Drive, Augusta, ME 04330 | 1349 Broadway, Bangor, ME 04401
7 Hatch Drive, Suite 220, Caribou, ME 04736 | 29 Christopher Toppi Drive, South Portland ME 04106

207-622-5866 | 207-888-2070 fax | www.maineea.org

clear – the law passed under LD 757 in 2019 streamlined the process and made it easier for individuals to join our union if they choose to do so. We support LD 2032 to streamline the process for workers to join together in a union across the three other sections of labor law if they choose to do so.

We think streamlining processes in Maine public sector labor law is good for workers and for management. This is why we supported LD 1922, An Act to Allow Bargaining Agents for Public Sector Unions to Merge last year and we have since used this streamlined process to avoid unnecessary bureaucratic delays when local bargaining agents choose to join together, rather than a lengthy, time-consuming, and more expensive process of conducting individual elections.

And we also believe consistency is important and that is why we supported LD 449, An Act to Strengthen the Ability of Public Employers and Unions to Negotiate, which was passed in 2022 by this Committee and became law. That bill built off a bill in the previous session that only impacted the public sector labor law covering state employees. LD 449 applied the same concept often called “dynamic status quo” to the three other sections of labor law.

For these reasons we support LD 2023, An Act to Improve Maine’s Labor Laws by Changing the Laws Governing Elections of Collective Bargaining Agents for Certain Public Employees. We feel passing this legislation will make our public sector labor law more consistent and streamlined.

Thank you in advance for your time and attention and your service to the people of Maine and I will do my best to answer any questions you may have.