

# MAINE STATE LEGISLATURE

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**MAJORITY**

Date: 6/18/19

(Filing No. S- 308)

**LABOR AND HOUSING**

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**STATE OF MAINE**

**SENATE**

**129TH LEGISLATURE**

**FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 363, L.D. 1177, Bill, "An Act To Improve Public Sector Labor Relations"

Amend the bill in section 1 in subsection 4 by inserting at the end the following:

In reaching a decision under this subsection, the arbitrator shall consider the following:

A. The interests and welfare of the public and the financial ability of the public employer to finance the cost items proposed by each party to the impasse;

B. A comparison of the wages, hours and working conditions of the employees involved in the arbitration proceeding with the wages, hours and working conditions of other employees performing similar services in public and private employment in other jurisdictions competing in the same labor market;

C. The overall compensation presently received by the employees including direct wage compensation, vacation, holidays and excused time, insurance and pensions, medical and hospitalization benefits, the continuity and stability of employment and all other benefits received;

D. Factors other than those specified in paragraphs A to C that are normally and traditionally taken into consideration in the determination of wages, hours and working conditions through voluntary collective bargaining, mediation, fact-finding, arbitration or otherwise between the parties, in public or private employment, including the average consumer price index;

E. The need of the public employer for qualified employees;

F. Conditions of employment in similar occupations outside public employment;

G. The need to maintain appropriate relationships between different occupations in public employment; and

H. The need to establish fair and reasonable conditions in relation to job qualifications and responsibilities.'

Amend the bill by adding after section 5 the following:

**COMMITTEE AMENDMENT**

R.C.P.S.

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**'Sec. 6. Effective date.** This Act takes effect July 1, 2020.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment adds specific factors an arbitrator must consider when a controversy is not resolved between a public employer and bargaining agent under the municipal public employees labor relations law. This amendment delays the effective date of the changes made in the bill until July 1, 2020.

**FISCAL NOTE REQUIRED**

**(See attached)**



# 129th MAINE LEGISLATURE

LD 1177

LR 1017(02)

## An Act To Improve Public Sector Labor Relations

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-308)

Committee: Labor and Housing

Fiscal Note Required: Yes

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### Fiscal Note

Potential current biennium cost increase - All Funds  
Potential current biennium cost increase - University of Maine System  
Potential current biennium cost increase - Local units of government

#### Fiscal Detail and Notes

Current law regarding labor relations for municipal public employees, University of Maine System employees and state employees including judicial employees provides that the determination of an arbitrator regarding salaries, pensions and insurance is advisory only. This legislation changes the law to provide that an arbitrator's determination regarding these issues is binding on all parties. This may result in increased personnel and other direct and indirect costs to the employers of these public employees if, as a result of the arbitrator's decision, salary, pension or insurance costs increase more than they would have absent this legislation. The impact cannot be determined at this time.

Additional costs to the Maine Labor Relations Board can be absorbed within existing budgeted resources.