

MAINE STATE LEGISLATURE

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LABOR AND HOUSING

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1063, L.D. 1451, Bill, "An Act Providing Labor Unions with Reasonable Access to Current and Newly Hired Public Sector Workers"

Amend the bill in section 1 in §975 in subsection 1 in paragraph C in the 2nd line (page 1, line 17 in L.D.) by inserting after the following: "30 minutes" the following: 'or for an amount of time agreed upon by all parties'

Amend the bill in section 1 in §975 in subsection 2 in paragraph A in the first line (page 1, line 29 in L.D.) by striking out the following: "10" and inserting the following: '30'

Amend the bill in section 1 in §975 in subsection 2 in paragraph A in the 2nd line (page 1, line 30 in L.D.) by striking out the following: "10" and inserting the following: '30'

Amend the bill in section 1 in §975 by inserting after subsection 3 the following:

4. Employee may opt out. After an initial meeting pursuant to subsection 1, paragraph C, an employee may opt out of receiving any further communications from a bargaining agent or allowing a bargaining agent to have any further access to that employee's information described in subsection 2, paragraph A, except for communications related to direct representation of that employee by a bargaining agent.

5. Selling or sharing nonmember data prohibited. A bargaining agent may not sell or share the information provided in accordance with subsection 2, paragraph A of an employee who is not a member of an employee organization except for the purpose of fulfilling the agent's collective bargaining obligations.'

Amend the bill in section 2 in §979-T in subsection 1 in paragraph C in the 2nd line (page 2, line 39 in L.D.) by inserting after the following: "30 minutes" the following: 'or for an amount of time agreed upon by all parties'

Amend the bill in section 2 in §979-T in subsection 2 in paragraph A in the first line (page 3, line 12 in L.D.) by striking out the following: "10" and inserting the following: '30'

COMMITTEE AMENDMENT

1 Amend the bill in section 2 in §979-T in subsection 2 in paragraph A in the 2nd line
2 (page 3, line 13 in L.D.) by striking out the following: "10" and inserting the following:
3 '30'

4 Amend the bill in section 2 in §979-T by inserting after subsection 3 the following:

5 '4. Employee may opt out. After an initial meeting pursuant to subsection 1,
6 paragraph C, an employee may opt out of receiving any further communications from a
7 bargaining agent or allowing a bargaining agent to have any further access to that
8 employee's information described in subsection 2, paragraph A, except for
9 communications related to direct representation of that employee by a bargaining agent.

10 '5. Selling or sharing nonmember data prohibited. A bargaining agent may not
11 sell or share the information provided in accordance with subsection 2, paragraph A of an
12 employee who is not a member of an employee organization except for the purpose of
13 fulfilling the agent's collective bargaining obligations.'

14 Amend the bill in section 3 in §1037 in subsection 1 in paragraph C in the 2nd line
15 (page 4, line 23 in L.D.) by inserting after the following: "30 minutes" the following: 'or
16 for an amount of time agreed upon by all parties'

17 Amend the bill in section 3 in §1037 in subsection 2 in paragraph A by striking out
18 all of the first paragraph (page 4, lines 37 to 40 and page 5, lines 1 and 2 in L.D.) and
19 inserting the following:

20 'A. Not later than 30 calendar days after the date of hire for an employee, the
21 university, academy or community college shall provide the following information to
22 a bargaining agent in spreadsheet file format or another format agreed to by the
23 bargaining agent.'

24 Amend the bill in section 3 in §1037 by inserting after subsection 3 the following:

25 '4. Employee may opt out. After an initial meeting pursuant to subsection 1,
26 paragraph C, an employee may opt out of receiving any further communications from a
27 bargaining agent or allowing a bargaining agent to have any further access to that
28 employee's information described in subsection 2, paragraph A, except for
29 communications related to direct representation of that employee by a bargaining agent.

30 '5. Selling or sharing nonmember data prohibited. A bargaining agent may not
31 sell or share the information provided in accordance with subsection 2, paragraph A of an
32 employee who is not a member of an employee organization except for the purpose of
33 fulfilling the agent's collective bargaining obligations.'

34 Amend the bill in section 4 in §1295 in subsection 1 in paragraph C in the 2nd line
35 (page 6, line 15 in L.D.) by inserting after the following: "30 minutes" the following: 'or
36 for an amount of time agreed upon by all parties'

37 Amend the bill in section 4 in §1295 in subsection 2 in paragraph A by striking out
38 all of the first paragraph (page 6, lines 27 to 29 in L.D.) and inserting the following:

39 'A. Not later than 30 calendar days after the date of hire for a judicial employee, the
40 public employer shall provide the following information to a bargaining agent in
41 spreadsheet file format or another format agreed to by the bargaining agent.'

1 Amend the bill in section 4 in §1295 by inserting after subsection 3 the following:

2 4. Employee may opt out. After an initial meeting pursuant to subsection 1,
3 paragraph C, an employee may opt out of receiving any further communications from a
4 bargaining agent or allowing a bargaining agent to have any further access to that
5 employee's information described in subsection 2, paragraph A, except for
6 communications related to direct representation of that employee by a bargaining agent.

7 5. Selling or sharing nonmember data prohibited. A bargaining agent may not
8 sell or share the information provided in accordance with subsection 2, paragraph A of an
9 employee who is not a member of an employee organization except for the purpose of
10 fulfilling the agent's collective bargaining obligations.'

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

13 SUMMARY

14 This amendment does the following:

15 1. It changes the minimum amount of time an employer must allow for a newly hired
16 employee to meet with a bargaining agent from 30 minutes to either 30 minutes or an
17 amount of time agreed upon by all parties;

18 2. It changes from 10 days to 30 days the amount of time an employer has to provide
19 a bargaining agent with information regarding newly hired employees;

20 3. It allows an employee to opt out after initial communications with a bargaining
21 agent from any further contact or sharing of that employee's information with a
22 bargaining agent, except for instances when that employee is being provided direct
23 representation by the bargaining agent; and

24 4. It prohibits a bargaining agent from selling or sharing a nonmember's information
25 except for the purposes of that bargaining agent fulfilling its collective bargaining
26 obligations.

27 FISCAL NOTE REQUIRED

28 (See attached)

ROFS

Revised: 06/14/19 *MJC*



129th MAINE LEGISLATURE

LD 1451

LR 759(02)

An Act Providing Labor Unions with Reasonable Access to Current and Newly Hired Public Sector Workers

Fiscal Note for Bill as Amended by Committee Amendment *A(H-602)*
Committee: Labor and Housing
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Administrative and Financial Services, the judicial branch, the University of Maine System, the Maine Community College System and Maine Maritime Academy to implement the requirements of this legislation can be absorbed within existing budgeted resources.