

MAINE STATE LEGISLATURE

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State of Maine
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON STATE AND LOCAL GOVERNMENT


March 28, 2014


The Honorable Justin L. Alford
President of the Senate
The Honorable Mark W. Eves
Speaker of the House of Representatives
126th Legislature
State House
Augusta, ME 04333

Dear Mr. President and Mr. Speaker:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings of the Joint Standing Committee on State and Local Government from the review and evaluation of the State Civil Service Appeals Board under the State Government Evaluation Act. In its review, the Committee found that the State Civil Service Appeals Board is operating within its statutory authority.

Sincerely,


Senator Colleen M. Lachowicz
Senate Chair


Representative Anne P. Graham
House Chair

cc: Tracy Bigney, State Civil Service Appeals Board
Marion Hylan Barr, Director, Office of Policy and Legal Analysis

<p style="text-align:center">JOINT STANDING COMMITTEE ON STATE AND LOCAL GOVERNMENT</p>
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**Review of the Office of the State Civil Service Appeals Board
under the Government Evaluation Act
March 2014**

The Government Evaluation Act

The Government Evaluation Act provides for a system of periodic review of the efficacy and performance of state government agencies (3 MRSA §951 et seq). The keystone of the Act is the agency program evaluation report that consists of a number of components required by the statute. Essentially, the report is an agency self-assessment, which the committee of jurisdiction uses as a starting point for its evaluation of the agency's effectiveness, efficiency and performance.

Review Process

On April 25, 2013, the Joint Standing Committee on State and Local Government notified the State Civil Service Appeals Board of its intent to review the agency pursuant to the schedule established in 3 MRSA, §959. The State Civil Service Appeals Board submitted its program evaluation report in mid-January, 2014.

On February 3, 2014, Tracy Bigney, Chair of the Civil Service Appeals Board, presented the Program Evaluation Report to the Committee. The State and Local Government Committee held no further follow-up meetings.

Findings and Recommendations

The Joint Standing Committee on State and Local Government has reviewed the State Civil Service Appeals Board and finds that it is operating within its statutory authority. The Board is charged with mediating grievances and disputes and hearing and resolving classification appeals filed by State employees who are excluded from collective bargaining pursuant to 26 MRSA, Sections 979 and 1021-1034. Detailed information about the State Civil Service Appeals Board can be found in the Board's Program Evaluation Report, which meets the criteria set in statute (3 MRSA §956).

The Board consists of five members with experience in personnel management or labor relations and all members are appointed by the Governor. No member may be a state employee and no more than three members may be of the same political party.

In her report to the Committee, Tracy Bigney, Chair of the Civil Service Appeals Board, reported that statute was unclear on which employees are covered by a collective bargaining unit and that statute could be clearer or simpler. The Committee suggested she contact the committee analyst with recommended language changes, and as of the date of this letter, there has been no submission.