

MAINE STATE LEGISLATURE

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March 5, 1965

Ober C. Vaughan, Director

Personnel

George C. West, Deputy

Attorney General

**L. D. 978 - An Act Protecting the Right of Public Employees to
Join Labor Organizations**

You have, in your memo of March 4, 1965, asked or raised several questions concerning the above Legislative Document.

1. May a State employee presently join a labor organization?

Yes. There is nothing in the Maine Constitution or statutes that presently prohibits a State employee from becoming a member of a labor organization of his own choice.

2. Would the present law and Personnel Board regulations cover a dismissal of an employee because of joining a labor organization?

Yes. Any employee who has been dismissed by his employing authority has a right of appeal to the Personnel Board. A dismissal for any cause may be appealed.

3. May a labor organization now present proposals relative to salaries and other conditions of employment on behalf of State employees?

Yes. Employees are free to have representatives of their own choice present salary proposals and other matters to the employing authority, the Personnel Board or the Legislature.

Hence, it would appear that L. D. 978 does not add any new rights which State employees do not already have.

As far as State law is concerned, the same answers would apply to employees of political subdivisions, except that matters relating to the Personnel Board would not apply. I am not familiar with the provisions of all city charters, but I am almost sure no city charter prohibits the joining of labor organizations.

GCW:H

George C. West
Deputy Attorney General