

# MAINE STATE LEGISLATURE

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OFFICE OF  
THE GOVERNOR

NO. 3  
DATE October 11, 1971

EMPLOYMENT BY STATE AGENCIES UNDER EMERGENCY EMPLOYMENT ACT

WHEREAS, the Emergency Employment Act of 1971 has provided approximately \$735,520 of federal funds to establish public service jobs in State government giving preference to the unemployed, veterans, special veterans and certain disadvantaged groups; and,

WHEREAS, the jobs made possible under the Act are intended to serve whenever possible as a transition to more permanent jobs in State government, I am hereby establishing these guidelines for persons to be employed by State government agencies:

1. Authorized State government positions under the Emergency Employment Act are listed in Attachment A.
2. All State agency Emergency Employment Act positions should be described on Personnel Form 15-A and the procedure outlined in Attachment B, Hiring Procedures, should be followed.
3. Upon confirmation from the Personnel Department all Emergency Employment Act jobs must be listed with the Maine Employment Service Job Bank.
4. Any applications from Job Bank for State agency jobs should then be submitted on form 15 to the State Department of Personnel with "EEA Applicant" marked in red pencil.
5. Whenever possible, all agency Emergency Employment Act jobs will be classified and subject to pay rates, regulations and benefits of the Maine Personnel Law.
6. All persons hired will be selected in conformity to the federal guidelines for hiring under the EEA program (see Attachment C, "General Guidelines for hiring participants under the Emergency Employment Act of 1971.").
7. All University of Maine jobs will be handled through their own personnel procedures and regulations, but they must be listed with the Job Bank and reviewed according to the federal guidelines.

  
Governor of Maine

## ATTACHMENT A

### Authorized Positions

Following is a list of the State Departments that have received approval of funding under the Emergency Employment Act of 1971:

| EMPLOYING AGENT                                    | Number<br>of Jobs | Monthly<br>Wage Rate | Total<br>Amount* |
|--|-------------------|----------------------|------------------|
| <u>STATE DEPT.</u>                                 |                   |                      |                  |
| Personnel  |                   |                      |                  |
| Clerk Typist                                       | 1                 | 344.12               | \$ 3,785         |
| Indian Affairs                                     |                   |                      |                  |
| Constable  | 1                 | 500.00               | 5,500            |
| Coordinator  | 1                 | 600.00               | 6,600            |
| Sanitary Engineer                                  | 1                 | 360.00               | 3,960            |
| Health Service Coord.                              | 1                 | 500.00               | 5,500            |
| Firemen  | 1                 | 450.00               | 4,950            |
| Community Organ. Worker                            | 1                 | 550.00               | 6,050            |
| Sanitary Engineer                                  | 2                 | 360.00               | 7,920            |
| Health Serv. Coord.                                | 2                 | 500.00               | 11,000           |
| Firemen  | 2                 | 450.00               | 9,900            |
| Mental Health & Corrections<br>(Pineland Hospital) |                   |                      |                  |
| Carpenter Apprentice                               | 1                 | 351.00               | 3,510            |
| Electrician Apprentice                             | 1                 | 351.00               | 3,510            |
| Clerk  | 1                 | 316.00               | 3,160            |
| (Bangor State Hospital)                            |                   |                      |                  |
| Program Dir. Group Work                            | 1                 | 977.16               | 10,749           |
| Plumber Helper                                     | 1                 | 379.17               | 3,413            |
| Clerk Steno II                                     | 1                 | 374.83               | 4,123            |
| Dietary Specialist                                 | 10                | 374.83               | 33,735           |
| Cook 1   | 10                | 374.83               | 33,735           |
| Carpenter  | 1                 | 379.17               | 3,413            |
| Electrician  | 1                 | 379.17               | 3,413            |
| Grounds Keeper                                     | 1                 | 351.00               | 3,159            |
| (Maine State Prison)                               |                   |                      |                  |
| Correctional Officer                               | 2                 | 374.83               | 8,246            |
| (Probation & Parole, Dist. 11)                     |                   |                      |                  |
| Service Program Coor.                              | 1                 | 977.16               | 10,749           |

|                                 |    |        |        |
|---------------------------------|----|--------|--------|
| Maine Employment Security Comm. |    |        |        |
| Employment Interviewer Asst.    | 1  | 364.00 | 4,004  |
| Employment Interviewer          | 1  | 429.00 | 4,719  |
| Health and Welfare              |    |        |        |
| Social Worker 1                 | 2  | 511.00 | 11,242 |
| Interview Claims                | 2  | 468.00 | 10,296 |
| Caseworker Aide                 | 1  | 325.00 | 3,575  |
| Environmental Improve. Comm.    |    |        |        |
| Eng. Tech. 1                    | 10 | 512.00 | 56,320 |
| Ass't Eng.                      | 5  | 672.00 | 36,960 |
| Clerk Typist 11                 | 1  | 364.00 | 4,004  |
| Economic Development            |    |        |        |
| Community Organizational Worker | 8  | 868.00 | 76,384 |
| Steno 11                        | 8  | 384.00 | 33,792 |
| Agriculture                     |    |        |        |
| Produce Inspector 1             | 2  | 409.50 | 8,190  |
| Maine Human Rights Comm.        |    |        |        |
| Executive Director              | 1  | 931.00 | 9,310  |
| Secretary                       | 1  | 511.00 | 5,110  |
| State Planning Office           |    |        |        |
| Program Analysis                | 1  | 975.00 | 10,725 |
| Finance & Administration        |    |        |        |
| Bureau of the Budget            |    |        |        |
| Budget Examiner                 | 2  | 613.17 | 13,490 |
| Education                       |    |        |        |
| (So. Me. Voc. Tech. Inst.)      |    |        |        |
| Custodial Worker 1              | 3  | 338.00 | 11,154 |
| Clerk-Steno 11                  | 1  | 374.83 | 4,123  |
| Cook                            | 1  | 409.50 | 4,505  |
| (No. Me. Voc. Tech. Inst.)      |    |        |        |
| Laborer 1                       | 1  | 338.00 | 3,718  |
| Custodial Worker                | 2  | 338.00 | 7,436  |
| Carpenter                       | 1  | 429.00 | 4,719  |
| (E.Me. Voc. Tech. Inst.)        |    |        |        |
| Custodial Worker 1              | 2  | 338.00 | 7,436  |
| Clerk Typist 1                  | 2  | 316.00 | 6,952  |

|   |   |          |        |
|---|---|----------|--------|
| (Central Me. Voc. Tech. Inst.)                    |   |          |        |
| Clerk Typist                                      | 1 | 316.00   | 3,476  |
| Counselor Aide                                    | 1 | 500.00   | 5,500  |
| Executive Dept. State Economic Opportunity Office |   |          |        |
| Social Group Worker                               | 2 | 666.66   | 14,666 |
| Youth Services Coord.                             | 1 | 1,000.00 | 11,000 |
| University of Maine                               |   |          |        |
| (Orono)   |   |          |        |
| Ass't Counselor, Testing                          | 1 | 700.00   | 7,700  |
| Dir. Equal Oppor. Programs                        | 1 | 675.00   | 7,425  |
| Dir. Franco-American Affairs                      | 1 | 700.00   | 7,700  |
| Photographic Tech.                                | 1 | 400.00   | 4,400  |
| Personnel Tech.                                   | 1 | 460.00   | 5,060  |
| (Bangor)  |   |          |        |
| Ass't for Academic Affairs                        | 1 | 1,000.00 | 11,000 |
| Steno   | 1 | 400.00   | 4,400  |
| (Machias)   |   |          |        |
| Security Guard                                    | 1 | 425.00   | 4,675  |
| Inventory & Supply Clk.                           | 1 | 650.00   | 7,150  |
| (Farmington)                                      |   |          |        |
| Art Instructor                                    | 1 | 1,000.00 | 11,000 |
| Custodians  | 2 | 450.00   | 9,900  |
| Carpenter   | 1 | 600.00   | 6,600  |
| Steno   | 1 | 475.00   | 5,225  |
| (Fort Kent)                                       |   |          |        |
| Steno   | 1 | 475.00   | 5,225  |
| (Augusta)   |   |          |        |
| Ass't Professor of Eng. & Speech                  | 1 | 750.00   | 8,250  |
| State Park & Recreation Comm.                     |   |          |        |
| Ass't Maint. Mechanic                             | 9 | 338.00   | 33,462 |
| Veterans Services                                 |   |          |        |
| Returning Veterans Coord.                         | 1 | 1,000.00 | 11,000 |
| Forestry  |   |          |        |
| Forester 1  | 1 | 642.00   | 7,062  |

|   |       |              |           |
|---|-------|--------------|-----------|
| Emp. Security Comm.<br>Research Associate 1 | 2     | 700.00       | 15,400    |
|   | <hr/> |              | <hr/>     |
| Total No. of Jobs:                          | 138   | Total Wages: | \$735,520 |

\*The specific salaries may be adjusted to conform to the state salary compensation plan. These adjustments, if necessary, will be made by the Personnel Office.

## ATTACHMENT B

### Hiring Procedures

Hiring Procedures For Persons To Be Employed By State Government Agencies Under the Provisions of the Emergency Employment Act.

#### 1. General

Because persons to be employed under provisions of the ACT are to be considered as bonafide state government employees and eligible for benefits normally available to other employees, positions, insofar as possible, will be assigned to the Classified Service and hiring will be accomplished as described hereinafter. Only in unusual circumstances will positions be assigned to the Unclassified Service. These determinations will be made on an individual basis, in concurrence with the Executive Department and affected departments will be notified accordingly.

#### 2. Position

- a. Positions authorized will be established in usual manner; i.e., submission to the State Personnel Board of the standard job description form (Personnel Form 15-A) clearly identified as position authorized under EEA.
- b. Whenever possible, positions will be allocated to classifications already established.
- c. New classifications will be kept to a minimum although when absolutely necessary, will be established in usual manner; i.e., presentation to and acceptance by the State Personnel Board.
- d. Under extraordinary conditions, a new class may be approved by the Director of Personnel prior to its presentation to the State Personnel Board in order to permit preliminary planning, recruitment, etc. Authorization to employ will not be granted until positions/classes have been confirmed.
- e. Positions will be identified as LIMITED PERIOD POSITIONS - this means they will continue so long as they are funded under provisions of the EEA.

#### 3. Compensation

- a. Positions will be compensated at the rates established for the class in the Classified Compensation Plan. NO POSITION/CLASS will be authorized at a rate (range) higher than that of comparable and existing positions/classes.

#### 4. Selection

- a. The selection standards set forth in the Emergency Employment Act and summarized in the General Guidelines (Attachment C) will be used; in addition persons must meet the minimum qualifications for the classes as set up by the State Department of Personnel.

## Hiring Procedures

- b. Persons selected and not on a register must successfully pass the standard examination for the classes prior to date of appointment.
- c. Special effort will be made to examine and determine examination results with least possible delay.

### 5. Promotional Opportunities

As persons employed under this program become eligible, by job experience and training, they will be considered for promotional opportunities as other employees who have been employed under the normal civil service procedures and in consonance with the established promotional procedures.

### 6. Methodology/Procedure for Competitive Classifications

- a. Departments should immediately submit the standard job description form (Personnel Form 15-A) in accordance with Paragraph 2, a-e, above.
- b. Every attempt will be made to confirm position classifications and compensation within 3 days. (Nature of position, complexity, volume of requests, may alter this sequence slightly.)
- c. Upon confirmation, departments may then list their vacancies with the Employment Service Job Bank as provided in the General Guidelines (Attachment C). Candidates so recruited should complete the standard application form (Maine State Department of Personnel Form 1) which should be forwarded to the requesting agency.
- d. Departments in turn should submit applications of candidates so referred, if any, to the Maine State Department of Personnel together with standard requisition for employees (Personnel Form 15) clearly identified as an EEA authorized position. Applications should also be clearly identified as EEA.
- e. Completed applications will be reviewed immediately upon receipt by the Maine State Department of Personnel for eligibility (See Paragraph 4, a-e, above) and arrangements made for examination, placement upon appropriate eligible register, and referral.
- f. In the absence of referrals from the Employment Service, departments may, after the 48 hour period, submit Personnel Form 15 to the Department of Personnel to initiate certification from existing registers or recruitment efforts where no eligible register exists.



## Hiring Procedures

- g. Employing agencies will be responsible in these instances for application of and adherence to the General Emergency Employment Act Guidelines with reference to veteran's status, unemployed and underemployed definitions, etc.

### 7. Methodology/Procedure for Noncompetitive Classifications

- a. Upon submission of the standard job description form (Personnel Form 15-A) as provided above and notification from the Maine State Department of Personnel that the classified position falls within the Noncompetitive Division of the service, immediate recruitment through the Employment Service Job Bank may be initiated.
- b. Completed applications for candidates so recruited, together with requisition for employees (Personnel Form 15) should be submitted to the Department of Personnel for approval of qualifications, whereupon authorization for employment may be confirmed.

While the foregoing procedure may appear involved, it is intended to provide a method whereby persons employed under the Emergency Employment Act will have fair and equitable treatment as provided in State of Maine Personnel Law and Rules. Every effort will be exercised to process job descriptions, application review, examination, certification, etc., in the most expeditious manner possible. It is imperative however, that each document submitted in conjunction with the Act be clearly identified as EEA authorized in order that these procedures may be implemented.

## ATTACHMENT C

General Guidelines for hiring participants under the Emergency Employment Act of 1971.

1. Each program agent will hire applicants on an equitable basis giving priority to the unemployed over the underemployed.
2. In addition to giving priority to the unemployed preference will be given to Veterans with Special Veterans having priority over other Vietnam Era Veterans (see definitions).
3. After considering Veteran status the following criteria will be used. Preference will be given to a participant if he is in one or more of the following categories:
  - A. People who are welfare recipients,
  - B. Persons from families whose income is below the poverty line,
  - C. Persons whose native tongue is not English and whose ability to speak English is limited,
  - D. Persons who have or are currently participating in training or work experience opportunity programs (STEP or WEOP),
  - E. Older workers 45 to 65 years of age or over,
  - F. Young people 18 or over entering the labor force,
  - G. Persons who worked for Federal contractors and are unemployed or underemployed as a result of cutbacks because of shifts in Federal expenditure,
  - H. Persons who have become unemployed or underemployed as a result of technological change,
  - I. Persons from socioeconomic backgrounds generally associated with substantial unemployment or underemployment.
4. All job vacancies under the program, except those where former employees are being recalled, will be listed with the Employment Service Job Bank (call 1-800-452-8712) 48 hours prior to any other efforts at recruitment. The Employment Service will first refer special Veterans and then other Vietnam Era Veterans.
5. Any participant whose most recent employment was with the Program Agent or any employing agency receiving financial assistance from the Program Agent must have been unemployed for 30 days or longer before being employed under the Act.
6. Participants must reside in the geographic area over which the Program Agent has jurisdiction.

7. The Program Agent will not discriminate with respect to any participant or applicant because of race, creed, color or national origin, sex, age, political affiliation or beliefs.
8. No program under the Act or personnel employed under the Act will engage in political activities in contravention to Chapter 15 of the United States Code.
9. Program participants will not be employed in construction, operation or maintenance of any facility to be used for sectarian instruction or as a place of religious worship.
10. Work performed with funds from the Act cannot result in displacement of currently employed workers or impair existing contracts for services.
11. Positions will not be filled in cases where an appropriation has been approved or is pending approval for the filling of said vacancy or for work that would otherwise have been performed at Federal, State or local expense.

The following definitions are supplied to eliminate confusion.

- a. Poverty Line means the minimum income required for a family to live out of poverty. Copies of the current index are available through the nearest State Employment Service office.
- b. Special Veteran means the individual who has received a discharge other than dishonorable after serving on active duty in Armed Forces of the U. S. in Korea or Indo-China on or after August 5, 1964.
- c. Vietnam Era Veteran means an individual who has received a discharge other than dishonorable after serving on active duty in the Armed Forces of the U. S. on or after August 5, 1964, except those individuals serving in Korea or Indo-China.
- d. Unemployed person means -
  1. A person who has been unemployed for 30 days from his regular employment and is without a job and is available and wanting work. In addition he is neither waiting to be recalled to work or expecting to report to a new job within the next 30 days.
  2. A person who is 18 or older and a recipient of money payments pursuant to a State plan approved under the public assistance titles of the Social Security Act or a person whose income resources or need are counted with that of such a recipient and has been unemployed from regular employment for 30 days or longer.

- e. Underemployed person means -
  - 1. A person who is working part-time for an employer other than the program agent and seeking full-time work; or
  - 2. A person who is working full-time for an employer other than the program agent and whose wages, when added to the income of other adults 16 and over in their immediate families living in the same household, are below the poverty line.
- f. There will be no formal procedure for certification of eligibility of individual participants as unemployed or underemployed. Employing agencies will be expected to make this determination of eligibility, and to include and retain in the participant's folder the information on which the determination was based.
- g. Final selection of program participants is the function of each employing agency. The employing agency should keep a record of the persons considered for each job under the Act and the data upon which individuals were chosen or rejected as applicants.

\*Any questions about these guidelines, or any other aspects of the Emergency Employment Act, should be directed to:

Stephen Bennett  
Emergency Employment Act Office  
20 Union Street  
Augusta - 289-3101 or 3102

Questions on hiring procedures should be directed to the Personnel Office.