

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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**Legislative Document**

**No. 1610**

H. P. 1392

House of Representatives, April 13, 1977

On motion of Mr. Curran of South Portland, referred to the Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Tierney of Lisbon Falls.

Cosponsor: Mr. Palmer of Nobleboro.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT to Require Speedy Disposition of State Employee Classification Requests.**

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Be it enacted by the People of the State of Maine, as follows:

5 MRSA § 593, as amended by PL 1975, c. 766, § 4, is further amended by adding at the end the following new paragraph to read:

Any request for classification of positions, the allocation of new positions or the reallocation of existing positions in the classified service or the unclassified service, shall be processed by the Director of Personnel and the director's determination made within 45 days from the date of filing the request with the Department of Personnel. Any employee or appointing authority that is a party to the request may appeal to the State Personnel Board within 10 days after the expiration of the 45 days allotted for the process of such requests for hearing and review. The board shall examine and review such appeal and make such changes as provided in this section. The board's decision in the appeal shall be given within 30 days after the hearing on the appeal, has been concluded.

STATEMENT OF FACT

State employees subject to the reclassification process should receive prompt consideration. Employees cannot work "out of class" without creating inequities which are contrary to the intent of the Personnel Law and the

doctrine of "equal pay for equal work." Delays in processing should be minimized. This bill requires the Director of Personnel to act on a request for classification of a position, the allocation of a new position or the reallocation of an existing position within 45 days from the date of the filing of the request. The bill also requires a speedy disposition of any appeal to the Personnel Board of the decision of the Director of Personnel.