

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 704

H. P. 621

House of Representatives, February 6, 1981

Referred to the Committee on Labor. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative MacBride of Presque Isle.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Amend the University of Maine Labor Relations Act to Restrict the Areas of Required Bargaining.

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

Sec. 1. 26 MRSA § 1021, as last amended by PL 1977, c. 581, § 1, is further amended to read:

§ 1021. Purpose

It is declared to be the public policy of this State and it is the purpose of this chapter to promote the improvement of the relationship between public employers and their employees by providing a uniform basis for recognizing the right of the University of Maine employees, Maine Maritime Academy employees, vocational-technical institute employees and state schools for practical nursing employees to join labor organizations of their own choosing and to be represented by such organizations in lawful collective bargaining ~~for terms and conditions of employment activities.~~

Sec. 2. 26 MRSA § 1026, sub-§ 1, ¶ C, as enacted by PL 1975, c. 603, § 1, is amended to read:

C. To confer and negotiate in good faith with respect to wages, ~~hours, working conditions~~ pensions, insurance and contract grievance arbitration, except that by such obligation neither party shall be compelled to agree to a proposal or be

required to make a concession; **For the purpose of this paragraph, wages shall be considered limited to minimum and maximum salaries or wages for each job title. Salary and wage movements within these limits shall not be bargainable or subject to grievance procedures;**

Sec. 3. 26 MRSA § 1027, sub-§ 1, ¶F, as enacted by PL 1975, c. 603, § 1, is amended to read:

F. Blacklisting of any employee organization or its members for the purpose of denying them employment; and

Sec. 4. 26 MRSA § 1027, sub-§ 1, ¶G, is enacted to read:

G. Insisting to impasse as to any subject other than wages, pensions and insurance or grievance arbitration.

Sec. 5. 26 MRSA § 1027, sub-§ 2, ¶B, as repealed and replaced by PL 1977, c. 581, § 15, is amended to read:

B. Refusing to bargain collectively with the university, academy, vocational-technical institutes and state schools for practical nursing as required by section 1026; and

Sec. 6. 26 MRSA § 1027, sub-§ 2, ¶C, sub-¶(2), as repealed and replaced by PL 1977, c. 581, § 15, is amended to read:

(2) The blacklisting of the university, academy, vocational-technical institutes or the state schools for practical nursing for the purpose of preventing them from filling employee vacancies; and

Sec. 7. 26 MRSA § 1027, sub-§ 2, ¶D is enacted to read:

D. Instituting to impasse as to any subject other than wages, pensions, insurance and grievance arbitration.

STATEMENT OF FACT

This bill restricts the obligation of the University of Maine as a public employer to that of bargaining with a lawfully designated bargaining agent only as to wages, salary scale, pensions, group insurance and grievance arbitration. Eliminated, therefore, will be the present requirement to bargain over "other terms and conditions of employment." The bill's primary purpose is to make clear the areas of required bargaining and so to eliminate time consuming questions as to whether issues are in fact, issues of "terms and conditions of employment" or are, in fact not, and therefore nonbargainable matters. It is further felt that such issues, in fact are best left to unilateral determination by the university administration with the advice of individual faculty and staff or advice expressed by these groups through concensus vote.