

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 839

H. P. 714

House of Representatives, February 12, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Masterton of Cape Elizabeth.

Cosponsor: Senator Sewall of Lincoln.

STATE OF MAINE

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

AN ACT to Provide that Merit Increases for State Employees will Only Be Awarded for Job Performance that is Meritorious.

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

Sec. 1. 5 MRSA § 634, 3rd ¶, as last amended by PL 1977, c. 564, § 20, is further amended to read:

Salary advancements within an established range shall not be automatic, but shall be dependent upon specific recommendation of the appointing officer and approval of the commissioner. Such recommendation shall be based upon standards of performance as indicated by merit ratings ~~or~~ and other pertinent data. **An advancement in salary shall be made only on the basis of job performance that is meritorious, that is, work quality and quantity that together exceed that which is required.** No advancements in salary shall be made until the employee has completed the probationary period.

Sec. 2. 26 MRSA § 979-D, sub-§ 1, ¶ E, sub-¶ (4) is enacted to read:

(4) Notwithstanding the provisions of this section, no provision in a collective bargaining agreement may grant a merit salary increase on the basis of any standard that is less than meritorious, that is, work quantity and quality that together exceed that which is required.

Sec. 3. Effective dates. The provisions of sections 1 and 2 shall not apply to the provisions of any collective bargaining agreement in effect on the date of this Act. It shall apply to all merit increases awarded under collective bargaining agreements approved subsequent to the effective date of this Act and to all merit increases not subject to a collective bargaining agreement.

STATEMENT OF FACT

Currently, state employees receive 2 types of salary increases:

- A. Cost of living increases, awarded periodically, primarily through collective bargaining; and
- B. An annual "merit increase" which is in fact a longevity increase because the standard for awarding it is time in satisfactory service, not "meritorious" performance.

The purpose of this bill is to institute a clearer standard of merit system, whereby merit increases are awarded only for job performance that is meritorious, this is, work quantity and quality that together exceeds that which is required.