

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 SECOND REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 2016

7
8 H.P. 1426

House of Representatives, February 12, 1986

9 Reported by Representative Gwadosky from the Committee on State
10 Government. Sent up for concurrence and ordered printed. Approved by the
Legislative Council on June 18, 1985.

11 EDWIN H. PERT, Clerk

12 Reported from the Joint Standing Committee on State Government under
Joint Rule 19.

13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-SIX
17

18 Resolve, Creating a Study Commission on
19 Emotionally Stressful Job
20 Classifications in State Government.
21

22 Emergency preamble. Whereas, Acts and resolves
23 of the Legislature do not become effective until 90
24 days after adjournment unless enacted as emergencies;
25 and

26 Whereas, a significant number of state employees
27 are employed in positions with considerable emotional
28 and mental stress; and

29 Whereas, these employees provide services essen-
30 tial to the health, safety and welfare of the general
31 public; and

32 Whereas, maximum effectiveness of these employees
33 and the departments for which they work is dependent,
34 to a great extent, upon a reduction to a manageable
35 level in the degree of stress associated with these
36 positions; and

1 Whereas, a high turnover rate in these positions
2 is very costly to State Government in terms of costs
3 for training new persons, lost work time, reduced
4 productivity and increased client problems; and

5 Whereas, the problem of emotional stress associ-
6 ated with several job classifications, including, but
7 not limited to, correctional officers, human service
8 caseworkers, and mental health workers, has increased
9 and poses serious problems to the general welfare of
10 the State; and

11 Whereas, it is essential for a study commission
12 to examine the issues that are associated with emo-
13 tionally stressful jobs and to develop a policy and
14 procedures by which job stress may be significantly
15 reduced, particularly with respect to jobs in the
16 fields of corrections, human services, mental health
17 and mental retardation; and

18 Whereas, in the judgment of the Legislature,
19 these facts create an emergency within the meaning of
20 the Constitution of Maine and require the following
21 legislation as immediately necessary for the preser-
22 vation of the public peace, health and safety; now,
23 therefore, be it

24 **Study Commission On Emotionally Stressful Job**
25 **Classifications in State Government; established.**
26 **Resolved:** That the Study Commission on Emotionally
27 Stressful Job Classifications in State Government,
28 referred to as the "commission," is established to
29 consist of the following 9 persons: Four members,
30 appointed by the Governor, who shall be the Commis-
31 sioner of Corrections or his designee; the Commis-
32 sioner of Human Services or his designee; the Commis-
33 sioner of Mental Health and Mental Retardation or his
34 designee; the Commissioner of Personnel; 3
35 nonsupervisory state employees in emotionally
36 stressful job classifications appointed by the Speak-
37 er of the House of Representatives; and 2 supervisory
38 state employees in emotionally stressful job classi-
39 fications appointed by the President of the Senate;
40 and be it further

1 Duties of commission. Resolved: That the com-
2 mission shall conduct a study, including, but not
3 limited to, the following:

4 1. The job classifications within the Department
5 of Corrections, the Department of Human Services and
6 the Department of Mental Health and Mental Retarda-
7 tion that have significant emotional or mental stress
8 associated with these classifications;

9 2. The causes for the emotional stress in these
10 various classifications;

11 3. Solutions to the problems and remedial mea-
12 sures to reduce emotional stress in these job classi-
13 fications, including:

14 A. An evaluation of diversifying job responsi-
15 bilities to reduce emotional stress;

16 B. An evaluation of providing respite time to
17 reduce "burnout;"

18 C. An evaluation of job sharing or job switching
19 among different job classifications to reduce
20 "burnout;" and

21 D. Any other alternatives deemed feasible by the
22 study commission; and be it further

23 Organizational meeting. Resolved: That the com-
24 mission shall hold an organizational meeting called
25 by the Chairman of the Legislative Council within 15
26 days following the effective date of this resolve and
27 shall elect a chairman and a vice-chairman from any
28 of the members at that meeting; and be it further

29 Interagency cooperation. Resolved: That all
30 agencies and departments of State Government shall
31 cooperate with the commission and shall expeditiously
32 provide the commission with the information and mate-
33 rials that it needs; and be it further

34 Report. Resolved: That the commission shall re-
35 port its findings, together with implementing legis-
36 lation, to the joint standing committee of the Legis-
37 lature having jurisdiction over State Government for

1 consideration at the First Regular Session of the
2 113th Legislature; and be it further

3 **Compensation. Resolved:** That the members of the
4 commission shall receive no compensation. Members of
5 the commission representing agencies of State Govern-
6 ment shall be reimbursed for all necessary expenses
7 from the budgets of the respective agencies. The em-
8 ployee members representing employee unions or asso-
9 ciations shall be reimbursed for expenses from the
10 budgets of the departments in which they are em-
11 ployed; and be it further

12 **Employee members' compensation and bene-**
13 **fits. Resolved:** That, for the purpose of this re-
14 solve, the employee members of the commission repre-
15 senting state employee unions or associations shall
16 continue to receive their regular wages or salaries
17 for time spent in the work of the commission. The
18 time that the employee representatives spend in the
19 work of the commission shall be deemed part of the
20 regular duties of these employee members and shall
21 accrue for the purposes of fringe benefits, including
22 vacation and sick leave, health and life insurance
23 and retirement; and be it further

24 **Staff. Resolved:** That the Department of Person-
25 nel shall provide staff to the commission to assist
26 the commission in all its work.

27 **Emergency clause.** In view of the emergency cited
28 in the preamble, this resolve shall take effect when
29 approved.

1

STATEMENT OF FACT

2 This resolve establishes a 9-member study commis-
3 sion to develop policies and procedures to reduce
4 emotional stress in positions and job classifications
5 in the Department of Corrections, the Department of
6 Human Services and the Department of Mental Health
7 and Mental Retardation. The study commission will
8 proceed immediately following the effective date of
9 this resolve and will report its findings and any
10 necessary legislation to the First Regular Session of
11 the 113th Legislature.

12 The study commission consists of 9 persons as
13 follows:

14 1. Four commissioners: The Department of Correc-
15 tions; the Department of Human Services; the Depart-
16 ment of Mental Health and Mental Retardation; and the
17 Department of Personnel;

18 2. Three nonsupervisory employees in positions
19 in which there is considerable emotional stress; and

20 3. Two supervisory employees for positions in
21 which there is considerable emotional stress.

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