

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 372

H.P. 287 House of Representatives, February 13, 1987
Reference to the Committee on Labor suggested and ordered
printed.

EDWIN H. PERT, Clerk

Presented by Representative HANDY of Lewiston.
Cosponsored by Senator DUTREMBLE of York.

STATE OF MAINE

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

1 AN ACT to Provide for the Combining or Merger
2 of Existing Bargaining Units
3 Represented by a Single Bargaining
4 Agent Under the Municipal Public
5 Employees Labor Relations Law.
6

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

9 26 MRSA §966, sub-§4 is enacted to read:

10 4. Unit merger; same bargaining agent. Where
11 there is the same certified or currently recognized
12 bargaining representative of public employees in mul-
13 tiiple bargaining units with the same public employer,
14 the public employer or certified or recognized bar-
15 gaining representative may file a petition with the
16 executive director to merge or combine those bargain-

1 ing units. Upon the executive director's or his des-
2 ignee's finding that the expanding unit would be ap-
3 propriate for bargaining, he shall order an election
4 to determine whether a majority of the employees wish
5 to be within the expanded unit. If a majority of
6 those voting elect inclusion, the executive director
7 or his designee shall certify the bargaining agent
8 for the expanded unit. The parties shall then bar-
9 gain over modifications needed in order to provide
10 for the wages, hours and working conditions or con-
11 tract grievance arbitration for the newly included
12 positions in any existing collective bargaining
13 agreement or any collective bargaining agreement be-
14 ing negotiated.

15 The executive director or his designee conducting
16 unit clarification proceedings may administer oaths
17 and may require by subpoena the attendance and testi-
18 mony of witnesses, the production of books, records
19 and other evidence relative or pertinent to the is-
20 ssues represented to them.

21 STATEMENT OF FACT

22 Presently, there is unnecessary fragmentation of
23 bargaining units represented by the same bargaining
24 representative and the public employees have the same
25 public employer. The Municipal Public Employees La-
26 bor Relations Law requires a public employer and the
27 bargaining agent representing multiple bargaining
28 units to voluntarily agree to combine or merge exist-
29 ing bargaining units. This impediment has led to in-
30 efficiency and unnecessary fragmentation. This bill
31 provides a mechanism for public employees in bargain-
32 ing units represented by the same bargaining repre-
33 sentative and with the same public employer to deter-
34 mine whether or not they wish to combine or merge
35 bargaining units.

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