

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 718

H.P. 534 House of Representatives, March 11, 1987
Reference to the Committee on State and Local Government
suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative LACROIX of Oakland.

Cosponsored by Senator BUSTIN of Kennebec and
Representative NORTON of Winthrop.

STATE OF MAINE

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

1 AN ACT to Amend the Civil Service Law to
2 Set Standards for the Creation of Job
3 Classification Specifications.
4

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

7 Sec. 1. 5 MRSA §7061, first ¶, as enacted by PL
8 1985, c. 785, Pt. B, §38, is amended to read:

9 The director, in accordance with policies and
10 procedures established by the director and the Policy
11 Review Board and in accordance with subsection 3,
12 shall record the duties and responsibilities of all
13 positions in state service and establish classes for
14 these positions. The titles of the positions and
15 classes shall be used in all personnel, accounting,
16 budget, appropriation and financial records of all
17 state departments, commissions and institutions.

1 Sec. 2. 5 MRSA §7061, sub-§3 is enacted to read:

2 3. Duties recorded. The duties and responsibil-
3 ities of each job classification in state service
4 shall be recorded in a written specification prepared
5 and finalized in the following manner.

6 A. Information needed to prepare a job classifi-
7 cation specification shall be obtained by con-
8 ducting a field audit of a representative sample
9 of the positions included in the classification,
10 in a representative sample of worksites to which
11 the positions are assigned, and by having all in-
12 cumbent employees in the classification at the
13 time of the audit complete a questionnaire
14 documenting the content of their jobs.

15 B. Specifications for all job classifications
16 shall contain the following:

17 (1) A summary of the duties of the job, in-
18 cluding the degree of complexity, reporting
19 responsibility, degree of independence in
20 the job and the responsibility for supervis-
21 ing other employees;

22 (2) A list, in summary form, of the repre-
23 sentative tasks performed in the job;

24 (3) A statement of all factors that distin-
25 guish the job classification from other re-
26 lated classes; and

27 (4) A separate description of all aspects
28 of the job that are to be considered and
29 evaluated under each factor of the compensa-
30 tion plan used to determine the pay grade of
31 the job.

32 C. Statements in a job classification specifica-
33 tion regarding the degree to which the job is su-
34 pervised by another job classification shall be
35 consistent with statements in the specification
36 of the supervisory classification as to the de-
37 gree of supervision exercised by that classifica-
38 tion over the other.

1 D. Beginning July 1, 1988, specifications for
2 all job classifications shall be reviewed and
3 modified, if necessary, for continued compliance
4 with paragraphs A to C, at least once every 5
5 years, with at least 20% of the specifications
6 reviewed every year within each of the 5-year pe-
7 riods.

8 E. Whenever a job classification specification
9 is initially prepared or modified, the bargaining
10 agent representing the job classification, if
11 any, shall be notified. The bargaining agent may
12 appeal to final and binding arbitration any dis-
13 pute over the director's compliance with para-
14 graphs A to D, using the procedure provided in
15 the collective bargaining agreements between the
16 bargaining agent and the State for appeal of de-
17 isions regarding classification, reclassifica-
18 tion, allocation or reallocation or, where no
19 provision is made for the appeals, using the par-
20 ties' contractual procedure for grievance arbi-
21 tration. In the event of an appeal, the arbitra-
22 tor may order any actions necessary to secure
23 compliance with paragraphs A to D and make the
24 employees in the job classification whole for
25 losses resulting from noncompliance.

26 The primary purpose of this subsection is to provide
27 standards for the preparation of job classification
28 specifications to make clear the differences between
29 classifications and to facilitate the evaluation of
30 classifications under the compensation system.

31 **Sec. 3. Transition.** Specifications for all job
32 classifications in state service existing on the ef-
33 fective date of this Act shall be modified as neces-
34 sary to comply with the Maine Revised Statutes, Title
35 5, section 7061, by June 30, 1988.

36 **Sec. 4. Collective bargaining.** Nothing in this
37 Act may be construed to alter the terms of existing
38 collective bargaining agreements between any bargain-
39 ing agent and the State, nor be construed to alter
40 the rights and duties of the State or any a bargain-
41 ing agent under Title 26, section 979-D, subsection
42 1, paragraph E.

1 STATEMENT OF FACT

2 This bill provides standards for the preparation
3 of written specifications for job classifications in
4 state service to make clear the differences between
5 job classifications. Overly broad specifications
6 without clear distinguishing characteristics have
7 prevented the utilization of career ladders in a num-
8 ber of job series, particularly for certain clerical
9 and engineering employees. The bill's standards will
10 also facilitate evaluation of job classifications un-
11 der the compensation system.

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