

MAINE STATE LEGISLATURE

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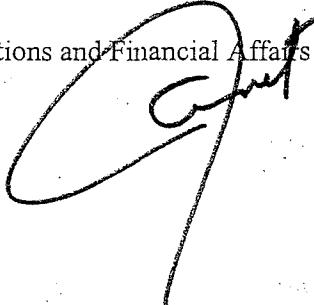
MEMORANDUM

TO: Senator Jill M. Goldthwait, Chair
Representative Randall L. Berry, Chair
Members of the Joint Standing Committee on Appropriations and Financial Affairs

FROM: Janet E. Waldron, Commissioner
Department of Administrative & Financial Services

DATE: January 22, 2002

SUBJ: Bargaining Unit Clarification Decisions



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Some years ago the State Labor Relations Act was amended to exclude from bargaining units employees who "substantially participate in the formulation and effectuation of policy." Since then both the State and the Maine State Employees Association have submitted petitions to the Maine Labor Relations Board seeking to exclude positions from bargaining units or to include them in bargaining units. Because there are costs associated with the pick-up of retirement costs for positions determined to be excluded, the Legislature enacted PL 1995 Chapter 395, Part F, Section G-12. That section provided for funding options for these costs. It also requires the Commissioner of the Department of Administrative and Financial Services to report on "the number of cases that have been settled or are expected to be settled and the cost of any settlement, segregated by funding source." The following information satisfies this year's reporting requirements.

Two petitions were dealt with since the last report. The State withdrew its petition for the Department of Education. The Maine State Employees Association withdrew its petition for the Historic Preservation Commission. As a result, no additional costs have accrued to the State.

The State, the Maine State Employees Association and the Maine Labor Relations Board have tentatively agreed to schedule at least one day per month for unit clarification hearings. It is difficult to predict what will result as it is uncertain which departments will go forward.

If you require further information, please let me know.

cc: Grant Pennoyer
Tim Leet
Jack Nicholas