

**The Maine Heritage Policy Center
Testimony to Oppose LD 1546
“An Act To Protect State Employees When Their Contracts
Have Expired”**

Senator Bellows, Representative Sylvester and distinguished members of the Committee on Labor and Housing, my name is Adam Crepeau and I serve as a policy analyst at The Maine Heritage Policy Center. Thank you for the opportunity to speak in opposition to LD 1546.

The Maine Heritage Policy Center opposes this legislation for two simple reasons; it would give state employees an unfair advantage over public employers in contract negotiations and it would codify in statute elements of a contract that should be an essential part of negotiations. What incentive would bargaining agents have to compromise with public employers during negotiations if the employees they represent are not equally impacted between contracts? The answer is none, giving collective bargaining agents an upper hand in negotiations.

The fact that state employees are paid by taxpayers is often lost during these debates. State employees would be entitled to merit pay increases and public employers would be responsible for paying health insurance premium increases after a contract expires. This would give union representatives more control over collective bargaining, which would negatively affect taxpayers. When a similar law was in effect in Michigan, public employers were not able to renew their contracts for months or years because public employees were receiving automatic pay increases.¹

In addition, collective bargaining agents can already negotiate with public employers to ensure these provisions are in a collective bargaining agreement and to make them permanent between agreements. The current agreement between public employers and state employees says:

“...the terms and conditions of this Agreement shall remain in full force and effect after the expiration date of this Agreement and during the period of collective bargaining negotiations for a new Agreement, until such time as a new Agreement is arrived at...”²

¹<https://www.michigancapitolconfidential.com/court-upholds-law-banning-automatic-pay-increases-for-public-employees>

²<https://www.maine.gov/oer/contracts/msea/ADMIN%202017-2019%20Aria%20FINAL%2009-17-2018.pdf>

There is clearly little need to codify merit increases in statute because bargaining agents are already able to negotiate that the contract persists during bargaining for a new agreement.³ If public employees are not content or satisfied with the contract under which they work, they should elect more effective negotiators or leave their union. Public-sector unions should always be required to negotiate on behalf of their clients rather than codifying parts of contracts into state law, especially considering the taxpayer dollars involved.

Because taxpayers would be defenseless during collective bargaining and this bill would make negotiating far easier (if not totally unnecessary) for bargaining agents, we urge the committee to vote, “Ought Not to Pass” on LD 1546. Thank you.

³ Ibid.