

Collective Bargaining Provisions of the 2007 School Reorganization Law

Bargaining Units

How employees are grouped for common representation and bargaining purposes

- All units must be structured as region-wide units.
- Each region will have one unit of teachers.
- Regions may have one or more additional units of other staff, such as educational support personnel or administrators, which are to be structured primarily on the basis of existing patterns of organization, avoiding representation conflicts between different bargaining agents where possible.
- Existing bargaining units are to be merged into region-wide units as early as possible. Where the units have the same bargaining agent, the units are to be merged as of the operational date of the RSU, which will generally be July 1, 2009.
- Merger into region-wide units takes place at later dates only where there is a need for a representation election to determine the bargaining agent for the region-wide unit.
- Disagreements between the bargaining agent and the RSU about the appropriate scope and structure of bargaining units will be resolved by the Maine Labor Relations Board.

Bargaining Agents

Identification of the organization that represents and bargains on behalf of a bargaining unit

- Each region-wide unit will be represented by a single bargaining agent.
- Different affiliates of the same state organization, e.g. MEA, who currently are bargaining agents for some of the employees who will be merged into a single region-wide unit, must be reorganized into a single affiliate, which will be the bargaining agent for the merged unit.
- Where MEA affiliates currently represent all or a majority of the employees who will form the new region-wide unit, and there is no representation conflict with other agents, the formation of one bargaining agent must occur by the operational date of the RSU.
- Where there is a need for a representation election to determine the bargaining agent for a region-wide unit, existing bargaining agents continue to represent existing units that are not region-wide pending the conduct of the election.

Collective Bargaining Agreements

- Existing collective bargaining agreements must be assumed by the RSU on the operational date and honored until their expiration date, unless both parties agree otherwise.
- Maine law limits collective bargaining agreements to terms of no more than three years.
- Where collective bargaining agreements in the region-wide unit have different expiration dates, interim agreements to align the expiration dates of all contracts can be negotiated.
- No collective bargaining agreement that is executed after the operational date of the RSU may extend beyond the expiration date of the agreement having the latest expiration date that was in effect on the operational date among the bargaining units that will be merged into the region-wide unit.
- After observance of all existing and interim agreements, the RSU and the single bargaining agent for the region-wide unit will bargain for a contract for the region-wide unit in which the employment relations, policies, practices, salary schedules, hours and working conditions must be made uniform and consistent as soon as practicable.