

§1282. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1983, c. 702 (NEW).]

1. Bargaining agent. "Bargaining agent" means any lawful organization, association or individual representative of such an organization or association which has as its primary purpose the representation of employees in their employment relations with employers, and which has been determined by the public employer, as defined in subsection 6, or by the executive director of the board to be the choice of the majority of the unit as their representative. [PL 1983, c. 702 (NEW).]

2. Board. "Board" means the Maine Labor Relations Board, as defined in section 968. [PL 1983, c. 702 (NEW).]

3. Cost items. "Cost items" means the provisions of a collective bargaining agreement which require an appropriation by the Legislature. [PL 1983, c. 702 (NEW).]

4. Executive director. "Executive director" means the Executive Director of the Maine Labor Relations Board, as defined in section 968, subsection 2. [PL 1983, c. 702 (NEW).]

5. Judicial employee. "Judicial employee" means any employee of the Judicial Department, except any person:

A. Who is appointed by the Governor; [PL 1983, c. 702 (NEW).]

B. Who serves as the State Court Administrator; [PL 1983, c. 702 (NEW).]

C. Whose duties necessarily imply a confidential relationship to the Judicial Department's bargaining representative with respect to matters subject to collective bargaining; [PL 1983, c. 702 (NEW).]

D. Who is a department or division head; [PL 1983, c. 702 (NEW).]

E. Who is appointed to serve as a law clerk to a judge or a justice; or [PL 2021, c. 601, §6 (AMD).]

F. Who is a temporary, seasonal or on-call employee, including interns. [PL 2021, c. 601, §7 (AMD).]

G. [PL 2021, c. 601, §8 (RP).]
[PL 2021, c. 601, §§6-8 (AMD).]

6. Public employer. "Public employer" means the Judicial Department of the State. It is the responsibility of the Judicial Department to negotiate collective bargaining agreements and to administer those agreements. It is the responsibility of the Legislature to act upon those portions of tentative agreements negotiated by the Judicial Department which require legislative action. To coordinate the employer position in the negotiation of agreements, the Legislative Council or its designee shall maintain close liaison with the bargaining representative of the Judicial Department relative to negotiating cost items in any proposed agreement. The Supreme Judicial Court may designate a bargaining representative for the Judicial Department who may:

A. Develop and execute employee relations policies, objectives and strategies consistent with the overall objectives and constitutional and statutory duties of the Judicial Department; [PL 1983, c. 702 (NEW).]

B. Conduct negotiations with certified and recognized bargaining agents; [PL 1983, c. 702 (NEW).]

C. Administer and interpret collective bargaining agreements, and coordinate and direct Judicial Department activities as necessary to promote consistent policies and practices; [PL 1983, c. 702 (NEW).]

D. Represent the Judicial Department in all bargaining unit determinations, elections, prohibited practice complaints and any other proceedings growing out of employee relations and collective bargaining activities; [PL 1983, c. 702 (NEW).]

E. Coordinate the compilation of all data and information needed for the development and evaluation of employee relations programs and in the conduct of negotiations; [PL 1983, c. 702 (NEW).]

F. Coordinate the Judicial Department's resources as needed to represent the department in negotiations, mediation, fact finding, arbitration, mediation-arbitration and other proceedings; and [PL 1983, c. 702 (NEW).]

G. Provide staff advice on employee relations to the courts, judges and supervisory personnel, including providing for necessary supervisory and managerial training. [PL 1983, c. 702 (NEW).]

All state departments and agencies shall provide such assistance, services and information as required by the Judicial Department and shall take such administrative or other action as may be necessary to implement and administer the provisions of any binding agreement between the Judicial Department and employee organizations entered into under law.

[PL 1983, c. 702 (NEW).]

SECTION HISTORY

PL 1983, c. 702 (NEW). PL 2021, c. 601, §§6-8 (AMD).

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