

Bond Case Briefs

Municipal Finance Law Since 1971

COLLECTIVE BARGAINING - MAINE

SAD 3 Education Association v. RSU 3 Board of Directors

Supreme Judicial Court of Maine - March 1, 2018 - A.3d - 2018 WL 1095782 - 2018 ME 29

Bargaining agent for classroom teachers appealed decision of the Maine Labor Relations Board (MLRB) determining that agent failed to provide school board with notice required by Municipal Public Employees Labor Relations Law (MPELRL) of its intention to negotiate matters involving the appropriation of money during impact bargaining sessions.

The Superior Court affirmed MLRB's decision. Agent appealed.

The Supreme Judicial Court of Maine held that:

- MPELRL's 120-day notice requirement applied to bargaining agent's request to school board to enter into impact bargaining, and
- Bargaining agent's request did not satisfy MPELRL's 120-day notice requirement.

Municipal Public Employees Labor Relations Law's (MPELRL) 120-day notice requirement applied to bargaining agent's request to school board to enter into impact bargaining regarding the change in classroom teachers' working conditions due to transition to system of single bus runs, where subject of the bargaining involved the appropriation of money by school board.

Bargaining agent for classroom teachers did not notify school board in writing of its intention to bargain over matters requiring the appropriation of money, and thus, agent's impact bargaining request, regarding change in teachers' working conditions due to transition to system of single bus runs, did not satisfy Municipal Public Employees Labor Relations Law's (MPELRL) 120-day notice requirement; agent's written notice did not include reference to matters involving appropriation of money, notice only pertained to length of teacher workday, and compensation was not raised until two parties met in person to impact bargain.