

**ANNUAL REPORT**  
**MAINE LABOR RELATIONS BOARD, PANEL OF MEDIATORS, and**  
**STATE BOARD OF ARBITRATION AND CONCILIATION**  
**Fiscal Year 2026**

**I. Introduction**

The purpose of this report is to review for Governor Janet T. Mills the operations of the Maine Labor Relations Board (Board or MLRB) and its affiliated organizations, the Panel of Mediators (Panel), the State Board of Arbitration and Conciliation (BAC), and the Logging Dispute Resolution Board (Logging Board) in Fiscal Year 2026.<sup>1</sup> To that end, this report contains:

- background information including the statutory foundation for public-sector collective bargaining in Maine as well as the missions and composition of the Board, Panel, BAC, and Logging Board,
- a review of Board, Panel, BAC, and Logging Board operations for FY26, and
- an update on MLRB-related legislative matters.

**II. Background**

**a. Statutory Framework for Public-Sector Collective Bargaining in Maine**

Public-sector employees in Maine have the right to engage in collective bargaining, as provided by four separate laws that govern labor relations in the State. Those laws are:

- The Municipal Public Employees Labor Relations Law (covering municipal and county employees including clerical, schools, fire, police, and public works employees), 26 M.R.S.A. §961, *et seq.*
- The State Employees Labor Relations Act (covering state employees, including the legislative and executive branches), 26 M.R.S.A. §979, *et seq.*
- The University Employees Labor Relations Act (covering employees of the University of Maine and Maine Community College systems, as well as Maine Maritime Academy), 26 M.R.S.A. §1021, *et seq.*
- The Judicial Employees Labor Relations Act (covering the State’s judicial branch employees), 26 M.R.S.A. §1281, *et seq.*

In all, approximately 85,000 individuals, employed by nearly 500 public-sector employers, fall within the jurisdiction of these laws.

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<sup>1</sup> 26 M.R.S.A. §§931, 965(2)(C), 968(7) and 979-J(1) respectively require the submission of an annual report regarding Board, Panel, and BAC operations to the Governor.

The State's labor relations laws share a common foundation that establishes the framework for collective bargaining in Maine. The stated purpose of each law is to improve the relationship between public employers and their employees. Employees may choose to engage in collective bargaining by selecting a bargaining agent, i.e. union, to represent a group of the employees, called a bargaining unit, who share common working conditions.

Once a bargaining agent is certified, the employer and bargaining agent must bargain in good faith over wages, hours, and working conditions for the bargaining unit. If the parties are unable to reach agreement on their own, they may participate in mediation, fact-finding, and arbitration to resolve the bargaining impasse. Should one party fail to meet its statutory obligations, the other party may seek enforcement of the law by filing a complaint with the Board for which the Board will conduct a hearing and render a decision and order. The Board's decisions are subject to appeal to the Maine courts.

### **b. Mission**

The Board's primary mission is to enforce the rights and obligations provided in the State's labor relations laws. To do so, the Board and its affiliated organizations perform four central functions: (1) the determination of bargaining units, (2) the certification of bargaining agents, (3) the resolution of collective bargaining impasses, and (4) the adjudication of complaints that allege violations of the labor relations laws.

The Board, Panel, and BAC have separate, but related, responsibilities and jurisdiction. The Board itself is responsible for resolving disputes over the composition of bargaining units, conducting elections to determine bargaining agents, conducting hearings for prohibited practice complaints, and issuing decisions and orders for those complaints.

The Panel's central purpose is to facilitate resolutions to bargaining impasses involving public-sector employers and their counter-part bargaining agents. Specifically, if an employer and a union are unable to reach agreement in their negotiations, they can request that a mediator from the Panel be assigned to help them achieve a resolution to their bargaining dispute.

The BAC is available to resolve bargaining impasses if mediation and fact-finding are unsuccessful. Most frequently, the BAC provides arbitration services for contract grievances.

While not involved in Maine's public sector collective bargaining process, the more recently created Logging Board has the authority to decide disputes between logging contractors and forest landowners over wage violations, payout amounts, contract violations, and disputes in hiring.

### **c. Composition**

#### Maine Labor Relations Board

The Board is composed of three members and six alternates appointed by the Governor to four-year terms, subject to legislative approval. Out of the three members, one is designated to represent the public (Public Representative), another to represent employees (Employee Representative), and the third to represent employers (Employer Representative). The Public Representative is also designated to serve as the Board's Chair. Each member has two alternates in the event the member is unavailable for a Board hearing.

The Board is currently composed as follows:

		<u>Appointment Expires</u>
Public Representative/Chairs		
Sheila Mayberry, Esq.	Board Chair	9/30/27
Shari Broder, Esq.	Alternate Chair	9/30/27
Rebekah Smith, Esq.	Alternate Chair	9/30/27
Employee Representatives		
Joan Morin	Employee Representative	9/30/29
James Mackie	Alternate Employee Rep.	9/30/25
Jessica Maher, Esq.	Alternate Employee Rep.	9/30/29
Employer Representatives		
Michael Miles	Employer Representative	9/30/29
Ann Freeman, Esq.	Alternate Employer Rep.	9/30/29
Alyssa Tibbetts, Esq.	Alternate Employer Rep.	9/30/29

Panel of Mediators

The Panel is composed of five to ten individuals appointed by the Governor to three-year terms. 26 M.R.S.A. §965(2)(C). The Panel is currently composed as follows:

	<u>Appointment Expires</u>
Edward Boutin	4/17/28
Patricia Dunn, Esq.	2/17/28
Maria Fox, Esq.	2/17/28
Donald Gerrish	2/17/28
Chester Hillier	2/17/28
James Mackie	2/17/28
Joan Morin	3/23/28
Bruce Smith, Esq.	2/17/28
Rebekah Smith, Esq.	2/17/28
Andrew Strongin, Esq.	2/17/28

Board of Arbitration and Conciliation

The BAC is also composed of gubernatorial appointees, respectively designated as public chairs, employer representatives, and employee representatives. 26 M.R.S.A. §931. Their terms of appointment are three years. *Id.* The BAC is currently composed as follows:

		<u>Appointment Expires</u>
Neutral Chairs		
Shari Broder, Esq.	Board Chair	05/27/29
Sheila Mayberry, Esq.	Alternate Chair	05/12/29
Lynn Dondis, Esq.	Alternate Chair	05/12/29
Employee Representatives		
Chester Hillier	Employee Rep.	05/12/29
James Mackie	Alt. Employee Rep.	05/12/29
Joan Morin	Alt. Employee Rep.	06/25/29

Employer Representatives

Donald Gerrish	Employer Rep.	05/12/29
Patricia Dunn, Esq.	Alt. Employer Rep.	05/12/29
Linda McGill, Esq.	Alt. Employer Rep.	06/23/29

Logging Dispute Resolution Board

The Logging Board is composed of gubernatorial appointees, respectively designated as public chairs, forest products harvester representatives, and forest landowner representatives. 26 M.R.S.A. §3703. Their terms of appointment are three years. *Id.* By law, the chair of the BAC serves as the Chair of the Logging Board. The Logging Board is currently composed as follows:

Neutral Chairs		<u>Appointment Expires(d)</u>
Shari Broder, Esq.	Board Chair	05/27/29
Sheila Mayberry, Esq.	Alternate Chair	05/12/29
Lynn Dondis, Esq.	Alternate Chair	05/12/29
Forest Products Harvester Representatives		
Michael Carpenter, Esq.	Harvester Rep.	03/27/25
Vacant	Alt. Rep.	
Vacant	Alt. Rep.	
Forest Landowner Representatives		
Patrick Strauch	Landowner Rep.	03/27/25
Vacant	Alt. Rep.	
Vacant	Alt. Rep.	

Neutral Staff

Apart from the Governor-appointed positions, the day-to-day operations of the Board, Panel, and BAC are handled by a neutral, non-appointed legal and administrative staff composed of the Executive Director, Board Counsel, and Office Manager. The Board's Executive Director also serves in that same capacity for the Panel, in addition to serving as Clerk to the BAC.

On a regular basis, the Board's staff members respond to inquiries from public employers and employees or their representatives, and members of the public. The staff is the primary source of information for persons interested in the operations and procedures of Maine's public sector labor laws. For inquiries that involve matters over which the Board has no jurisdiction, the staff suggests other agencies or organizations that may be of assistance.

The Board's staff maintains a State of Maine website on behalf of the Board, Panel and BAC. See [www.maine.gov/mlrb/](http://www.maine.gov/mlrb/) . The website provides a variety of Board-related information including links to MLRB-related statutes, administrative rules and forms. One of the site's more important components is a search engine through which the public can research previous Board decisions as well as the Superior and Law Court opinions reviewing those decisions. Access to this case law permits public employers, employees, and bargaining agents to know the parameters of required or permitted conduct and to use that information to comply with the law.

### III. Board Operations for FY26

#### a. Bargaining Unit and Election Matters

As noted above, the Maine Labor Relations Board is responsible for certifying a labor organization as the designated bargaining agent of a bargaining unit, i.e. a group of employees who share common working conditions. A labor organization has three potential options to obtain certification: (1) voluntary recognition from the employer, (2) filing an election petition, supported by a 30% showing of interest, or (3) filing a majority sign-up petition for a bargaining unit that is currently unrepresented by another labor organization.

Absent voluntary recognition, a labor organization may pursue election or majority sign-up petitions. For both petitions, an employer may object to the scope of the proposed bargaining unit. Upon such an objection, the Board's Executive Director conducts a hearing and issues a determination, subject to appeal to the Board, of the bargaining unit membership.

For an election petition, once the bargaining unit is finalized, the Board conducts an election, typically by mail ballot. Through the election, each bargaining unit employee is permitted to vote by secret ballot as to whether they wish to be represented by a particular labor organization for the purposes of collective bargaining. On average, a mail ballot election is completed in about six weeks from the time that the petition is filed until the certification of results.

For a majority sign-up petition, once the bargaining unit is finalized, the Executive Director reviews the written authorizations submitted for the employees from the proposed bargaining unit to determine if a majority of the group designated a particular labor organization as their bargaining agent. If a majority have signed such an authorization, the MLRB certifies the labor organization as the employees' bargaining agent without the need for a traditional election. If the Executive Director determines that the Union lacks majority support, the Board will conduct an election.

During FY26, the Board addressed the following bargaining unit representation matters:

- **Elections:** A total of **9 election petitions** were filed. Of those 9 petitions:
  - 2 involved the decertification of the existing bargaining agent in favor of no union representation,
  - 6 involved a labor organization seeking to represent a bargaining unit represented by a different labor organization,
  - 1 involved a request to add-on a position to an existing bargaining unit,

The Executive Director dismissed two of the nine petitions because they were untimely filed. Additionally, two more recently filed petitions are still in the opening stages of review and may be subject to either dismissal or further processing. To process the remaining petitions, the Board conducted five elections and issued related certifications.

- **Majority sign-up:** A total of **14 majority sign-up petitions** were filed. The Board issued a certification of a new bargaining agent for 11 of those petitions. One petition was withdrawn shortly after it was filed (in favor of the parties' filing a related voluntary

recognition of bargaining agent), one petition was dismissed because there was an existing bargaining agent and the majority sign-up process is only available for unrepresented units, and the most recently filed petition remains subject to further processing.

Additionally, the Executive Director is scheduled to conduct a hearing for one petition where a certification was issued. After the petition was initially filed, the employer objected that a supervisor should not be included in the proposed bargaining unit with subordinate employees. Where the single supervisor was not determinative of whether the petitioning union had support from a majority of the proposed bargaining unit employees, the Executive Director moved forward with the certification to avoid unnecessary delay in the ability of the remainder of the employees to engage in their statutory right to collectively bargain. Through the post-certification hearing, the Executive Director will determine whether the supervisory position should be included in the bargaining unit, with the decision subject to appeal to the Board.

- **Voluntary Recognitions:** A total of **4 voluntary recognitions** were filed through which an employer and labor organization reached agreement as to the composition of the bargaining unit of employees and a labor organization's status as the bargaining agent for that unit.
- **Unit Clarifications:** A total of **1 unit clarification petition** was filed and remains pending as the parties explore potential resolution without the need for a hearing.

#### **b. Prohibited Practice Complaints**

The Board is responsible for adjudicating prohibited practice complaints alleging a violation of the state's public sector labor relations laws. Once a complaint is filed, the Executive Director conducts an initial review of the complaint to determine if it alleges a violation of the law. If the original complaint fails to allege a violation of the law, the charging party is permitted the opportunity to amend the complaint once. Ultimately, if a complaint's alleged facts do not state an actionable claim, the complaint is dismissed subject to appeal to the Board.

If a complaint does allege a violation of the law, the Executive Director engages the parties in settlement discussions. Should the settlement discussions be unsuccessful, a hearing is conducted by the full, tri-partite Board. Thereafter, the Board issues a written decision and order which is subject to appeal to the courts.

In FY 26, a total of **28 prohibited practice complaints were filed** with the Board. Subject matter at issue included alleged failures to negotiate in good faith, alleged interference with or retaliation for protected activity, and alleged violations of the duty of fair representation. In addition to the 28 complaints filed in FY 26, a total of 8 complaints were held over from FY 25. In sum, 36 complaints were pending before the Board during FY 26.

During this fiscal year, 20 of the 36 pending complaints were closed, as summarized below:

- 16 complaints were either withdrawn or settled by the parties without a hearing.

- 2 complaints were decided by the Board following a hearing. See:
  - [\*Saco Education Association v. Saco Board of Education\*, No. 25-PPC-13 \(February 20, 2026\)](#)
  - [\*Jennifer Mull Brooks v. Westbrook School Committee and Westbrook School Administrators' Association\*, No. 26-PPC-03 \(May 14, 2026\)](#)
- 2 complaints were dismissed by the Executive Director for failing to allege an actionable claim.

Of the 16 complaints that remain pending:

- 7 complaints have been tentatively resolved or settled and the Board is awaiting final confirmation that the complaints are withdrawn.
- 1 complaint is scheduled for hearing.
- 1 complaint is awaiting a post-hearing decision from the Board.
- 7 complaints are either in the pleading stages or awaiting the scheduling of a Board hearing.

Regarding appeals of Board decisions to Maine courts, in FY 26, the Superior Court upheld the Board's decisions in [\*AFSCME Council 93, Local 1828-12 v. Penobscot County\*, No. 23-PPC-17 \(August 29, 2024\)](#) and [\*Lisbon Education Association v. Lisbon School Committee\*, Nos. 23-PPC-18 and 23-PPC-19 \(May 23, 2024\)](#).

### c. **Interpretive Rulings**

In addition to deciding representation appeals and prohibited practice complaints, the Board, upon request, provides non-binding guidance, known as interpretive rulings, regarding questions involving collective bargaining rights and responsibilities. To initiate the interpretive ruling process, a party files a request to the Board to address a question of the applicability of a specific statute, Board rule or previous Board decision. Prior to issuing its ruling, the Board provides all interested parties with the opportunity to provide their position on the question at issue.

In FY 26, the **Board decided two requests for interpretive rulings**, both of which addressed the scope of a union's duty to represent its bargaining unit employees. The Board issued the following rulings:

- [\*Oxford County and Oxford County Sheriff's Office Association and Teamsters Local Union No. 340\*, 26-IR-01 \(April 10, 2026\)](#)
- [\*Maine State Law Enforcement Association and Maine Service Employees Association, SEIU Local 1989 and State of Maine\*, 25-IR-02 \(August 13, 2025\)](#)

#### **IV. Panel and Impasse Resolution Operations for FY 2026**

A critical aspect of MLRB operations is to provide negotiation impasse resolution services to Maine's public-sector employers and labor organizations. Often, for a variety of reasons, parties are unable to reach agreement when negotiating either an initial or successor collective bargaining agreement. When such a bargaining impasse occurs, Maine's labor relations laws provide a three-step process to resolve the impasse.

First, parties may request the assignment of a neutral Panel mediator. The Board's Executive Director is responsible for assigning a Panel mediator. After assignment, the mediator meets with the parties and facilitates the discussion and resolution of subjects in dispute. Given the overall frequency of Panel mediation requests, this service represents an area where the MLRB and Panel have the regular opportunity to provide direct assistance to numerous public-sector parties, with the goal of improving those labor-management relationships at the local level as well as promoting stability in labor relations state-wide.

If the parties are unable to reach ultimate agreement through mediation, either party may request a fact-finding panel, composed of a neutral chair, employer representative, and employee representative. Parties can either request a private fact-finding panel or a BAC fact-finding panel. Upon receipt of a request, the Board's staff assigns the fact-finding panel and coordinates the logistics for the fact-finding hearing. At hearing, each party presents evidence in support of its respective proposals, after which the fact finders issue a decision which provides the panel's advisory determination for all subjects in dispute. Additionally, at times, the assigned fact-finding panel conciliates a resolution during the hearing process.

Finally, if the parties remain in dispute following fact-finding, they may submit the outstanding issues to interest arbitration. Parties may obtain interest arbitration from either private arbitrators or members of the BAC. By law, the resulting arbitration decision is binding on the parties except any decision that addresses wages, retirement, or insurance, in which case the decision is advisory only. Parties are not required to notify the Board if they invoke interest arbitration.

##### **a. Mediations in FY 2026**

In FY 26, parties **filed a total of 46 requests for Panel mediation**. These requests typically involved parties at the municipal or county level. Additionally, 15 mediations were held over from pre-FY 26. Of the 60 matters pending in FY 26, a total of 42 were closed during the year. Of the 42 cases closed, the Panel's mediators facilitated a resolution in nearly all of them such that there were only 9 requests for fact-finding or interest arbitration for cases that first went to mediation. A total of 19 mediations remain pending, the vast majority of which were filed in the last several months prior to the close of the fiscal year.

##### **b. Fact-Finding in FY 2026**

In FY 26, parties filed a total of **7 requests for a private fact-finding panel**. Of those, the parties reached settlement in 4 cases without the need for a hearing, one case resolved after hearing prior to the issuance of a decision, in one case a fact finding panel issued a decision following a hearing, and one recently filed case will be scheduled for a hearing.

## **V. BAC Operations for FY 2026**

The BAC is available to provide the labor relations community with three services: (1) fact-finding for unresolved bargaining disputes, (2) interest arbitration if mediation and fact-finding are unsuccessful to resolve a bargaining impasse, and (3) arbitration for grievances alleging a breach of a collective bargaining agreement. In practice, most of the BAC's activity is related to providing arbitration services for contract grievances. For parties to obtain BAC arbitration services, the parties must jointly request the service and/or the parties' collective bargaining agreement permits a contract grievance to be submitted to the BAC for arbitration.

In FY 26, the **BAC received a total of 21 requests for BAC services**, 19 of which involved requests for contract grievance arbitration and 2 requested fact-finding. In addition, 15 requests for BAC services were carried over from pre-FY 26 . In sum, 36 cases were pending before the BAC this year.

Throughout this year, a total of 10 BAC cases were settled or withdrawn without the need for a hearing. For those cases that went to hearing, the BAC issued a total of 8 grievance arbitration decisions, 1 fact finding decision, and 1 interest arbitration decision. Sixteen cases remain pending a hearing, 9 of which are being held in abeyance at the request of the parties, 3 of which are currently scheduled, and 4 more recently filed cases await a hearing date.

## **VI. Logging Board Operations for FY 2026**

In FY 26, no complaints were filed with the Logging Dispute Resolution Board. As a result, the Board did not convene during the year.

## **VII. Legislative Matters**

As required by the State Government Evaluation Act (GEA), the Board provided a program evaluation report to the 132<sup>nd</sup> Legislature's Labor Committee. In addition to reviewing the day-to-day actions taken to fulfill its statutory mission to enforce Maine's collective bargaining laws, the Board was pleased to report to the Committee on the improvements it had undertaken since its last GEA program report in 2017 including:

- **Improved Filing Procedures:** The Board successfully implemented an electronic filing process, reduced the steps necessary for filing complaints and petitions, and revamped its website to include precise, direct explanations for how to file complaints and petitions with the Board.
- **Active Engagement with Parties:** Beginning three years ago, the Board has offered training, free and open to the public, on Board procedures and case law.
- **Access to Resources:** The MLRB substantively upgraded its website to now include user-friendly instructions on how to file with the Board, BAC, Panel of Mediators, or Logging Dispute Resolution Board. The Board also created a CBA database to provide parties engaged in negotiations with access to potentially similar contract language as well as the ability for a member of the public to

enroll in the Board's listserv. Additionally, the Board implemented the potential for remote participation in hearings thus providing Board members, party representatives, or witnesses the ability to participate on a day they might not otherwise have been available to appear in person.

The Board initially submitted its GEA report to the Labor Committee on October 31, 2025, and subsequently presented the report in person to the Committee on February 17, 2026. As noted in the GEA report (and subsequently raised by Committee members at the February meeting), the Board's per diem rates had not increased since 1989. In turn, the Labor Committee recommended legislation to provide Board per diem increases and the resulting legislation was signed by the Governor into law on April 3, 2026. See LD 2218, "An Act to Increase the Per Diem Rates for the Maine Labor Relations Board", enacted as Chapter 619 of P.L. 2025.

On March 4, 2026, the Labor Committee notified the Maine legislature that the Committee unanimously found that the Board was operating within its statutory authority.

### **VIII. Conclusion**

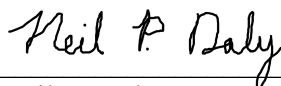
The Board, Panel, and BAC continue to play a critical role in facilitating stability in Maine's public-sector labor relations. In FY26, the MLRB's components successfully addressed numerous representation matters, bargaining impasses, grievance arbitrations and prohibited practice complaints. Many of the disputes submitted to the Board and its affiliates were resolved, thus helping all involved avoid the financial and administrative costs associated with further protracted argument and litigation. When needed, the Board conducted hearings and issued decisions to ensure compliance with the State's collective bargaining laws.

The Board also timely processed elections and majority sign-up petitions ensuring that questions of a labor organization's status as bargaining agent were quickly addressed. By doing so, employers and labor organizations could promptly move forward in meeting their respective obligations under the labor relations laws.

In sum, the Board, Panel, and BAC look forward to continuing to provide Maine's labor-management parties effective service in the coming year. Please let us know if there is any additional information regarding Board, Panel, or BAC operations that we can provide.

Dated: June 30, 2026

Respectfully submitted,



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Neil P. Daly  
Executive Director  
Maine Labor Relations Board