



Maine Labor Relations Board
PETITION FOR UNIT CLARIFICATION OR MERGER

MLRB Form 2B

Purpose of Petition (check all applicable boxes)

☐

Unit Merger

☒

Unit Clarification (UC)

Petitioner (incumbent bargaining agent or employer, only)

Name South Portland Educational Support Professionals Association

Address c/o Maine Education Association
29 Christopher Toppi Drive

South Portland, Maine 04106

Phone (207) 888-3836

E-Mail (if available) afickett@maineea.org

Petitioner's Representative for correspondence (if different)

Name Amanda Fickett, UniServ Director

Address Maine Education Association
29 Christopher Toppi Drive

South Portland, Maine 04106

Phone (207) 888-3836

E-Mail (if available) afickett@maineea.org

Responding Party

Name Board of Education of the City of South Portland
Molly Schen, Board Chair

Address c/o Timothy Matheney, Superintendent of Schools
South Portland School Department
130 Wescott Road
South Portland, Maine 04106

Phone (207) 871-0555

E-Mail (if available) schenmo@spsdme.org
mathenti@spsdme.org
pfelmly@dwmlaw.com

1. Describe the existing or proposed collective bargaining unit; estimate the total number of employees in the unit; set forth the classifications of employees comprising the unit; and estimate the number of employees in each classification. If a position in an included classification is to be excluded from the unit, list each such specific position and set forth the basis for its exclusion.

Continue on separate sheet if needed.

The current bargaining unit is comprised of approximately 145 employees, including 21 Clerks, 4 Office Managers, +/- 119 Educational technicians, and 1 Logistics Specialist. The Association is aware of at least 3 additional educational technician positions with the title of "Apprentice" that we believed were in the bargaining unit and that the School Department held out as members of the bargaining unit until a dispute about pay rates arose in or around September of 2024; these Apprentices perform the work of educational technicians.

The Board also informed the Association during a recent meeting about planned reductions in force, that it intended to remove a half time clerk position from the bargaining unit, claiming it could do so unilaterally.

2. Provide the name, address and telephone number of any other employees or employee organizations other than the petitioner claiming to represent any of the employees in the existing or proposed bargaining unit.

N/A

3. State what action or remedy the petitioner is seeking from the Board.

The Association requests the Board provide clarity to the parties regarding whether the Apprentice positions and the half time Clerk position are already within the bargaining unit/whether the positions properly belong in the bargaining unit going forward, and issue an appropriate order.

4. ☒ (Check off for UC petition only) The parties are unable to agree on appropriate modifications, there is no question concerning representation, and the circumstances surrounding the formation for the existing bargaining unit have changed sufficiently to warrant modification in the composition of the bargaining unit. State what changes have occurred since the formation of the bargaining unit, the date(s) of their occurrence and the modification(s) that the petitioner proposes. Continue on separate sheet if needed.

The parties disagree about 1) whether the Apprentice positions are currently in the bargaining unit and 2) whether the half time clerk position can be unilaterally removed from the bargaining unit as opposed to the parties negotiating about whether and how to modify the bargaining unit. The circumstance that has changed is the School Department's position regarding its power to unilaterally add or subtract from the unit. The petitioner proposes that the Apprentice positions remain included in the bargaining unit, the half time clerk position remains in the bargaining unit, and that any alterations to the bargaining unit be mutually agreed upon in advance or, if that is not possible, that the parties use the appropriate processes available through the MLRB.

5. State the expiration date of any collective bargaining agreement covering employees in the existing or proposed bargaining unit and attach a copy.

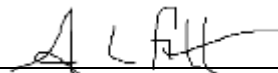
August 31, 2025.

6. State any other facts relevant to this Petition.

The Association filed a grievance once the School Department made it known that it did not consider the Apprentices to be members of the bargaining unit that is currently pending arbitration. The Association also filed a prohibited practice complaint with the MLRB last week related to this issue explaining that the Apprentice positions were listed in two bargaining unit lists provided to the Association by the School Department -- one in 2023 and another in 2024 -- that the employee portal shows that the positions are under the SPESPA bargaining group, and that the employees receive benefits in accordance with the SPESPA collective bargaining agreement.

The parties also recently set ground rules for successor contract negotiations and will be at the table soon. Additionally, to clarify, the "Logistics Specialist" position was created mid-contract as an Office Manager was performing duties that had previously been assigned to the Director of Transportation - the position is memorialized in a Memorandum of Agreement and there is no dispute that Logistics Specialist position belongs in the bargaining unit.

CERTIFICATION: I certify that all of the above information is true and correct to the best of my knowledge and belief. I understand that the law imposes penalties for false statements provided on this form.

Signature 

Date 3/20/25

Name Amanda Fickett

Title UniServ Director

Pursuant to Maine Labor Relations Board Rules, Chapter 10, §7, this form must be filed electronically by sending it as an attachment in an email sent to mlrb@maine.gov. If you are unable to file electronically, you must include a signed Request For Exception To Electronic Filing Requirement (MLRB Form 8).