

**§7038. Communications between management and employees**

The officer is responsible for the development and monitoring of a communications process between management and subordinate employees in each agency of State Government. [RR 2023, c. 1, §16 (COR); RR 2023, c. 1, §50 (AFF).]

**1. Factors to be considered.** In the development of a communications process for each agency, the officer shall:

- A. Consider the uniqueness and the responsibilities of each agency; [PL 1985, c. 785, §38 (NEW).]
- B. Consider the valuable information that nonsupervisory employees may contribute to the operation of each agency; [PL 1985, c. 785, §38 (NEW).]
- C. Consider the means, including confidentiality of identity, by which nonsupervisory employees may communicate information about department policies, procedures and practices to the management without intimidation or fear of reprisal from management; [PL 1985, c. 785, §38 (NEW).]
- D. Consider the need for communication between supervisory personnel and policy-influencing persons that is necessary for the efficient and effective implementation of department policies and procedures; [RR 2023, c. 1, §17 (COR); RR 2023, c. 1, §50 (AFF).]
- E. Consider employee evaluation of supervisors as a means of improving supervisory skills and management-employee relations; [PL 1985, c. 785, §38 (NEW).]
- F. Consider the means by which professional and nonprofessional employees discuss issues of mutual concern on a regular basis; [PL 1985, c. 785, §38 (NEW).]
- G. Emphasize an approach that promotes cooperation between management and nonsupervisory personnel; and [PL 1985, c. 785, §38 (NEW).]
- H. Any other variable considered by the officer to be important to the process. [RR 2023, c. 1, §17 (COR); RR 2023, c. 1, §50 (AFF).]  
[RR 2023, c. 1, §17 (COR); RR 2023, c. 1, §50 (AFF).]

**2. Prohibitions.** Any department policy, practice or procedure that any agency of State Government adopts or implements and which discriminates against persons for reasons other than merit, special skills or job qualifications or reasons authorized under collective bargaining agreements is void.  
[PL 1985, c. 785, Pt. B, §38 (NEW).]

**3. Communication on a regular basis.** Any communications' process established pursuant to this section shall function on a regular basis.  
[PL 1985, c. 785, Pt. B, §38 (NEW).]

**4. Penalty for failure to comply.** The Commissioner of Administrative and Financial Services may not authorize payment of any debts or liabilities of a department or salaries of persons in policy-influencing positions in a department or agency that, upon written notification by the officer, is not in compliance with this section.  
[RR 2023, c. 1, §18 (COR); RR 2023, c. 1, §50 (AFF).]

**5. Schedules.** The Department of Health and Human Services shall be the first state agency scheduled for review by the Bureau of Human Resources. Findings of this process shall be reported to the joint standing committees of the Legislature having jurisdiction over audit and program review and human resources prior to June 1, 1988.  
[PL 1987, c. 395, Pt. A, §23 (NEW); PL 2003, c. 689, Pt. B, §6 (REV).]

## SECTION HISTORY

PL 1985, c. 785, §B38 (NEW). PL 1987, c. 395, §A23 (AMD). PL 1991, c. 780, §Y97 (AMD). PL 1999, c. 668, §12 (AMD). PL 2003, c. 689, §B6 (REV). RR 2023, c. 1, §§16-18 (COR). RR 2023, c. 1, §50 (AFF).

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