

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

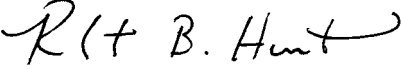
No. 799

H.P. 506

House of Representatives, March 4, 2025

An Act to Report Gender Wage Gaps

Received by the Clerk of the House on February 27, 2025. Referred to the Committee on Labor pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.


ROBERT B. HUNT
Clerk

Presented by Representative ROEDER of Bangor.
Cosponsored by Representatives: GEIGER of Rockland, MACIAS of Topsham, STOVER of Boothbay, Senator: TIPPING of Penobscot.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 26 MRSA §628-B** is enacted to read:

3 **§628-B. Report gender wage gaps**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Covered employer" means an employer that employs at least one employee within
7 the State and at least 250 employees within the United States at any time within the
8 reporting period.

9 B. "Employee" means a person who may be permitted, required or directed by an
10 employer in consideration of direct or indirect gain or profit, to engage in employment.

11 C. "Employer" has the same meaning as in section 1043, subsection 9.

12 D. "Hourly equivalent rate of pay" means the rate of pay calculated by dividing the
13 total amount of wages earned by an employee in a snapshot week by the number of
14 hours worked in that week by the employee. For a salaried employee without recorded
15 hours, "hourly equivalent rate of pay" means the rate of pay calculated by dividing the
16 total amount of the salaried employee's wages in a week by 40.

17 E. "Nonbinary" means a gender identity that falls outside the male-female gender
18 binary.

19 F. "Reporting period" means the time period between October 1st and December 31st.

20 G. "Snapshot week" means any consecutive 7-day time period during the reporting
21 period chosen by a covered employer.

22 **2. Collection of data.** Beginning in 2025, and annually thereafter, a covered employer
23 shall designate a snapshot week during which the covered employer shall collect the data
24 under subsection 3 of all the employees of the covered employer. The gender of an
25 employee is based on self-identification by the employee. An employer may submit the
26 gender of an employee based upon an existing record if the employee's gender in the record
27 is based upon self-identification by the employee. Prior to submitting the data to the bureau
28 pursuant to subsection 3, the employer shall allow an employee the opportunity to review
29 the submission and make any correction to an error in the employee's data.

30 **3. Reporting of data.** Beginning June 1, 2026, and annually thereafter, a covered
31 employer shall submit to the bureau a report based upon data collected in the most recent
32 snapshot week pursuant to subsection 2, including:

33 A. The number of male employees;

34 B. The median hourly equivalent rates of pay of all male employees;

35 C. The number of female employees;

36 D. The median hourly equivalent rates of pay of all female employees;

37 E. The number of nonbinary employees;

38 F. The median hourly equivalent rates of pay of all nonbinary employees; and

39 G. The gender wage gap calculated by the percentage derived by dividing paragraph B
40 by paragraph D.

1 The median hourly equivalent rates of pay in paragraphs B, D and F may be reported only
2 if the number of employees reported on is equal to or greater than 100 for each paragraph.
3 A covered employer may not report personally identifiable information to the bureau
4 pursuant to this subsection.

5 **4. Publication.** No later than September 1, 2026 and each year thereafter, the bureau
6 shall publish on its publicly accessible website the reports received by every covered
7 employer. A published report must include the employer's name. The bureau shall publish
8 on its publicly accessible website and forward to the joint standing committees of the
9 Legislature having jurisdiction over labor and human rights matters a summary of the data
10 received under subsection 3 and the bureau's findings derived from the data.

11 **5. Record retention.** A covered employer shall retain the data required to be collected
12 under subsections 2 and 3 for at least one year after the submission of the report containing
13 that data.

14 **6. Penalties.** A covered employer that violates this section is subject to a civil penalty
15 not to exceed \$1,000.

16 **7. Rules.** The bureau may adopt routine technical rules under Title 5, chapter 375,
17 subchapter 2-A to carry out the purposes of this section.

18 SUMMARY

19 This bill requires employers with at least one employee within the State and at least
20 250 employees in the United States to annually report for a one-week period between
21 October 1st and December 31st of the preceding year the number of male, female and
22 nonbinary employees in the employer's employ, the median hourly equivalent rates of pay
23 of all male, female and nonbinary employees in the employer's employ and the gender wage
24 gap calculated by dividing the median hourly equivalent rate of pay of all the male
25 employees by the median hourly equivalent rate of pay of all the female employees.