

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1492

S.P. 607

In Senate, April 8, 2025

An Act to Fairly Compensate Teachers for Overtime Hours

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator TIPPING of Penobscot.

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

Sec. 1. 26 MRSA §664, sub-§3, ¶D, as amended by PL 2003, c. 423, §1 and affected by §5, is further amended to read:

D. Public employees, except those employed by the executive or judicial branch of the State and teachers;

Sec. 2. 26 MRSA §664, sub-§4, as enacted by PL 2003, c. 423, §2 and affected by §5, is amended to read:

4. Compensatory time. To the extent permitted under the federal Fair Labor Standards Act of 1938, as amended, 29 United States Code, Section 207(o), the overtime pay requirement applicable to executive or judicial employees as described in subsection 3, paragraph D may be met through compensatory time agreements. This subsection does not apply to teachers.

Sec. 3. 26 MRSA §670-A, as enacted by PL 2003, c. 423, §3 and affected by §5, is amended to read:

§670-A. Remedies for overtime wage violations involving state employees

Notwithstanding section 670, in an action brought to recover unpaid overtime wages for an employee of the executive or judicial branch of the State, except for teachers, the judgment or award is limited to the unpaid overtime compensation adjudged to be due, without liquidated damages or attorney's fees. An action for unpaid overtime wages for an employee of the executive or judicial branch of the State, except for teachers, must be brought within 2 years after the cause of action accrued, except that a cause of action arising from a willful violation of the overtime wage payment law must be commenced within 3 years after the cause of action accrued. Overtime wages are recoverable by employees of the executive or judicial branch, except for teachers, beginning with the later of the date the cause of action accrued and the date the applicable limitations period began.

SUMMARY

This bill extends paid overtime protections to teachers. It excludes teachers from the public employee exemption to entitlement to paid overtime. With respect to teachers employed by the executive branch, the bill entitles them to the same remedies as regular workers and exempts them from the provisions of law regarding remedies for overtime wage violations involving employees of the executive or judicial branch of the State.