

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 420**

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S. P. 179

In Senate, February 5, 1953.

Referred to Committee on Labor. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Ward of Penobscot.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-THREE

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**AN ACT Relating to Payment of Wages.**

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

**R. S., c. 25, § 38, amended.** Section 38 of chapter 25 of the revised statutes, as amended, is hereby further amended to read as follows :

**Sec. 38. Wages, time of payment; records.** Every corporation, person or partnership engaged in a manufacturing, mechanical, mining, quarrying, mercantile, restaurant, hotel, summer camp, beauty parlor, amusement, street railway, telegraph or telephone business; in any of the building trades; upon public works, or in the construction or repair of street railroads, roads, bridges, sewers, gas, water or electric light works, pipes or lines; every incorporated express company or water company; and every steam railroad company or corporation shall pay weekly each employee engaged in his or its business the wages earned by him to within 8 days of the date of such payment; but any employee, leaving his or her employment, shall be paid in full on demand at the office of the employer where pay-rolls are kept and wages are paid, and every county and city shall so pay every employee who is engaged in its business the wages or salary earned by him, unless such mechanic, workman, laborer or employee requests in writing to be paid in a different manner; and every town shall so pay each employee in its business if so required by him; but an employee

who is absent from his regular place of labor at a time fixed for payment shall be paid thereafter on demand. A true record shall be kept showing the date and amount paid to each person engaged in any of the above occupations. There shall also be kept a daily record of the time worked by such person, excepting such employees as are paid a fixed weekly salary regardless of the number of hours worked, the same to be accessible at any reasonable hour to any representative of the department. The provisions of this section shall not apply to an employee engaged in cutting and hauling logs and lumber, nor the driving the same until it reaches its place of destination for sale or manufacture; nor to an employee of a cooperative corporation or association if he is a stockholder therein unless he requests such corporation to pay him weekly; **nor to a bona fide official or supervisory employee of a corporation who is paid a fixed salary regardless of number of hours worked unless he requests such corporation to pay him weekly.** No corporation, contractor, person or partnership shall by a special contract with an employee or by any other means exempt himself or itself from the provisions of this section; **provided, however, that it shall be lawful for an employer and a recognized labor union or bargaining unit representing his or its employees to provide by contract reached by collective bargaining for other than weekly payment of wages earned to within 8 days of the date of such payment, but not for less than 4 payments per calendar month, with respect to the employees represented by such labor union or bargaining unit.** Whoever violates any of the provisions of this section shall be punished by a fine of not less than \$25, nor more than \$50.'