

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
DEPARTMENT OF LABOR  
54 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0054

Paul R. LePage  
GOVERNOR

Jeanne S. Paquette  
COMMISSIONER

April 2, 2013

The Honorable John L. Patrick, Senate Chair  
The Honorable Erin D. Herbig, House Chair  
Members of the Joint Standing Committee on Labor, Commerce, Research and Economic  
Development  
125<sup>th</sup> Maine Legislature  
100 State House Station  
Augusta, ME 04333-0100

Dear Senator Patrick, Representative Herbig, and Members of the Committee:

It is my pleasure to present the Department of Labor's annual report on compliance with the Equal Pay Law (26 MRSA, §628).

Maine's equal pay law can be traced back to the 94<sup>th</sup> Maine Legislature and a bill introduced in 1949 by Senator Haskell of Penobscot County. Her revision of the labor statutes prohibited employers from paying male and female worker different "salary or wage rates" for "equal work."

The statute was revised in 1965 and language pertaining to "equal work" was amended to "comparable work." The legislation further defined comparable work as "jobs which have comparable requirements relating to skill, effort and responsibility." Despite the best intentions of the sponsors, however, the legislation was unable to address the issue because the law was too vague and did not provide for sufficient enforcement provisions.

A 1997 report by the Commission to Study Poverty Among Working Parents recommended that the Maine Department of Labor promulgate rulemaking, which would allow for the law to be effectively implemented and enforced. The final product clarified terminology in the existing law, created a formalized complaint process for enforcement purposes, and provided employers with a framework with which they could conduct a self-evaluation of wages within their organization and identify possible areas of pay discrimination.

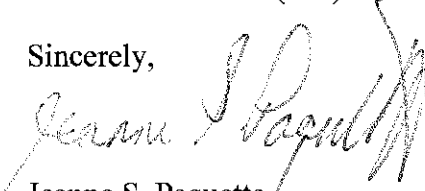
In the past year, the Department only received two complaints alleging violations of the equal pay provisions of the law. The Wage and Hour Division investigated both allegations; however, the investigations resulted in no violations.

As a compliance assistance tool, the department provides an optional poster titled "Maine Equal Pay" that highlights an individual's rights under the Equal Pay Law. Additional information on

this law can be found on the department's website to include a self-audit tool kit for employers, an equal pay complaint form, and the department's rules relating to equal pay. The website can be found here: <http://www.mainelegislature.org/legis/statutes/26/title26sec628.html>

If you have any further questions, please let me know or contact the Director of the Bureau of Labor Standards at (207) 623-7932.

Sincerely,



Jeanne S. Paquette  
Commissioner