

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 367

H. P. 278

House of Representatives, January 26, 1971

Referred to Committee on State Government. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Genest of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Appropriating Funds for Overtime in State Employment and
Establishing Hours for a Work Day and a Work Week for Certain
Employees.

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

Sec. 1. Appropriations. There is appropriated from the General Highway Fund, special revenue or other funds the sum of \$1,720,896 for the fiscal year ending June 30, 1972 to effectuate as of the first pay period in the first week of July 1971, overtime compensation to state employees who exceed 40 hours, except office and clerical employees, of work in any one week or 8 hours of work in any work day, but not for both.

Sec. 2. Computation. In order to promulgate the following provisions, the Director of Personnel will compute the regular hourly rate of salary workers and those paid on an hourly basis, by dividing the employee's regular salary by 40 in order to circumvent and reduction in salary.

Sec. 3. Schedule of salaries. The Director of Personnel shall forthwith submit to the State Personnel Board a proposed revision of the official schedule of salaries for all classes of positions in the classified service which shall provide that any employee will receive compensation at a rate not less than $1\frac{1}{2}$ times the new regular rate at which he is employed for all hours worked in excess of 8 during any standard workday, if the hours actually worked by said employee during the standard work week in which any such day or days may fall do not exceed 40 and $1\frac{1}{2}$ times his hourly rate of pay for all hours worked in excess of 40 during any standard work week.

Sec. 4. Appeal. This Act shall be applied at the direction of the State Personnel Board, with the right of appeal to the State Employee's Appeals Board, by the employee or his representative, or by both.

Sec. 5. Unclassified employees. With respect to unclassified employees whose wage rates are not subject to determination by the Governor and Council, the authorities responsible for determining the wage rates of such employees shall grant such similar and equitable treatment.

STATEMENT OF FACT

It is the intent of the Legislature that it shall be the responsibility of all department heads to keep the overtime hours of work at a minimum to be used only in emergency situations. It shall also be the responsibility of line supervisors on all levels to schedule their work in such a way that overtime hours shall be kept to a minimum and to be used in emergency situations only.