

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 541

H. P. 445

House of Representatives, February 4, 1975
Referred to Committee on Appropriations and Financial Affairs. Sent up
for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Birt of East Millinocket.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Appropriating Funds for the Payment of Overtime in State Employment at the Rate of One and One-half Times the Employee's Hourly Rate of Pay.

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

Sec. 1. Appropriation. There is appropriated from the General Fund the sum of \$200,000 for the fiscal year ending June 30, 1976 and the sum of \$200,000 for the fiscal year ending June 30, 1977 to effectuate, as of the first pay period in July, 1975, overtime compensation at the rate of 1½ times the employee's hourly rate of pay.

Sec. 2. Computation. In order to promulgate the following provisions, the Director of Personnel will compute the regular hourly rate of salaried workers on an hourly basis, by dividing the employee's regular salary by 40 in order to circumvent a 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 1½ times the new regular rate at which he is employed for all hours worked in excess of 8 during any workday.

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

Sec. 5. Utilization of other funds. The overtime cost for employees in departments supported by the General Highway Fund, special revenue funds

or other funds shall be provided from funds available to the department and not from the General Fund.

Sec. 6. 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.

Sec. 7. Overtime. The workday and week of the clerical and office personnel shall remain as is, 37½ hours per week. Overtime provisions will apply after 7½ hours have been completed.

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.