

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

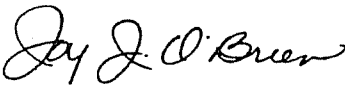
Legislative Document

No. 1411

S.P. 515

In Senate, May 1, 1989

Reference to the Committee on Labor suggested and ordered printed.


JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.
Cosponsored by Representative LUTHER of Mexico.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

**An Act Relating to Payment for Mandatory Overtime Work on Sundays and
Holidays.**



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

3 **26 MRSA §664, first ¶,** as amended by PL 1987, c. 738, §1, is
5 further amended to read:

7 By reason of the declaration of policy set forth in section
9 661 and in the protection of the industry or business and in the
11 enhancement of public interest, health, safety and welfare, it is
13 declared unlawful for any employer to employ any employee, except
15 as otherwise provided in this subchapter, at the rate of less
17 than ~~\$3.65 per hour in 1987 and~~ \$3.75 per hour starting January
19 1, 1989 and, starting January 1, 1990, \$3.85 per hour starting
21 January 1, 1990, but in no case may the minimum hourly wage
23 exceed the average minimum hourly wage of the 5 other New England
25 states; or to require any employee to work more than 40 hours in
27 one week, unless 1 1/2 times the regular hourly rate is paid for
29 all work done over 40 hours in any one week; and whenever the
31 highest federal minimum wage is increased in excess of the
33 minimum wage established under this section, the minimum wage
35 shall be increased to the same amount, effective on the same date
37 as the increase in the highest federal minimum wage, but in no
39 case shall the minimum wage exceed \$5 per hour. It is unlawful
41 for any employer to require any employee to work, except as
43 otherwise provided in this subchapter, on any Sunday, Christmas
Day, New Year's Day, Memorial Day, the Fourth of July, Labor Day
and Thanksgiving Day unless 1 1/2 times the employee's regular
hourly rate is paid for all work on those days. The overtime
provision of this section shall not apply to seamen, the canning,
processing, preserving, freezing, drying, marketing, storing,
packing for shipment or distribution of herring as sardines, of
perishable foods, of agricultural produce and meat and fish
products, nor to the canning of perishable goods, nor to hotels,
motels, restaurants and other eating establishments, public
employees, nor to automobile mechanics or automobile salesmen.

37 **STATEMENT OF FACT**

39 This bill provides that all workers performing work subject
41 to the Maine minimum wage law who work on Sundays and certain
43 holidays must receive 1 1/2 times their regular rate for all work
performed on those days. The designated holidays are Christmas,
New Year's Day, Memorial Day, the Fourth of July, Labor Day and
Thanksgiving Day.