

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

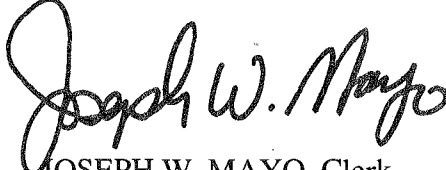
No. 347

H.P. 283

House of Representatives, January 23, 1997

An Act to Require Overtime Pay for Employees of Large Agricultural Employers.

Reference to the Committee on Labor suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative LEMAIRE of Lewiston.
Cosponsored by Senator JENKINS of Androscoggin and
Representatives: BERRY of Livermore, HATCH of Skowhegan, KONTOS of Windham,
MERES of Norridgewock, RINES of Wiscasset, SAMSON of Jay, Senators: MILLS of
Somerset, RAND of Cumberland.

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

Sec. 1. 26 MRSA §663, sub-§3, ¶A, as amended by PL 1975, c. 717, §5, is further amended to read:

A. Any individual employed in agriculture as defined in the Maine Employment Security Law and the Federal Unemployment Insurance Tax Law, except when that individual performs services for or on a farm with over 300,000 laying birds or when that individual performs services for an employer who employs 75 or more individuals for 180 or more days per year;

Sec. 2. 26 MRSA §664, sub-§4 is enacted to read:

4. Exempt and nonexempt work during the same workweek. If an employee in the same workweek performs work that is exempt from the overtime requirements of this section and also engages in work that is not exempt from the overtime requirements of this section, all of the hours worked are nonexempt work and the employer must pay the overtime rate for all hours actually worked in excess of 40 hours that week.

SUMMARY

This bill removes the exemption from the overtime pay requirements for agricultural employers employing 75 or more individuals for at least 180 days per year. The bill also specifies that if an individual performs work subject to the overtime requirement and work exempt from the overtime requirement during the same workweek, the employer must pay overtime for all hours worked over 40 hours that week.