

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 729

H.P. 550

House of Representatives, February 13, 2007

### **An Act To Compensate Employees Required To Be "On-call" by Their Employers**

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Reference to the Committee on Labor suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative GREELEY of Levant.  
Cosponsored by Representative: BLANCHETTE of Bangor.

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

2 **Sec. 1. 26 MRSA §604** is enacted to read:

3 **§604. Limits and compensation for on-call time**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
5 following terms have the following meanings.

6 A. "Employer" means any private or public employer, including the State or any  
7 political subdivision of the State.

8 B. "On-call" means a standby status during which an employee is required to be  
9 available to work.

10 **2. Limits for on-call time.** An employer may not require an employee to be on-call  
11 unless such status was a condition of employment agreed to by the employee at the time  
12 of hire.

13 **3. Compensation for on-call time.** An employer shall pay an employee for all on-  
14 call time unless the employer and employee concur in a written contractual agreement  
15 that compensation is neither needed nor expected.

16 **SUMMARY**

17 This bill prohibits an employer from requiring an employee to be on-call unless on-  
18 call status was a condition of employment agreed to by the employee. The bill also  
19 requires an employer to pay an employee for all on-call time unless the employer and  
20 employee concur in a written contractual agreement that compensation is neither needed  
21 nor expected.