

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 857

H.P. 631

House of Representatives, February 14, 2019

An Act To Increase Accountability for Wage Violations

Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative COLLINGS of Portland.
Cosponsored by Senator BELLOWS of Kennebec and
Representatives: AUSTIN of Skowhegan, DUNPHY of Old Town, FARNSWORTH of
Portland, FAY of Raymond, HANDY of Lewiston, RECKITT of South Portland, Senators:
LAWRENCE of York, SANBORN, L. of Cumberland.

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

2 **Sec. 1. 26 MRSA §626-A, first ¶**, as amended by PL 1999, c. 465, §5, is further
3 amended to read:

4 Whoever violates any of the provisions of sections 621-A to 623 or section 626, 628,
5 629 or 629-B is subject to a ~~forfeiture fine of not less than \$100 nor more than \$500 for~~
6 ~~each the first violation and \$2,500 for each subsequent violation.~~ A civil action may be
7 brought against an employer under this chapter by a person aggrieved by a violation of
8 sections 621-A to 623 or section 626, 628, 629 or 629-B. If the court finds that the
9 employer violated sections 621-A to 623 or section 626, 628, 629 or 629-B, the court
10 may award damages, including attorney's fees.

11 **Sec. 2. 26 MRSA §670**, as amended by PL 1965, c. 410, §8, is further amended to
12 read:

13 **§670. Employees' remedies**

14 ~~Any An~~ An employer ~~shall be~~ is liable to the employee or employees for the amount of
15 unpaid minimum wages. Upon a judgment being rendered in favor of any employee or
16 employees, in any action brought to recover unpaid wages under this subchapter, such
17 judgment ~~shall~~ must include, in addition to the unpaid wages adjudged to be due, an
18 additional amount equal to 3 times such wages as liquidated damages, and costs of suit
19 including a reasonable attorney's fee.

20 **Sec. 3. Appropriations and allocations.** The following appropriations and
21 allocations are made.

22 **LABOR, DEPARTMENT OF**
23 **Regulation and Enforcement 0159**

24 Initiative: Provides ongoing funds for 10 Labor and Safety Inspector positions within the
25 wage and hour division of the Bureau of Labor Standards beginning October 1, 2019.

26

27	GENERAL FUND	2019-20	2020-21
28	POSITIONS - LEGISLATIVE COUNT	10.000	10.000
29	Personal Services	\$594,682	\$761,171
30	All Other	\$65,000	\$65,000
31			
32	GENERAL FUND TOTAL	<u>\$659,682</u>	<u>\$826,171</u>

33 **SUMMARY**

34 This bill amends the law regarding employment practices by increasing the fine for a
35 violation of certain state wage and benefits laws to \$500 for the first violation and \$2,500
36 for each subsequent violation and by providing a private right of action for a person
37 aggrieved of such a violation. It amends the law regarding employees' remedies to

1 provide that in a judgment for an employee an additional amount of 3 times the unpaid
2 wages must be awarded the employee. It also provides ongoing funds for 10 labor and
3 safety inspector positions within the Department of Labor, Bureau of Labor Standards,
4 wage and hour division beginning October 1, 2019.