

MAINE STATE LEGISLATURE

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Date: 3/29/22

LABOR AND HOUSING

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 443, L.D. 607, "An Act To Restore Overtime Protections for Maine Workers"

Amend the bill by striking out the title and substituting the following:

'An Act To Direct the Department of Labor To Educate Business and Nonprofit Communities on Overtime Laws'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 26 MRSA §673-A is enacted to read:

§673-A. Comprehensive educational campaign regarding overtime laws; annual report

1. Department of Labor to educate businesses on overtime laws. The Department of Labor shall conduct a comprehensive educational campaign to ensure that the State's business and nonprofit communities fully understand overtime laws that regulate employees in the State. The comprehensive educational campaign must include educational activities as follows.

A. At the request of employers and employer groups, the Department of Labor, Bureau of Labor Standards shall provide targeted training to employers on the requirements of the State's wage statutes regarding overtime, including a review of the State's minimum hourly wage as established in section 664, the determination of the salary threshold as described in section 663, subsection 3, paragraph K and the determination for whether an employee is exempt from the overtime provisions of the law as described in department rules.

B. In collaboration with organizations representing the State's business and nonprofit communities, the Department of Labor, Bureau of Labor Standards shall:

- (1) Create and distribute to employers and employer groups compliance toolkits covering the requirements of the State's wage statutes regarding overtime; and

COMMITTEE AMENDMENT

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(2) Offer employers the opportunity to review with bureau staff the employers' classification of employees regarding eligibility for or exemption from overtime pay.

C. The Department of Labor shall launch a social media campaign focusing on overtime requirements and connecting employers and employees with resources to determine the pertinent salary threshold as described in section 663, subsection 3, paragraph K and whether an employee is eligible for or exempt from overtime provisions of the law.

2. Annual report on overtime laws. The Department of Labor shall report to the joint standing committee of the Legislature having jurisdiction over labor matters beginning February 15, 2023 and annually thereafter describing the department's educational activities on overtime laws under subsection 1 and the result of those activities. The report must also include data regarding complaints and violations of overtime laws and the status of the department's enforcement efforts regarding overtime laws during the previous calendar year.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment replaces the bill. The amendment requires the Department of Labor to conduct a comprehensive educational campaign focused on the business and nonprofit communities on employee overtime laws as described in the Maine Revised Statutes. It also requires the department to submit a report regarding that campaign annually to the joint standing committee of the Legislature having jurisdiction over labor matters.

FISCAL NOTE REQUIRED

(See attached)



130th MAINE LEGISLATURE

LD 607

LR 1879(02)

An Act To Restore Overtime Protections for Maine Workers

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-870)

Committee: Labor and Housing

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Bureau of Labor Standards within the Department of Labor to implement the requirements of this legislation can be absorbed within existing budgeted resources.