

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1483

S.P. 604

In Senate, April 5, 2023

An Act to Protect the Rights of Agricultural Workers

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator HICKMAN of Kennebec.
Cosponsored by Speaker TALBOT ROSS of Portland and
Senators: BRENNER of Cumberland, INGWERSEN of York, President JACKSON of
Aroostook, TIPPING of Penobscot, Representatives: COLLINGS of Portland, MALON of
Biddeford, RIELLY of Westbrook, SUPICA of Bangor.

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

2 **Sec. 1. 26 MRSA c. 7, sub-c. 2-B** is enacted to read:

3 **SUBCHAPTER 2-B**

4 **RIGHTS OF AGRICULTURAL EMPLOYEES**

5 **§647. Rights of agricultural employees**

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

8 A. "Agricultural employee" means an individual employed:

9 (1) In agriculture as defined in the Employment Security Law and the Federal
10 Unemployment Tax Act; or

11 (2) In the canning; processing; preserving; freezing; drying; marketing; storing;
12 packing for shipment; or distributing of:

13 (a) Agricultural produce;

14 (b) Meat and fish products; and

15 (c) Perishable foods.

16 B. "Agricultural employer" means a person or entity that directly or indirectly engages
17 the services or permits the work of an individual employed in agriculture or an
18 individual employed in certain activities related to agriculture.

19 C. "Key service provider" means a health care provider, an education provider, an
20 attorney, a legal advocate, a government official, a member of the clergy and any other
21 service provider to which an agricultural employee may need access.

22 **2. Interference with reasonable access to key service providers and health care**
23 **providers.** An agricultural employer may not interfere with reasonable access to a key
24 service provider by an agricultural employee at any location during any time in which the
25 agricultural employee is not performing work or during paid or unpaid rest and meal breaks.
26 An agricultural employer may not interfere with access to a health care provider at any time
27 by an agricultural employee whether or not that agricultural employee is working.

28 **3. Person other than agricultural employee may not restrict access to residence.** A
29 person other than an agricultural employee may not prohibit, bar or interfere with, or
30 attempt to prohibit, bar or interfere with the access to or egress from the residence of the
31 agricultural employee, including by the erection or maintenance of any physical barrier, by
32 physical force or the threat of physical force or violence, or by any order or notice given in
33 any manner.

34 **SUMMARY**

35 This bill provides that an agricultural employer may not interfere with reasonable
36 access to a key service provider by agricultural employees during work time. It also

1 specifies that only the agricultural employee may prohibit or bar individuals from the
2 employee's residence.