

# MAINE STATE LEGISLATURE

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Date: 4/9/24

REPORT B

LABOR AND HOUSING

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STATE OF MAINE

SENATE

131ST LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to S.P. 719, L.D. 1794, "An Act to Enhance the Predictability of Mandated Overtime for Pulp or Paper Manufacturing Facility Employees"

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

'Resolve, to Establish the Commission on Predictability of Mandated Overtime for Manufacturing Facility Employees'

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

'Sec. 1. Commission established. Resolved: That the Commission on Predictability of Mandated Overtime for Manufacturing Facility Employees, referred to in this resolve as "the commission," is established to examine the current levels of mandatory overtime at manufacturing facilities in the State with 50 or more employees and the impact of the use of mandatory overtime on workplace and public safety, employee morale and the ability of manufacturing facilities to hire employees; to seek public and expert input on solutions to any problems identified; and to make recommendations for solutions, including suggested legislation, to address the increased use of mandatory overtime and loss of time off that may be undermining workplace and public safety, morale and the ability to hire employees.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 9 members as follows:

1. Two members of the Senate, appointed by the President of the Senate, including one member of the party holding the largest number of seats in the Legislature and one member of the party holding the 2nd largest number of seats in the Legislature;

2. Two members of the House of Representatives, appointed by the Speaker of the House, including one member of the party holding the largest number of seats in the Legislature and one member of the party holding the 2nd largest number of seats in the Legislature;

3. One member representing the interests of manufacturing facility companies, appointed by the President of the Senate;

COMMITTEE AMENDMENT

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4. One member representing the interests of manufacturing facility employees, appointed by the President of the Senate;

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5. One member representing the interests of manufacturing facility companies, appointed by the Speaker of the House;

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6. One member representing the interests of manufacturing facility employees, appointed by the Speaker of the House; and

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7. The Director of Labor Standards within the Department of Labor, or the director's designee.

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**Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

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**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

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**Sec. 5. Duties. Resolved:** That the commission shall examine the following:

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1. The employment conditions of manufacturing facility employees, including mandated overtime;

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2. The amount of overtime hours worked for years 2021, 2022 and 2023 and the first half of 2024 at manufacturing facilities in the State with 50 or more employees;

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3. The amount of overtime worked that has been voluntary and the amount that has been mandated at manufacturing facilities in the State with 50 or more employees, broken down by department;

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4. The amount of overtime worked that involved employees being "inverted," or mandated to report to work on holidays, vacation days or scheduled days off;

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5. Current employee policies and proposed employee policies at manufacturing facilities in the State with 50 or more employees that:

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A. Ensure workplace and public safety when employees are working 18 to 24 consecutive hours due to mandatory overtime;

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B. Limit the amount of mandatory overtime that employees are required to work; and

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C. Allow for employees to communicate whether they want to voluntarily work overtime hours; and

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6. Recommendations for solutions, including suggested legislation, to address the increased use of mandatory overtime and loss of time off that may be undermining workplace and public safety, employee morale and the ability for manufacturing facilities to hire employees.

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The commission may hold up to 2 public hearings to seek input on these issues.

**COMMITTEE AMENDMENT**





# 131st MAINE LEGISLATURE

LD 1794

LR 756(03)

## An Act to Enhance the Predictability of Mandated Overtime for Pulp or Paper Manufacturing Facility Employees

Fiscal Note for Bill as Amended by Committee Amendment "B" (5671)

Committee: Labor and Housing

Fiscal Note Required: Yes

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### Fiscal Note

#### Legislative Cost/Study

##### Legislative Cost/Study

The general operating expenses of this study are projected to be \$3,050 in fiscal year 2024-25. The Legislature's budget for the 2024-2025 biennium includes \$14,500 in each of fiscal years 2023-24 and 2024-25 for the costs of legislative studies, as well as \$38,909 of balances carried over from prior years for this purpose. Whether these amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature. The additional costs of providing staffing assistance to the study during the interim can be absorbed utilizing existing budgeted staff resources.

##### Fiscal Detail and Notes

Additional costs to the Bureau of Labor Standards within the Department of Labor associated with serving on the commission can be absorbed within existing budgeted resources.