

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1794

S.P. 719

In Senate, April 25, 2023

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

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 President JACKSON of Aroostook.
Cosponsored by Representative ALBERT of Madawaska and
Senators: DAUGHTRY of Cumberland, TIPPING of Penobscot, VITELLI of Sagadahoc,
Representatives: ROEDER of Bangor, Speaker TALBOT ROSS of Portland.

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

2 **Sec. 1. 26 MRSA §603, sub-§3, ¶G**, as enacted by PL 1999, c. 750, §1, is amended
3 to read:

4 G. A medical intern or resident engaged in a graduate educational program approved
5 by the Accreditation Council on Graduate Medical Education, the American Board of
6 Medical Specialties or the American Osteopathic Association at a health care facility.
7 For purposes of this paragraph, "health care facility" has the same meaning as in Title
8 22, section 8702, subsection 4; ~~or~~

9 **Sec. 2. 26 MRSA §603, sub-§3, ¶H**, as enacted by PL 1999, c. 750, §1, is amended
10 to read:

11 H. An employee who works for an employer who shuts down an operation for annual
12 maintenance or work performed in the construction, rebuilding, maintenance or repair
13 of production machinery and equipment, including machine start-ups and shutdowns
14 related to such activity. This exception applies to contractors of the employer that are
15 providing services related to the activities in this paragraph. It does not apply to other
16 operations not involved in the work stated in this paragraph. Notwithstanding this
17 paragraph, a worker may not be required to work beyond the limits prescribed in
18 subsection 2 for more than 4 consecutive weeks; or

19 **Sec. 3. 26 MRSA §603, sub-§3, ¶I** is enacted to read:

20 I. An employee to which section 603-A applies.

21 **Sec. 4. 26 MRSA §603-A** is enacted to read:

22 **§603-A. Overtime and scheduling in pulp or paper manufacturing facilities**

23 **1. Definition.** As used in this section, unless the context otherwise indicates, "pulp or
24 paper manufacturing facility" means a facility that is used primarily to manufacture pulp
25 or paper products.

26 **2. Applicability.** This section does not apply:

27 A. To a pulp or paper manufacturing facility that has 50 or fewer employees; or

28 B. During an emergency in which there is an immediate danger to life or property. An
29 emergency does not include regular equipment maintenance or other employees not
30 working due to vacation time, holidays, floating holidays, time off for illness or a short-
31 term disability or planned family or medical leave.

32 **3. Mandatory overtime.** A pulp or paper manufacturing facility may not require an
33 employee to work more than 2 hours of overtime per day.

34 **4. Advance notice required.** A pulp or paper manufacturing facility shall give notice
35 to an employee that overtime is required no later than 7 days before the date of the overtime.
36 A pulp or paper manufacturing facility shall give notice to an employee that an employee's
37 work schedule has changed no later than 7 days before the date of the first day with a
38 change in schedule.

39 **5. Prohibitions.** A pulp or paper manufacturing facility may not:

