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2021 ANNUAL REPORT ON WAGE AND HOUR COMPLAINTS AND VIOLATIONS

Maine Department of Labor, Bureau of Labor
Standards, Wage and Hour Division

February 2021

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Introduction

The Maine Department of Labor is pleased to present the report herein in accordance with 26 MRS § 673. The Department shares the Committee's interest in better understanding the nature and frequency of employment law violations occurring in various industries across the State. The Wage and Hour Division of the Bureau of Labor Standards is responsible not only for enforcing, but for assembling information to assess the effectiveness of those laws.

The Wage & Hour Division currently includes a Director, a Chief Inspector, four- and one-half full-time Inspector positions funded through the General Fund, and half of an Inspector position funded through the Safety, Education, and Training Fund (SETF). A recently reclassified Consumer Assistance Specialist will be added to the General fund as a full-time inspector in the State Fiscal Year budget for 2022-2023.

In our last annual report to the Committee, we expressed our commitment to use those resources with greater strategic purpose by conducting more focused inspections wherever the data indicate they will have the greatest impact. In combination with the enhanced data and analysis represented in this report and a recently refortified capacity for outreach, we believe we have begun that effort well. However, this has been an unusual year. The Bureau's ability to conduct on-site inspections—whether random, targeted or otherwise—was severely restricted by the pandemic. We hope that you will review the following report in the light of those circumstances.

Wage theft is a real and serious problem in Maine and throughout the nation. MDOL understands that the vast majority of employers seek to operate in full compliance with the law. Violations of employment law—especially when they are systematic, willful or recurring—harm honest employers and workers alike, and indirectly damage the health of Maine's economy. They must be detected and eliminated to the greatest extent possible.

As always, our ultimate goal is full compliance with Maine's employment laws, and more immediately to identify and eliminate the most egregious violations. We intend in 2021—to the extent that the safety of our staff and the public allows—to once again fully and freely use our available resources to accomplish those purposes. We hope the information contained in this report will enable the Committee to better understand our progress toward achieving them.

2021 ANNUAL REPORT ON WAGE AND HOUR COMPLAINTS AND VIOLATIONS

Complaints Received in 2020

Complaints received were greatly reduced from years past because of the novel coronavirus (Covid-19) and its effects in Maine’s workplaces. The pandemic affected inspections two ways:

- There were fewer businesses open and available for inspection and less employment in the businesses; and
- Inspectors were able to safely visit far fewer workplaces.

The businesses reporting the most complaints in years past, such as eating establishments and hospitality, were also those most severely affected by Covid-19.

Complaints Investigated in 2020

The division was unable to randomly inspect businesses during the pandemic, and instead reacted almost exclusively to complaints.

The Department of Labor, Bureau of Labor Standards, Wage and Hour Division opened 335 inspections in 2020, only about a third of the number opened in 2019. Of this number, 239 resulted from complaints we received, a decrease from 2019 of about 30%.

Of the 239 complaints received or completed in 2020, 217 cases are closed (“Final”) while 22 cases are still considered “In Process.” This section reports on investigations conducted during 2020 and their results to date.

During 2020, 212 complaints were investigated, meaning that the complaint resulted in an examination of the circumstances and a determination was made as to whether or not violations occurred. The table below displays the results of these investigations.

Table 1: Summary of Complaint Cases

	Count / Dollars			
	Case Status as of 1/28/2021		2020	2019
	Final	In Process	Total	Total
Complaint Cases	217	22	239	345
Cases Investigated	201	11	212	284
Cases with Violations	97	12	109	143
Total Citations	208	33	241	311
Total Number of Violations	27,827	1,423	29,250	
Cases w/Workers Owed	96	10	106	
Number of Workers Owed	476	189	665	442
Wages Owed	\$300,750.08	\$254,399.20	\$555,149.28	\$626,516.61
Cases w/ Workers Paid	81	4	85	
Workers Paid	318	170	488	363
Wages Paid	\$255,740.21	\$167,750.27	\$423,490.48	\$363,180.47

Table 1 shows that of the 212 cases investigated in 2020, 109 had violations.

There are approximately 110 labor laws in title 26, Chapter 7. Of that total, 26 separate law sections were cited 241 times. The 109 cases had a total of 29,250 violations. 665 workers were determined to be owed wages in the amount of \$555,149.28. To date, 488 of those workers have been paid back wages totaling \$423,490.48.

The “Total Number of Violations”, a new category in our reports, represents the number of times the rights of a worker were violated. For example, one investigation involved an employer in southern Maine that violated Maine’s Rest Break law 3,675 times by illegally deducting short breaks from employees’ daily hours worked over a three-year period. This, in turn, led to 1,704 violations of Maine’s Timely and Full Payment of Wages law.

Complaint Violations Cited and Workers Affected

This section provides more detail regarding the specific violations detected by complaint investigations conducted in 2020, and the number of times that workers were affected by each violation. As is evident from the table below, employers’ failure in various ways to pay proper wages predominate among these violations.

Table 2: Cases with Violations and Total Number of Violations by Category and Citation

Violation	Cases With This Violation	Total Number of Violations
Child Labor	11	283
26 MRS §772 Hazardous Occupations	2	29
26 MRS §774 (1) Restricted Hours - Minors 16 & 17 years of Age	4	141
26 MRS §774 (2) Restricted Hours - Minors Under 16 years of Age	2	54
26 MRS §774 (7) Record of work hours of minors.	1	26
26 MRS §775 Work Permit	2	33
Records	64	13,683
26 MRS §622 Records	31	6,562
26 MRS §665 (1) Pay Statement	12	243
26 MRS §665 (1) True and Accurate Records	21	6,878
Wages	145	8,919
26 MRS §1307-A Prevailing Wage	1	10
26 MRS §591-A Employee Misclassification	10	100
26 MRS §621-A (5) Change in Rate of Pay	1	1
26 MRS §621-A Timely and Full Payment of Wages	83	4,147
26 MRS §626 Cessation of Employment	2	16
26 MRS §664 (1) Minimum Wage	11	729
26 MRS §664 (2) Tip Credit	2	18
26 MRS §664 (2) Tips - Property of Employee	7	275
26 MRS §664 (3) Overtime Rate	23	2,901
26 MRS §664 (4) Compensatory Time Agreements	1	9
26 MRS §664 Salary Exempt	4	713
Work Place Rights	21	6,365
26 MRS §592 Charge By Employer Prohibited	2	18
26 MRS §599-A Noncompete Agreements (3) Prohibited for certain workers	2	1,148
26 MRS §599-A Noncomplete agreements (4) Disclosure; notice	1	1,132
26 MRS §601 Rest Breaks	2	3,676
26 MRS §629 Unfair Agreements	5	9
26 MRS §631 Personnel File	3	60
26 MRS §672 Unfair Contracts	6	322
Grand Total	241	29,250

- The most common violations involve Records, which requires employers to keep true and accurate daily time records and payroll records.
- Violations related to the timely and full payment of wages, which are often found in conjunction with the above record keeping violations, were the second most common violations; and

- violations of workplace rights were the third most common violations found.

The general category of violations least frequently discovered was child labor. While violations involving Child Labor are relatively few when compared to the other categories identified above, the Department considers each such violation to be extremely serious in nature and to require immediate remediation.

Complaints and Violations by Industry

Table 3 below reports complaints received by major industry sector, along with the total citations, total number of violations, number of employees owed back wages and amount of wages owed.

Table 3: Complaint Cases, Violations, Workers Involved and Wages Owed by Industry Sector

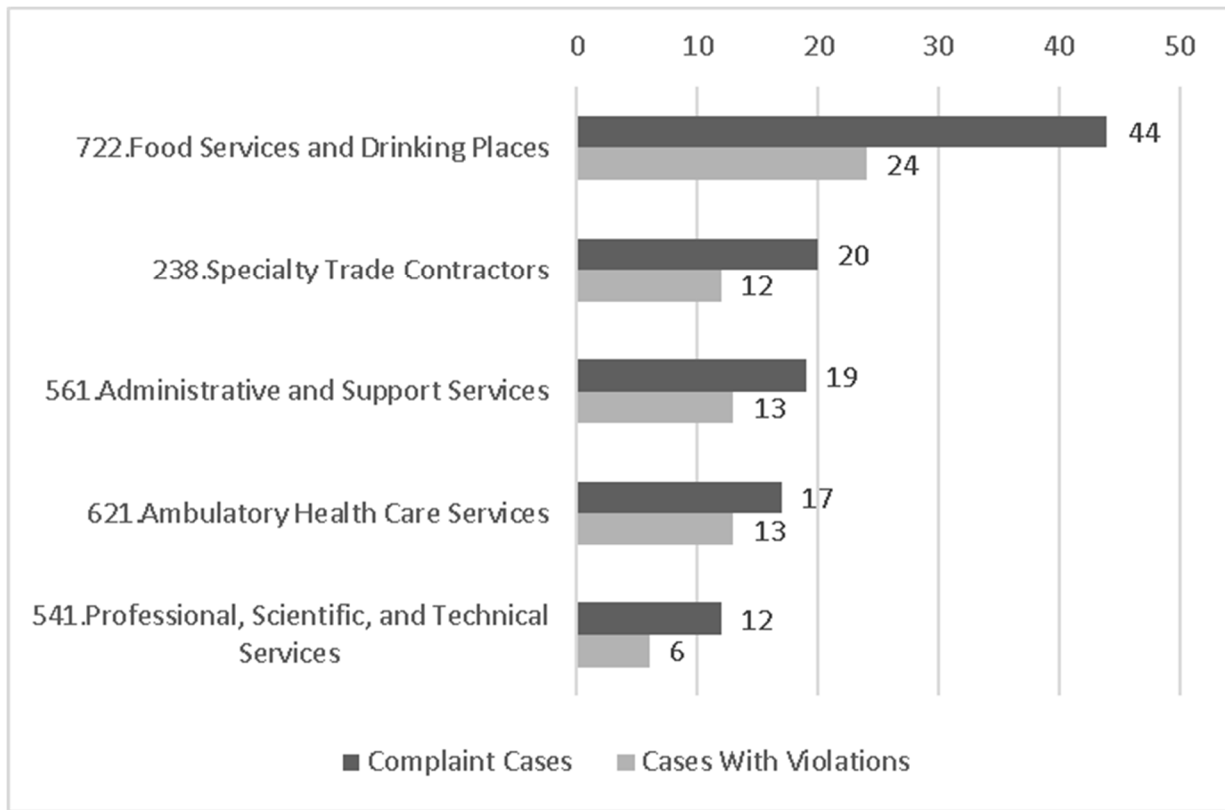
Industry Sector	Complaint Cases	Cases With Violations	Number of Statutes Cited	Number of Violations	Workers Owed	Wages Owed
11.Agriculture, Forestry, Fishing and Hunting	5	3	4	194	1	\$208.00
23.Construction	27	15	37	11,130	12	\$13,680.54
31-33.Manufacturing	9	3	11	220	4	\$2,775.72
42.Wholesale Trade	6	1	3	77	1	\$556.97
44-45.Retail Trade	38	12	27	1,476	36	\$25,501.54
48-49.Transportation and Warehousing	11	1	2	30	7	\$4,455.11
52.Finance and Insurance	1	0	0			
53.Real Estate and Rental and Leasing	5	2	5	31	1	\$678.50
54.Professional, Scientific, and Technical Services	12	6	11	109	10	\$26,417.27
55.Management of Companies and Enterprises	1	0	0		0	\$5,000.00
56.Administrative and Support and Waste Management and Remediation Services	19	13	28	4,330	216	\$251,053.63
61.Educational Services	3	3	4	5,456	45	\$53,500.43
62.Health Care and Social Assistance	36	19	31	2,756	190	\$109,631.05
71.Arts, Entertainment, and Recreation	3	2	5	121	4	\$3,857.29
72.Accommodation and Food Services	50	26	68	3,020	134	\$54,276.32
81.Other Services (except Public Administration)	7	2	4	276	4	\$3,556.91
92.Public Administration	6	1	1	24		
Grand Total	239	109	241	29,250	665	\$555,149.28

A comprehensive breakdown of this information by specific (six-digit NAICS) industry appears in **Appendix Table A** starting on page 9.

As is evident above, the industry sector still generating the most complaints and affecting a large number of workers is in Accommodation and Food Services. We would note, though, that (possibly due to the pandemic) the number and magnitude of those complaints and violations has been somewhat reduced relative to other sectors, and also more concentrated in food services rather than accommodations.

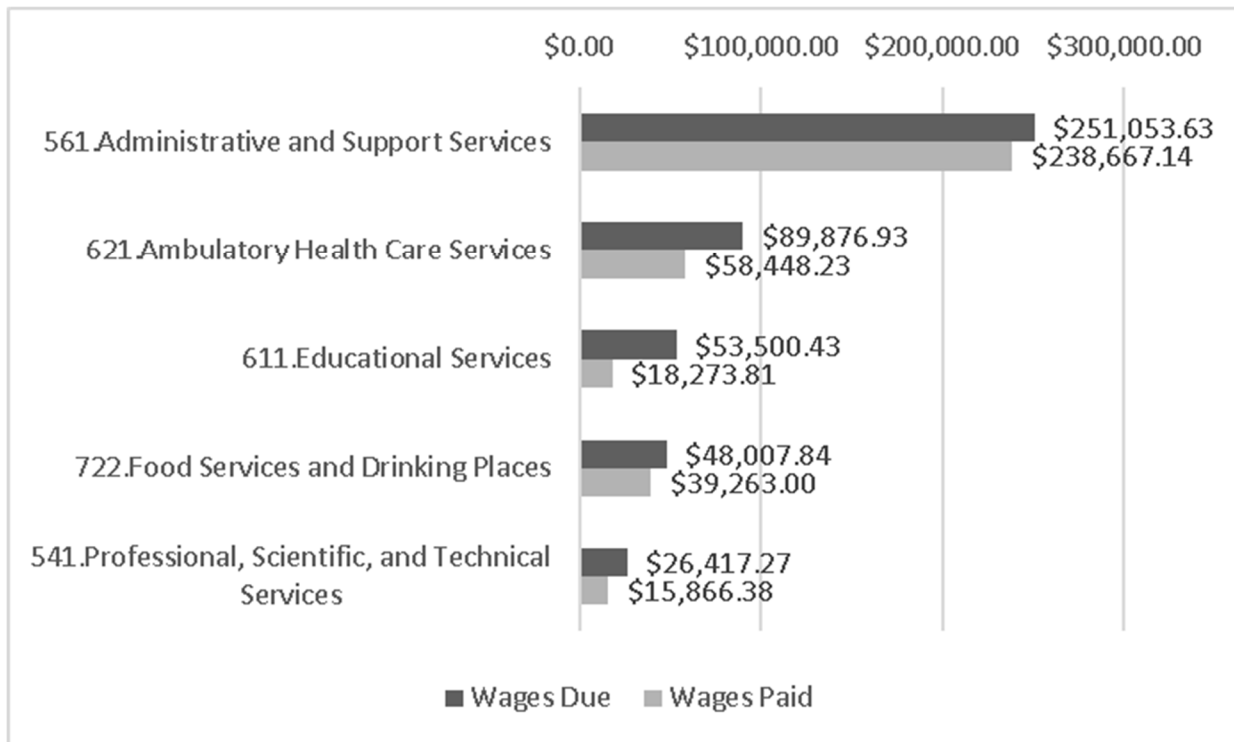
The data contained in Appendix A starting on Page 9 demonstrates that food service establishments generated a relatively large number of complaints and violations. Well over a tenth of the complaint cases in 2020 emanated from full-service restaurants alone, and nearly a fifth from food-service establishments in general. The six industries with ten or more complaints are listed in Figure 1, below.

Figure 1: Number of Complaints and Cases with Violations by Industry



An indicator of the seriousness of the violations is the wages owed due to the violations. The following graph illustrates the industries that owed the most money to workers; they are mostly the same industries but in a different order. The extremely high total in the first line below is mainly attributable to numerous violations by one telemarketing center. The appendix will show the particular types of employers with the most wages due in 2020.

Figure 2: Wages Owed and Wages Paid by Industry



Fines Assessed

At times, in addition to recovering wages owed to the worker, the Bureau will assess fines on a business. This section looks at cases where such fines were assessed and collected.

Table 4 lists fines assessed and those paid, as they relate to specific statutes in title 26.

Table 4: Number of Violations, Fines Assessed and Fines Paid by Citation

Citation	Number of Violations	Fines Assessed	Fines Paid
53 - Additional Penalties	14	\$7,900.00	\$0.00
591-A - Employee Misclassification	5	\$0.00	\$0.00
621-A - Timely and Full Payment of Wages	27	\$4,695.00	\$4,045.00
622 - Records	28	\$24,775.00	\$2,575.00
664(1) - Minimum Wage & Overtime	5	\$50.00	\$50.00
664(2) - Tips Property of Employee	4	\$50.00	\$50.00
664(3) - Overtime	11	\$125.00	\$50.00
Grand Total	94	\$37,595.00	\$6,770.00

This year the predominant fines assessed involved violations of statute §622 Records and likely stemmed from wage and overtime issues. Next, as with back wages owed, the statute cited most often with fines assessed is §621-A Timely and Full Payment of Wages.

Table 5 represents all fines assessed as a result of an inspection and those paid, by industry sector.

Table 5: Number of Violations, Fines Assessed and Fines Paid by Industry Sector

Industry Sector	Number of Violations	Fines Assessed	Fines Paid
238.Specialty Trade Contractors	0	\$1,900.00	\$1,900.00
452.General Merchandise Stores	30	\$29,600.00	\$0.00
561.Administrative and Support Services	35	\$3,475.00	\$2,250.00
722.Food Services and Drinking Places	14	\$1,620.00	\$1,620.00
811.Repair and Maintenance	15	\$1,000.00	\$1,000.00
Grand Total	94	\$37,595.00	\$6,770.00

The greatest fines assessed were in the General merchandise stores.

Finally, the table below represents individual cases with fines assessed and collected during calendar 2020, including the number of days to resolution of the complaint.

Table 6: Case-specific Industry, Fines Assessed, Fines Paid and Days to Resolve

Industry	Fines Assessed	Fines Paid	Days to Resolve	Notes
238312.Nonresidential Drywall Contractors	\$1,900.00	\$1,900.00	359	
452990.All Other General Merchandise Stores	\$29,600.00	\$0.00	109	
561422.Telemarketing Bureaus and Other Contact Centers	\$2,250.00	\$2,250.00	255	
561720.Janitorial Services	\$225.00	\$0.00	21	
561730.Landscaping Services	\$1,000.00	\$0.00	59	
722511.Full-Service Restaurants	\$1,620.00	\$1,620.00	260	
811411.Home and Garden Equipment Repair and Maintenance	\$1,000.00	\$1,000.00	268	
Grand Total	\$37,595.00	\$6,770.00	169	(Average)
Penalties Suspended	\$14,800.00			
	\$22,795.00			

It should be noted that some of the fines in the preceding table were waived or reduced as the case progressed and the intention of compliance by employers became evident. In all such cases, the payment of wages owed is the higher priority.

As a means to accomplish future compliance with Maine’s labor laws, we have started to create settlement agreements with certain employers in cases where violations have been found. The Department agrees to reduce the penalties assessed if the employer agrees to comply with all terms listed in the agreement. In 2020, we entered into four such agreements. Each agreement has specific terms relative to the types of violations found. The agreements remain in effect for a period of two to three years. In the event of any breach of the Settlement Agreement, the Department may enforce the entire amount of the penalties originally assessed, along with penalties for any additional violations subsequent to the date of the Agreement.

Appendix Table A: Detailed Industry Data

Industry	Complaints	Had Violations	Number of Violations	Workers Owed	Wages Owed	Workers Paid	Wages Paid
111334.Berry (except Strawberry) Farming	1	1	1	1	\$208.00	1	\$208.00
112512.Shellfish Farming	1	0				0	
113310.Logging	1	0				0	
115115.Farm Labor Contractors and Crew Leaders	1	1	37			0	
115210.Support Activities for Animal Production	1	1	156			0	
236115.New Single-Family Housing Construction (except For-Sale Builders)	2	2	90	2	\$8,910.00	1	\$8,000.00
236118.Residential Remodelers	3	1	65	1	\$1,034.00	1	\$1,034.00
236210.Industrial Building Construction	1	0				0	
237310.Highway, Street, and Bridge Construction	1	0				0	
238111.Residential Poured Foundation Contractors	1	1	1	1	\$37.50	1	\$37.50
238120.Structural Steel and Precast Concrete Contractors	1	1	1	1	\$563.47	1	\$563.47
238131.Residential Framing Contractors	1	0				0	
238141.Residential Masonry Contractors	1	0		1	\$30.00	1	\$30.00
238220.Plumbing, Heating, and Air-Conditioning Contractors	1	1	10,858			0	
238221.Residential Plumbing and HVAC Contractors	1	0		0	\$732.40	1	\$732.40
238310.Drywall and Insulation Contractors	1	1	4			0	
238312.Nonresidential Drywall Contractors	2	2	22			0	
238320.Painting and Wall Covering Contractors	2	1	19	1	\$207.27	1	\$207.27
238331.Residential Flooring Contractors	1	1	50	1	\$104.00	1	\$104.00
238350.Finish Carpentry Contractors	1	0				0	
238351.Residential Finish Carpentry Contractors	3	0				0	

Industry	Complaints	Had Violations	Number of Violations	Workers Owed	Wages Owed	Workers Paid	Wages Paid
238911.Residential Site Preparation Contractors	1	1	2	1	\$1,162.40	1	\$1,162.40
238912.Nonresidential Site Preparation Contractors	1	1	10	2	\$82.00	2	\$81.25
238990.All Other Specialty Trade Contractors	1	1	4	1	\$817.50	0	
238991.All Other Residential Trade Contractors	1	1	4			0	
311352.Confectionery Manufacturing from Purchased Chocolate	1	1	10	1	\$329.00	0	
321999.All Other Miscellaneous Wood Product Manufacturing	1	0				0	
322299.All Other Converted Paper Product Manufacturing	1	0				0	
325411.Medicinal and Botanical Manufacturing	2	2	210	1	\$1,018.72	1	\$1,018.72
325413.In-Vitro Diagnostic Substance Manufacturing	1	0				0	
325620.Toilet Preparation Manufacturing	1	0		2	\$1,428.00	2	\$1,428.00
327215.Glass Product Manufacturing Made of Purchased Glass	1	0				0	
336611.Ship Building and Repairing	1	0				0	
423720.Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers	1	0				0	
423830.Industrial Machinery and Equipment Merchant Wholesalers	1	0				0	
423840.Industrial Supplies Merchant Wholesalers	1	0				0	
424410.General Line Grocery Merchant Wholesalers	2	0				0	
424460.Fish and Seafood Merchant Wholesalers	1	1	77	1	\$556.97	1	\$556.97
441120.Used Car Dealers	1	0				0	
441210.Recreational Vehicle Dealers	1	0				0	

Industry	Complaints	Had Violations	Number of Violations	Workers Owed	Wages Owed	Workers Paid	Wages Paid
441222.Boat Dealers	1	0				0	
441228.Motorcycle, ATV, and All Other Motor Vehicle Dealers	1	1	1	1	\$51.00	1	\$51.00
441320.Tire Dealers	2	1	1,275	5	\$9,346.00	5	\$9,346.00
442110.Furniture Stores	1	0				0	
444190.Other Building Material Dealers	2	0				0	
444220.Nursery, Garden Center, and Farm Supply Stores	2	1	8	2	\$2,700.58	0	
445110.Supermarkets and Other Grocery (except Convenience) Stores	2	0		1	\$106.25	0	
445120.Convenience Stores	1	1	8	1	\$614.07	1	\$614.07
445220.Fish and Seafood Markets	1	0				0	
445299.All Other Specialty Food Stores	1	0				0	
446199.All Other Health and Personal Care Stores	1	1	2	1	\$812.60	1	\$812.60
447110.Gasoline Stations with Convenience Stores	7	0		3	\$719.42	3	\$505.82
447190.Other Gasoline Stations	2	1	1			0	
448110.Men's Clothing Stores	1	1	21	1	\$1,126.22	1	\$1,126.22
448310.Jewelry Stores	1	1	4	1	\$226.92	1	\$226.92
452112.Discount Department Stores	2	0				0	
452990.All Other General Merchandise Stores	2	1	45	16	\$5,161.48	4	\$1,903.56
453220.Gift, Novelty, and Souvenir Stores	1	1	2	1	\$125.00	1	\$104.55
453991.Tobacco Stores	1	0				0	
454210.Vending Machine Operators	1	0				0	
454310.Fuel Dealers	2	2	109	3	\$4,512.00	3	\$2,148.50
454390.Other Direct Selling Establishments	1	0				0	
484121.General Freight Trucking, Long-Distance, Truckload	2	0				0	

Industry	Complaints	Had Violations	Number of Violations	Workers Owed	Wages Owed	Workers Paid	Wages Paid
484122.General Freight Trucking, Long-Distance, Less Than Truckload	1	0				0	
484210.Used Household and Office Goods Moving	1	0				0	
485112.Commuter Rail Systems	1	1	30	6	\$2,924.00	6	\$2,924.45
485310.Taxi Service	1	0				0	
485410.School and Employee Bus Transportation	1	0				0	
488119.Other Airport Operations	1	0				0	
488410.Motor Vehicle Towing	1	0				0	
492110.Couriers and Express Delivery Services	2	0		1	\$1,531.11	1	\$1,531.11
523930.Investment Advice	1	0				0	
531110.Lessors of Residential Buildings and Dwellings	1	0				0	
531210.Offices of Real Estate Agents and Brokers	1	0				0	
531390.Other Activities Related to Real Estate	1	1	28	1	\$678.50	1	\$678.50
532120.Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing	1	0				0	
532291.Home Health Equipment Rental	1	1	3			0	
541110.Offices of Lawyers	1	1	2	1	\$316.25	0	
541310.Architectural Services	1	1	43			0	
541330.Engineering Services	2	1	3	2	\$15,553.50	1	\$15,553.50
541511.Custom Computer Programming Services	1	0				0	
541611.Administrative Management and General Management Consulting Services	1	0				0	
541613.Marketing Consulting Services	1	0		1	\$192.00	1	\$192.00
541618.Other Management Consulting Services	1	1	15	1	\$120.88	1	\$120.88
541690.Other Scientific and Technical Consulting Services	3	1	42	5	\$10,234.64	0	

Industry	Complaints	Had Violations	Number of Violations	Workers Owed	Wages Owed	Workers Paid	Wages Paid
541890.Other Services Related to Advertising	1	1	4			0	
551114.Corporate, Subsidiary, and Regional Managing Offices	1	0		0	\$5,000.00	1	\$430.34
561311.Employment Placement Agencies	2	1	1,206	1	\$1,710.00	1	\$1,710.00
561320.Temporary Help Services	4	3	1,332	1	\$6,122.03	1	\$6,122.03
561422.Telemarketing Bureaus and Other Contact Centers	2	2	1,653	208	\$239,535.10	209	\$228,947.01
561612.Security Guards and Patrol Services	1	1	1	1	\$93.00	1	\$99.60
561720.Janitorial Services	4	2	12	2	\$601.50	2	\$601.50
561730.Landscaping Services	6	4	126	3	\$2,992.00	2	\$1,187.00
611110.Elementary and Secondary Schools	1	1	5,379	38	\$18,963.32	37	\$18,273.81
611310.Colleges, Universities, and Professional Schools	1	1	19	7	\$34,537.11	0	
611610.Fine Arts Schools	1	1	58			0	
621111.Offices of Physicians (except Mental Health Specialists)	2	1	150	2	\$200.00	2	\$1,452.00
621210.Offices of Dentists	4	3	10	82	\$48,050.98	21	\$42,526.50
621320.Offices of Optometrists	1	1	1	0	\$1,920.50	1	\$1,920.50
621492.Kidney Dialysis Centers	1	1	62	2	\$1,963.60	2	\$1,963.60
621610.Home Health Care Services	5	5	85	81	\$989.13	4	\$1,274.13
621910.Ambulance Services	2	1	51	1	\$9,311.50	1	\$9,311.50
621999.All Other Miscellaneous Ambulatory Health Care Services	2	1	893	12	\$27,441.22	12	\$0.00
622110.General Medical and Surgical Hospitals	3	1	1			0	
623110.Nursing Care Facilities (Skilled Nursing Facilities)	2	0		1	\$65.09	1	\$65.09

Industry	Complaints	Had Violations	Number of Violations	Workers Owed	Wages Owed	Workers Paid	Wages Paid
623210.Residential Intellectual and Developmental Disability Facilities	1	0				0	
623312.Assisted Living Facilities for the Elderly	3	1	41			0	
623990.Other Residential Care Facilities	1	1	31	6	\$15,600.00	0	
624120.Services for the Elderly and Persons with Disabilities	2	1	2	1	\$12.00	0	
624190.Other Individual and Family Services	2	1	1,403			0	
624310.Vocational Rehabilitation Services	1	0				0	
624410.Child Day Care Services	4	1	26	2	\$4,077.03	1	\$4,005.03
712190.Nature Parks and Other Similar Institutions	1	1	108	3	\$3,343.75	3	\$3,343.50
713940.Fitness and Recreational Sports Centers	1	1	13	1	\$513.54	1	\$513.54
713990.All Other Amusement and Recreation Industries	1	0				0	
721110.Hotels (except Casino Hotels) and Motels	3	2	33	5	\$5,468.48	4	\$4,520.23
721199.All Other Traveler Accommodation	1	0				0	
721211.RV (Recreational Vehicle) Parks and Campgrounds	1	0		1	\$492.00	1	\$492.00
721214.Recreational and Vacation Camps (except Campgrounds)	1	0		1	\$308.00	1	\$308.00
722410.Drinking Places (Alcoholic Beverages)	1	1	32	1	\$1,350.00	0	
722511.Full-Service Restaurants	20	12	2,252	72	\$28,955.27	73	\$24,610.81
722513.Limited-Service Restaurants	20	10	678	52	\$16,696.80	52	\$13,646.12
722515.Snack and Nonalcoholic Beverage Bars	3	1	25	2	\$1,005.77	2	\$1,006.07
811111.General Automotive Repair	3	0		1	\$700.91	2	\$700.91
811121.Automotive Body, Paint, and Interior Repair and Maintenance	2	1	2	2	\$1,372.00	2	\$1,456.00

Industry	Complaints	Had Violations	Number of Violations	Workers Owed	Wages Owed	Workers Paid	Wages Paid
811411.Home and Garden Equipment Repair and Maintenance	1	1	274	1	\$1,484.00	0	
812310.Coin-Operated Laundries and Drycleaners	1	0				0	
921120.Legislative Bodies	2	1	24			0	
921190.Other General Government Support	1	0				0	
923120.Administration of Public Health Programs	2	0				0	
924120.Administration of Conservation Programs	1	0				0	
Grand Total	239	109	29,250	665	\$555,149.28	488	\$423,490.48

Appendix B: Cases

- Last year, the Wage & Hour Division received a complaint about a popular restaurant in Bangor. During the investigation, we determined that the business had failed to pay 61 employees on established pay dates (employees would get paid when the employer felt like paying them) and that the employer had created fictitious payroll records. We ultimately identified 117 violations and we assessed penalties. Rather than resisting, in this case the employer hired an attorney to work with us to correct the violations, and eventually entered into a settlement agreement with us. The employer is now complying with all of Maine’s labor laws, including paying employees on established pay dates and keeping true and accurate daily time records and payroll records.
- W&H Received a complaint against a dental office in the Auburn area that had closed due to the pandemic and failed to pay their 9 employees on the established biweekly pay date. The employer subsequently applied for a PPP loan and within a month as a result of the investigation paid over \$42 thousand in back wages to its employees.
- W&H received a complaint of child labor violations against a hotel in central Maine. The employer had been allowing minors to work in excess of three hours per day and beyond 7:00 PM, both of which violate Maine’s child labor laws. The investigation identified 40 violations over a three-month period. The employer cooperated fully during the investigation and entered into a two-year settlement agreement with the bureau. The employer paid the penalties that were assessed and made procedural changes so that these violations would not occur again. In addition, the employer attended one of our Wage & Hour Compliance Workshops and now more fully understands Maine’s labor laws and child labor laws.

- As suggested by the data in this report, there are many similar instances of workers receiving their back pay and employers coming into compliance. On the other hand, last year for the first time the Department used its cease operations authority against one employer in southern Maine that failed to pay several months of wages to their employees in Maine and throughout the country. This employer is now being investigated by numerous state Departments of Labor and the US Department of Labor. In Maine, the case is still open, and the cease operations order is still in place.