

MAINE STATE LEGISLATURE

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Annual Report on Compliance with the Equal Pay Law

Provided to the Joint Standing Committee on

**Labor, Commerce, Research and Economic
Development**

In accordance with 26 MRSA §628

Prepared by Maine Department of Labor

March 27, 2014

Maine's Equal Pay Law

Maine's equal pay law can be traced back to the 94th Maine Legislature and a bill introduced in 1949 by Senator Haskell of Penobscot County. The Senator's revision of the labor statutes prohibited employers from paying male and female worker different "salary or wage rates" for "equal work."

The statute was revised in 1965, when language pertaining to "equal work" was amended to "comparable work." The legislation further defined comparable work as "jobs which have comparable requirements relating to skill, effort and responsibility." However, despite the best intentions of the sponsors, the legislation was unable to address the issue fully because the language was too vague and did not provide for sufficient enforcement provisions.

In 2013, the Department received one complaint alleging violations of the equal pay provisions of the law. The Wage and Hour Division investigated the allegation, but at the request of the complainant halted investigation proceedings. Consequently, no further action was taken on this complaint.

The Department became aware of another possible equal pay issue during a routine inspection; however, the employer resolved that issue internally. This equal pay issue did not require the employee to file a complaint with the Department, nor did it necessitate the employer to provide self-audit results, because the employee was satisfied with the outcome prior to any involvement from the Department.

As a compliance assistance tool, the Department provides an optional poster titled "Maine Equal Pay" that highlights an individual's rights under the Equal Pay Law. Additional information on this law can be found on the Department's website, including a self-audit tool kit for employers, an equal pay complaint form, and the Department's rules relating to equal pay. The links to these items are provided below.

If you have any further questions, please contact Pamela Taylor, Director of the Bureau of Labor Standards, at (207) 623-7932, or Pamela.Taylor@maine.gov.

Reference:

Equal Pay Departmental Rules: <http://www.maine.gov/sos/cec/rules/12/170/170c012.doc>

Equal Pay Poster (optional): <http://www.maine.gov/labor/posters/equalpay.pdf>

Employer Took Kit: http://www.maine.gov/labor/labor_laws/publications/epaudit.pdf