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Date: (Filing No. H-)

LABOR AND HOUSING

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 989, L.D. 1338, “An Act To Protect Employees' Exercise of Workplace Rights”

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

'An Act To Prohibit Employers from Retaliating against the Use of Earned Paid Leave'

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

'Sec. 1. 26 MRSA §637, sub-§13 is enacted to read:

13. Prohibited acts. An employer may not:

A. Interfere with, restrain or deny the exercise of or the attempt to exercise any right provided by this section;

B. Discharge, fine, suspend, expel, discipline or in any other manner discriminate against an employee for exercising any right provided by this section; or

C. Discharge, fine, suspend, expel, discipline or in any other manner discriminate against an employee for informing a person of the person's potential rights under this section.

Sec. 2. Review; report. The Department of Labor shall review provisions in the Maine Revised Statutes, Title 26, chapter 7 relating to retaliation against employees for the use of rights granted to employees under that chapter. The department shall submit a report detailing its review to the Joint Standing Committee on Labor and Housing no later than January 1, 2022. The report must include suggested legislation to create a uniform anti-retaliation statute covering all rights granted to employees within chapter 7, including the repeal or amendment of statutes as necessary. The Joint Standing Committee on Labor and Housing may report out a bill related to the report to the Second Regular Session of the 130th Legislature.

COMMITTEE AMENDMENT

1 **Sec. 3. Appropriations and allocations.** The following appropriations and
2 allocations are made.

3 **LABOR, DEPARTMENT OF**

4 **Regulation and Enforcement 0159**

5 Initiative: Provides ongoing funds for one Labor and Safety Inspector position and related
6 All Other costs associated with the enforcement of the law prohibiting employers from
7 retaliating against employees for the use of earned paid leave.

8 GENERAL FUND	2021-22	2022-23
9 POSITIONS - LEGISLATIVE COUNT	1,000	1,000
10 Personal Services	\$63,597	\$87,667
11 All Other	\$5,289	\$5,289
12		
13 GENERAL FUND TOTAL	<hr/> \$68,886	<hr/> \$92,956

14 '
15 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
16 number to read consecutively.

17 **SUMMARY**

18 This amendment, which is the majority report, replaces the bill. It adds language
19 prohibiting employers from retaliating against employees for the use of earned paid leave.
20 It also directs the Department of Labor to review provisions in the Maine Revised Statutes,
21 Title 26, chapter 7 relating to retaliation and submit a report, including any suggested
22 legislation, to the Joint Standing Committee on Labor and Housing no later than January
23 1, 2022. The joint standing committee may report out a bill to the Second Regular Session
24 of the 130th Legislature. The amendment also adds an appropriations and allocations
25 section.

26 **FISCAL NOTE REQUIRED**

27 **(See attached)**