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Date: (Filing No. H-)

LABOR AND HOUSING

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 583, L.D. 936, “An Act to Require Disclosure of Pay Ranges and Record Keeping of Pay History”

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

'An Act to Require Employers to Disclose Pay Ranges and Maintain Records of Employees' Pay History'

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

'Sec. 1. 26 MRSA §622-A is enacted to read:

§622-A. Pay transparency

This section governs disclosure and record keeping by employers of employee pay information.

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Posting" means any solicitation intended to recruit employment applicants for a specific available position, including recruitment done directly by an employer or indirectly through a 3rd party, and includes any postings made electronically or with a printed hard copy, that includes qualifications for desired applicants.

B. "Range of pay" means the range of pay that an employer anticipates relying on in setting wages for a position and may include reference to:

- (1) Any applicable pay scale;
- (2) A previously determined range of wages for the position;
- (3) The actual range of wages for those currently holding equivalent positions; or
- (4) The budgeted amount for the position.

COMMITTEE AMENDMENT

1 **2. Employer with 10 or more employees.** An employer that has 10 or more
2 employees shall ensure that any posting includes a statement that lists the prospective range
3 of pay the employer will offer to a successful applicant.

4 **3. Pay disclosure; records.** On the request of an employee, an employer shall disclose
5 the range of pay the employer offers for the position the employee holds. An employer
6 shall maintain a record of each position held by an employee and the pay history of the
7 employee in each position for the duration of the employee's employment with the
8 employer and for 3 years after the termination of the employee's employment.

9 **Sec. 2. Appropriations and allocations.** The following appropriations and
10 allocations are made.

11 **LABOR, DEPARTMENT OF**

12 **Regulation and Enforcement 0159**

13 Initiative: Provides funds for one half-time Labor & Safety Inspector position and related
14 All Other costs to ensure compliance with the new regulations regarding disclosure and
15 record keeping by employers of employee pay information.

16	GENERAL FUND	2023-24	2024-25
17	POSITIONS - LEGISLATIVE COUNT	0.500	0.500
18	Personal Services	\$33,504	\$46,905
19	All Other	\$2,834	\$2,834
20			
21	GENERAL FUND TOTAL	\$36,338	\$49,739

22 ,

23 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
24 number to read consecutively.

25 **SUMMARY**

26 This amendment, which is the majority report of the committee, changes the definition
27 of "posting" and adds a definition for "range of pay." The amendment requires all
28 employers with 10 or more employees to include a statement on the job posting that lists
29 the prospective range of pay the employer will offer to a successful applicant. The
30 amendment also requires an employer to disclose the range of pay it offers for the position
31 an employee holds upon request of the employee and requires the employer to maintain a
32 record of each position held by an employee and the employee's pay history.

33 **FISCAL NOTE REQUIRED**

34 **(See attached)**