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Date: (Filing No. S-)

LABOR AND HOUSING

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**STATE OF MAINE
SENATE
131ST LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 719, L.D. 1794, “An Act to Enhance the Predictability of Mandated Overtime for Pulp or Paper Manufacturing Facility Employees”

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

'Resolve, to Establish the Commission on Predictability of Mandated Overtime for Pulp or Paper Manufacturing Facility Employees'

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

'Sec. 1. Commission established. Resolved: That the Commission on Predictability of Mandated Overtime for Pulp or Paper Manufacturing Facility Employees, referred to in this resolve as "the commission," is established to examine the current levels of mandatory overtime at pulp or paper manufacturing facilities in the State with 50 or more employees and the impact of the use of mandatory overtime on workplace and public safety, employee morale and the ability of pulp or paper manufacturing facilities to hire employees; to seek public and expert input on solutions to any problems identified; and to make recommendations for solutions, including suggested legislation, to address the increased use of mandatory overtime and loss of time off that may be undermining workplace and public safety, morale and the ability to hire employees.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 15 members as follows:

- 1. Four members of the Senate, appointed by the President of the Senate, including 2 members of the party holding the largest number of seats in the Legislature and 2 members of the party holding the 2nd largest number of seats in the Legislature;
- 2. Four members of the House of Representatives, appointed by the Speaker of the House, including 2 members of the party holding the largest number of seats in the Legislature and 2 members of the party holding the 2nd largest number of seats in the Legislature;
- 3. Two members representing the interests of pulp or paper manufacturing facility employees, appointed by the President of the Senate;

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1 4. One member who is experienced in labor relations issues, appointed by the President
2 of the Senate;

3 5. Two members representing the interests of pulp or paper manufacturing facility
4 companies, appointed by the Speaker of the House;

5 6. One member who is experienced in issues of occupational health, appointed by the
6 Speaker of the House; and

7 7. The Director of Labor Standards within the Department of Labor, or the director's
8 designee.

9 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair
10 and the first-named House of Representatives member is the House chair of the
11 commission.

12 **Sec. 4. Appointments; convening of commission. Resolved:** That all
13 appointments must be made no later than 30 days following the effective date of this
14 resolve. The appointing authorities shall notify the Executive Director of the Legislative
15 Council once all appointments have been completed. After appointment of all members,
16 the chairs shall call and convene the first meeting of the commission. If 30 days or more
17 after the effective date of this resolve a majority of but not all appointments have been
18 made, the chairs may request authority and the Legislative Council may grant authority for
19 the commission to meet and conduct its business.

20 **Sec. 5. Duties. Resolved:** That the commission shall examine the following:

21 1. The employment conditions of pulp or paper manufacturing facility employees,
22 including mandated overtime;

23 2. The amount of overtime hours worked for years 2021, 2022 and 2023 and the first
24 half of 2024 at pulp or paper manufacturing facilities in the State with 50 or more
25 employees;

26 3. The amount of overtime worked that has been voluntary and the amount that has
27 been mandated at pulp or paper manufacturing facilities in the State with 50 or more
28 employees, broken down by department;

29 4. The amount of overtime worked that involved employees being "inverted," or
30 mandated to report to work on holidays, vacation days or scheduled days off;

31 5. A staffing level report on what level of staffing is required to effectively run
32 operations at pulp or paper manufacturing facilities in the State with 50 or more employees
33 that analyzes how many employees may be on vacation, holidays, disability leave, medical
34 leave and approved time off without negatively affecting operations;

35 6. Current employee policies at pulp or paper manufacturing facilities in the State with
36 50 or more employees that:

37 A. Ensure workplace and public safety when employees are working 18 to 24
38 consecutive hours due to mandatory overtime;

39 B. Limit the amount of mandatory overtime that employees are required to work;

40 C. Allow for employees to communicate whether they want to voluntarily work
41 overtime hours; and

1 D. Govern how and when employees are notified that the employee will be mandated
2 to work overtime or that the employee will be asked to voluntarily accept overtime
3 hours; and

4 7. Recommendations for solutions, including suggested legislation, to address the
5 increased use of mandatory overtime and loss of time off that may be undermining
6 workplace and public safety, employee morale and the ability for pulp or paper
7 manufacturing facilities to hire employees.

8 The commission may hold up to 2 public hearings to seek input on these issues.

9 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
10 necessary staffing services to the commission, except that Legislative Council staff support
11 is not authorized when the Legislature is in regular or special session.

12 **Sec. 7. Report. Resolved:** That, no later than November 6, 2024, the commission
13 shall submit a report that includes its findings and recommendations, including suggested
14 legislation, to the joint standing committee of the Legislature having jurisdiction over labor
15 matters. The committee may report out a bill related to the report to the 132nd Legislature
16 in 2025.'

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

19 **SUMMARY**

20 This amendment replaces the bill with a resolve. The amendment establishes the
21 Commission on Predictability of Mandated Overtime for Pulp or Paper Manufacturing
22 Facility Employees to examine the current levels of mandatory overtime at pulp or paper
23 manufacturing facilities in the State with 50 or more employees. The duties of the
24 commission include examining the impact of the use of mandatory overtime on workplace
25 and public safety, employee morale and the ability of pulp or paper manufacturing facilities
26 to hire employees. The commission may submit recommendations, including any
27 suggested legislation, to the joint standing committee of the Legislature having jurisdiction
28 over labor matters. The committee may report out a bill related to the report to the 132nd
29 Legislature in 2025.

30 **FISCAL NOTE REQUIRED**

31 **(See attached)**