



MEMO OF OPPOSITION
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Senator Tipping
Members, Committee on Labor and Housing
100 State House Station
Augusta, ME 04333-0100

**Re: Testimony of the Retail Lumber Dealers Association of Maine in
Opposition to LD 1190: *An Act to Ensure a Fair Workweek by Requiring Notice
of Work Schedules***

Dear Senator Tipping, Representative Roeder and Members of the Committee on Labor and Housing,

My name is Dan Riley, an attorney with the firm of Norman, Hanson & DeTroy in Portland, and I serve as counsel to the Retail Lumber Dealers Association of Maine (RLDAM), which represents independent lumber and building material dealers, manufacturers, wholesalers, distributors, and other associated businesses in the state of Maine and an industry that employs more than 20,000 Maine residents. The Retail Lumber Dealers are opposed to LD 1190.

The requirements for scheduling in this bill will would harm RLDAM and other industry employers who need flexibility in scheduling. Their businesses function as a service to the construction industry, which is a schedule sensitive business. While the members do their best to schedule deliveries, supply chain shortages, which make it difficult to know when products will come in, and last-minute orders from customers, make it difficult to schedule deliveries two weeks out.

To keep projects on schedule, last-minute changes are the rule-not the exception. It would be impossible for any lumber and material dealers to run their businesses on a firm 2-week schedule. We must have the flexibility to meet our customer's and supplier's needs. Additionally, the costs associated with paying workers extra if they are called in or a shift is changed would only drive up the cost of homes in Maine as our members could not possibly absorb that sort of increase in wages given the fluidity of our delivery needs.

According to the National Low Income Housing Coalition, Maine¹ has a shortage of about 22,500 rental homes that are affordable and available. Bills such as LD1190 will only make this shortage worse by driving up the cost of materials and delaying building by preventing our members from delivering materials when they arrive at the yard and a contractor needs them on site because we could not foresee the need and did not schedule enough drivers for a specific shift.

¹ Housing Needs by State – Maine <https://nlihc.org/housing-needs-by-state/maine>

Finally, many companies in our industry, and others, are currently struggling to find help. We are unable to fill all open positions, especially for CDL drivers, a license which requires a lot of expensive training to obtain. Our members don't know from one day to the next who might call out sick and/or not show up, so consequently when employees do, this creates more work for others who need to be called in to cover shifts. Not all shift changes are due to employer (i.e. if we have a CDL driver call out sick, those deliveries that he/she was going to make now have to be taken by someone else; hence more work and potentially longer hours for the ones that are here.)

For all of these reasons, the RLDAM and its members are opposed to this unreasonable and unworkable legislation.



Daniel Riley