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To: Sen. Mike Tipping and Rep. Amy Roeder, co-chairs
Members, Committee on Labor

From: David R. Clough, State Director in Maine

Re: LD 598 – Require Minimum Pay for Reporting to Work

This statement in opposition is on behalf of the thousands of small business owners in Maine who are members of the National Federation of Independent Business. Member businesses collectively span a wide range of economic activities; provide jobs and paychecks to about 30,000 people; and help form the economic backbone of hundreds of communities and the State.

LD 598 renews an effort, begun in the 131st Legislature as LD 1190, to mandate a minimum amount of pay to workers who show up for a shift that they find was cancelled without advance notice. The original version of LD 1190 applied private employers with at least 250 employees but was amended to cover private employers with at least 10 employees. LD 598 also proposes to cover small employers with at least 10 employees.

Only a handful of states (CA, CT, MA, NH, NJ, NY, OR, RI) and the District of Columbia have similar requirements of employers. The Oregon law is limited to minors in the workplace.

Some employers may already have a policy for paying employees under the circumstances similar to those outlined in LD 598. These employers, which may include some small businesses, use those policies as a benefit for choosing to work at the particular business. However, that competitive advantage would be eliminated by LD 598, as this legislation and other bills seek more control over business operations and workplace staffing dynamics.

Small employers may also be confronted with situations where they cannot operate fully on a day that one or more employees are absent unexpectedly, at the last minute, without the advance notice contemplated in LD 598. The smaller the business, the bigger the impact of such absences.

NFIB respectfully urges an Ought Not to Pass report on LD 598. Adding more complexity and direct cost (such as wages, recordkeeping, payroll processing) to the daily operation of small-employer workplaces may make it more challenging for these small businesses to manage the unknown operational effects of staffing challenges caused by the Paid Family & Medical Leave law, for example.

Thank you for being mindful of Maine small business owners.