



Maine Hospital Association

MAINE'S LEADING
VOICE FOR HEALTHCARE

COMMENTS OF THE MAINE HOSPITAL ASSOCIATION

Neither For Nor Against

LD 741 – An Act to Prohibit Training Repayment Agreements by Employers

March 21, 2023

Senator Tipping, Representatives Roeder and members of the Labor Committee, my name is Jeffrey Austin and I'm here to testify neither for nor against of LD 741 on behalf of the Maine Hospital Association.

The Maine Hospital Association (MHA) represents all 36 community-governed hospitals including 33 non-profit general acute care hospitals, 2 private psychiatric hospitals, and 1 acute rehabilitation hospital.

We request that three amendments be made to the bill.

The first would allow us to recoup training costs that are out-of-pocket expenses for employers such as tuition reimbursement programs.

The second would allow us to recoup training costs that are for internal certification programs.

These two tracks allow employees to gain individual credentials that can be taken with the employee when they leave employment. Generally, our members are willing to assist employees take these training programs and gain credentials as long as they agree to commit to a period of employment, or pay the tuition cost back.

In fact, all of the state government tuition reimbursement programs include a commitment of some sort as well.

Third, there are times when an employee registers for a training session that the employer is paying for and then the employee leaves employment before the training session is held. Obviously, employers should not be forced to pay for training sessions after an employee has quit.

Thank you for accepting our testimony.

Sec. 1. 26 MRSA §600-B is enacted to read:

§600-B. Training repayment agreement prohibited

1. **Training costs.** An employer may not require an employee to enter into an agreement that requires the employee to financially reimburse the employer for training costs related to the employment incurred by that employer if the employee leaves employment with that employer.

This prohibition does not include:

- i. **tuition reimbursement programs,**
- ii. **certification attainment programs, or,**
- iii. **any training program that is scheduled to occur after the employee has left employment.**

2. **Enforcement.** The Department of Labor shall enforce this section.