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Testimony of Mike Roland, Bureau of Labor Standards
Maine Department of Labor

Neither For Nor Against LD #936

To the Joint Standing Committee on Labor and Housing
Public Hearing, March 21, 2023

Good afternoon, Senator Tipping, Representative Roeder, and members of the Joint Standing Committee on Labor and Housing. I'm Mike Roland, Director of the Bureau of Labor Standards at the Maine Department of Labor. I'm here today to testify neither for nor against LD 936, An Act to Require Disclosure of Pay Ranges and Record Keeping of Pay History.

Among other things, LD 936 would require an employer to maintain a record of each position title and the payment history of each employee for the duration of the employee's employment with the employer and for 3 years after the termination of employment with the employer. Currently, employers are required to retain records of employment for three years, whereas this bill would presumably require retention of "payment history" for the *duration of employment* plus three years.

Other technical concerns are:
- When does ten-employee threshold apply?
- Precisely what is meant by "payment history"?
- The terms "employee" and "employer" are not defined.

Enforcement and penalties will be in accordance with section 626-A, and thus are not a concern.

Regardless of the above concerns, were it to become law LD 936 would require additional resources to investigate and enforce.

Thank you for your time and attention. I would be happy to answer any questions you may have now or at a future work session.

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