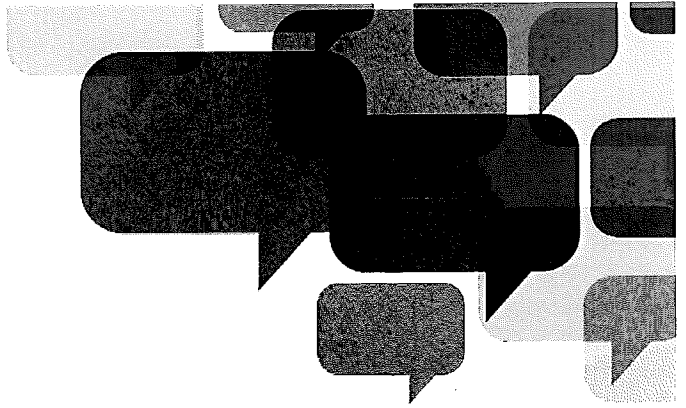




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March 23, 2023

Senator Michael Tipping, Chair  
Representative Amy Roeder, Chair  
Members of the Labor and Housing Committee

**RE: Testimony in OPPOSITION to LD 827, An Act to Allow Employees to Request Flexible Work Schedules**

Dear Senator Tipping, Representative Roeder and members of the Labor and Housing Committee:

My name is Curtis Picard and I am the President and CEO of the Retail Association of Maine. I am a resident of Topsham. We have more than 350 members statewide and represent retailers of all sizes. Maine's retailers employ more than 85,000 Mainers. We are here today to testify in opposition to LD 827.

As drafted, LD 827 would provide that an employee of a public or private employer may request a flexible work schedule for up to 6 months at a time and that the employer may not discipline an employee who requests a flexible work schedule. It is not clear from the bill, what would happen if a work situation changes after an employer has granted approval? There are a myriad of reasons that could occur, and the requirement that an employer notify the employee in writing would expose the employer to a potential violation regardless.

We are aware of another bill, LD 961, which is very similar to LD 827, and I think our concerns with both bills are comparable. Regardless of the intent of LD 827, we think a more logical first step would be to do a study of how many jobs would be suitable for a flexible work schedule. Maine employs nearly 600,000 Mainers in hundreds if not thousands of different positions and situations. I would suggest that most jobs are not suited for a flexible work schedule, and an employee and employer may have differing views on that suitability. We would recommend that the Maine Department of Labor examine which positions could accommodate a flexible schedule and develop a list of occupations that could fit the mold. From there, we could have a

further discussion of the challenges and opportunities that exist for those positions. However, I would have to believe that a large majority of jobs are positions that cannot accommodate a flexible work schedule.

We would urge the committee to not rush to pass novel legislation like this. Thank you for the opportunity to share our thoughts with LD 827.

Sincerely,

Curtis Picard, CAE,  
President and CEO