

Testimony in Support of LD 827, "An Act to Allow Employees to Request Flexible Work Schedules"

March 23, 2023

James Myall, Economic Policy Analyst

Good afternoon Senator Tipping, Representative Roeder and members of the Joint Standing Committee on Labor and Housing. My name is James Myall and I am an economic policy analyst with the Maine Center for Economic Policy. I am here today to offer testimony in support of LD 827, "An Act to Allow Employees to Request Flexible Work Schedules." MECEP supports LD 827 because we recognize that many Mainers face commitments outside of their work lives with require flexibility in their work schedules, and that schedules determined solely by employers are a source of considerable stress and hardship for too many Mainers.

Like many of you, I'm fortunate to work in a job that allows me the flexibility envisaged by this bill. If I need to leave work early to pick up my kids from school, or come in late because I have to take my mother-in-law to a medical appointment, I'm generally able to do that. When my kids' school was closed during the pandemic, my wife and I were able to negotiate with our respective employers so that one of us could be with the children at different times during the day. But as I said, I recognize I'm fortunate to be in this position. Many Mainers, especially those working in lower-paid positions, don't have this flexibility, a situation which causes them economic hardship.

In the current tight labor market, we hear from a lot of employers who would like to be able to hire more workers. The provisions in this bill will make it easier to hire and retain those workers. MECEP estimates that around 31,000 Mainers are currently kept out of the workforce because they're caring for a child or older person.¹ Some of those would no doubt be able to work if they could arrange a schedule that works around their other obligations. Other individuals are working part-time but could potentially work more hours if their schedule worked for them.

I think it's important to note that this bill does not create a new obligation for employers. It simply allows workers to request a flexible working arrangement without fear of retaliation. The employer is free to deny the request if it doesn't work for them or their business. Our hope would be that the request at least opens a conversation and allows workers and employers to come to an agreement that works for both of them.

It is important to have protection from retaliation spelled out explicitly as it is in this bill. A MECEP-commissioned poll from 2019² showed that almost one in three workers in Maine don't take as much sick or vacation time as they are entitled to because they're worried about their employer holding it against them. That same survey showed the importance of flexible working arrangements for Mainers:

74 percent of workers in Maine thought being able to have a flexible schedule was an important benefit for any job to offer.³

However, among Maine's hourly workers, 76 percent either work a fixed schedule, or a variable schedule that is set solely by their employer.⁴

Board of Directors		
Barbara Burt, Chair	Sandra Butler	Stacy Mitchell
Lucy Van Hook, Vice-Chair	Maulian Dana	Matt Schlobohm
Pamela Cox, Treasurer	Marcus Hutchins	Lee Webb
Ben Chin, Secretary	Jessica Maurer	

These results demonstrate that Mainers want the ability to have more flexibility in their working arrangements and that employers aren't always willing to consider it. LD 827 would establish a structure that would at least begin an important dialog between workers and employers, and would allow more Mainers to balance work with home priorities. I urge you to vote "ought to pass" on the bill.

Thank you for your time. I'll be happy to take any questions.

Notes

¹ MECEP analysis of US Census Bureau, Household Pulse Survey results for Maine, weeks 42-54

² Poll of 400 private-sector workers conducted by Lake Research Partners, Sept 12-22, 2019.

³ Share of respondents saying a flexible schedule was "extremely" or "very" important for employers to offer as a benefit.

⁴ 56 percent of hourly workers said they worked a fixed schedule. Another 20 percent said they worked a variable schedule determined solely by their employer.