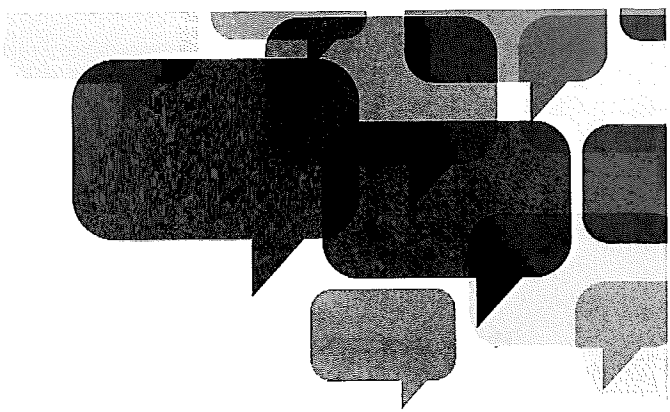




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April 4, 2023

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

RE: Testimony in OPPOSITION to LD 949, An Act to Protect Workers from Employer Surveillance

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 949.

We are presuming that the intent of LD 949 is to examine and regulate the use of things like productivity software for remote workers, and while we have concerns about the bill proposal in that regard, we wanted to highlight some additional unintended consequences from the proposed legislation.

As drafted, LD 949 states "employer surveillance" means the use of trackers, **cameras**, task software or other monitoring systems that track the productivity and keystrokes of employees. The bill further states that employers, in our case retailers, could not use cameras unless authorized under Section 3 of the bill. Section 3's exemptions include that cameras would only be allowed "to ensure the health and safety or the security of employer data." Further, Section 8 of the bill would require an employer to notify the employee that they are being monitored.

Most retailers install security cameras throughout a store, warehouse and parking lot to help monitor things like organized retail crime, employee theft and other loss prevention services. We believe that LD 949 would inhibit or prohibit a retailer from using cameras in a typical fashion. It is commonplace to have cameras monitor a cashier station and store layout primarily for theft, but the cameras can also indicate when employees are not performing required job duties.

I am not an expert on the various job monitoring technology, and there are other experts that can testify to their details. Regardless, we have concerns about LD 949, and would urge the committee to oppose the bill.

Thank you for the opportunity to share our thoughts.

Sincerely,

Curtis Picard, CAE, President and CEO