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

Neither For nor Against LD 1190

To the Joint Standing Committee on Labor and Housing
Public Hearing, April 6, 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 1190 An Act to Ensure a Fair Workweek by Requiring Notice of Work Schedules.

LD 1190 creates a new subchapter of Maine employment law. The Department recognizes the importance to workers of having predictable schedules that are reasonably adapted to their lives. However, we are concerned that LD 1190 as written may prove difficult to implement.

Several terms within the bill are of particular concern:

- The definition of employer as an entity with "250 or more employees worldwide."
- The definition of employee excluding any not paid at an hourly rate.
- Numerous other terms are not defined, including "good faith estimate," "frequently visited," "appropriate notice," "reasonable access," "appropriate purposes" and "on-call shifts."

We also note that proposed section 620-C regarding records retention and access is redundant with existing statute (section 622), which already provides such access *without* prior notice.

Were the bill to be enacted, we would prefer that the associated report be required somewhat later than January 1st, ideally in February when other reports are due to the Legislature.

Implementation and enforcement of the new Chapter 1-D would certainly require additional resources for the Bureau.

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.

The Maine Department of Labor is committed to serving Maine workers and businesses by helping employers recruit and train a talented workforce, providing workers with skills needed to compete in our economy, assisting individuals when jobs are lost, aiding people with disabilities reach career goals, ensuring safe and fair workplaces for people on the job and providing research and analysis of employment data to support job growth.