



Maine People's Alliance

Senator Tipping, Representative Roeder, and honorable members of the Labor and Housing Committee: My name is Adam Zuckerman. I am the Lobbyist for the Maine People's Alliance. On behalf of our 32,000 members, I am pleased today offer testimony in support of LD 513, "An Act Regarding Overtime Protections for Certain Maine Workers."

We support this policy because the 40-hour workweek, and the idea that folks working overtime ought to be paid for their extra labor, are fundamental to the social contract of work in our country but both have been severely eroded over time. The federal Fair Labor Standards Act, passed in 1938, was designed to ensure that low-wage workers are automatically eligible for overtime. But the salary threshold has not been significantly updated since 1975. At that time, 62% of salaried Americans earned below the threshold amount below which salaried workers are automatically considered eligible for overtime. Today, that number is as low as 7 percent.¹

That doesn't mean that fewer people are working overtime—it just means that they are working for free. In fact, the average full-time salaried employee works 49 hours per week, and they put in those extra nine hours for exactly zero additional pay. If you work hard and put in extra hours, you should be paid for those hours.

Mainers are working longer and harder than ever, but fewer and fewer get any overtime protection. Some employers even intentionally misclassify their employees so they don't have to pay them overtime. The overtime threshold is meant to protect the lowest paid salaried workers, but administrative, professional, and managerial roles are often excluded. That means that an assistant deputy manager making minimum wage at a fast food chain can be classified as ineligible for overtime since they have some limited managerial responsibilities. The Maine Center for Economic Policy estimates that 14,000 Maine workers are currently ineligible for overtime because their employer is misclassifying their role.

LD 513 would fix this. Pegged to the minimum wage, it would raises the minimum salary that an employee who works in an executive, administrative or professional capacity must earn in order for that employee to be exempt from the laws governing the minimum wage and overtime pay.

The time you spend working takes away from the time you spend with your family, friends, and community - that's why you deserve to be compensated for it. I urge you to vote in favor of LD 513. Thank you.

¹ Celine McNicholas, Samantha Sanders, and Heidi Shierholz, "What's at stake in the states if the 2016 federal raise to the overtime pay thresh- old is not preserved—and what states can do about it," Economic Policy Institute, 2017, <http://bit.ly/2Lpxt6s>