

Testimony of the Maine Labor Climate Council in favor of LD 2184

Senator Tipping, Rep. Roeder, and members of the Joint Standing Committee on Labor and Housing, my name is Scott Cuddy and I'm the Director of Policy for the Maine Labor Climate Council (MLCC). I live in Winterport.

The MLCC is a coalition of 16 public and private sector unions comprised of thousands of members across the state. We are dedicated to fighting the twin crises of Climate Change and Income Inequality at the same time.

MLCC is testifying in support of LD 2184 and its very long name. The proposed rule change is a proper exercise in good enforcement. The rule change will improve compliance by increasing penalties as well as making it more difficult to get penalty reductions. Fines for violating the law need to be fines that go beyond "the cost of doing business" and should be sufficient to cause bad actors to change their behavior. In the four years that I was on the Labor and Housing committee, BLS always made it clear that employers who had made a mistake weren't being impacted by the fines.

The change further improves enforcement by removing the appearance of bias. By making the Commissioner or her designee the agent of appeal, it will move the appeal out of the hands of the individual who already heard the case. While I don't believe any of the Directors of the Bureau of Labor Services I have known would be biased, my Dad always told me that, in the arena of justice, the appearance of impropriety is as bad as the impropriety itself. He was an attorney for many years and served as a Superior Court judge for a full term.

Any enforcement regime that is predicated on the levying of fines must have substantial enough fines to produce compliance with the law. The administration and application of those fines must be seen to be fair and unbiased. The rule change that is being sought by BLS here does both of those things. By accepting and approving of this rule change, we can improve working conditions for Mainers all across the state.

Thank you for your attention and I ask you all to vote Ought to Pass on LD 2184.