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Senator, District 22

THE MAINE SENATE
132nd Legislature

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Testimony of Senator James D. Libby

Sponsor of LD 10

“An Act to Add Political Affiliation as a Protected Class to the Maine Human Rights Act.”

Public Hearing, Tuesday, February 5, 2025
State House Building, 438

Senator Carney, Representative Kuhn, and esteemed members of the Joint Standing Committee on Judiciary,

My name is Jim Libby, and I am a State Senator representing Senate District # 22, comprised of the towns of Naples, Sebago, Baldwin, and Standish in Cumberland County; Hiram and Porter in Oxford County; and, Limington, Limerick, Cornish, Parsonsfield, Newfield, Acton, and Shapleigh, in the County of York.

It is my honor to bring to your attention the contents of *LD 10* “An Act to Add Political Affiliation as a Protected Class to the Maine Human Rights Act.”

As you know, a protected class is a group of people intended by a legislature to benefit from the protection of a statute. Thanks to federal civil rights law, discrimination is prohibited on the basis of race, sex, religion, national origin, and so forth.

States have gone further in the development of protections in labor function. According to Nolo.com, “discrimination based on politics happens when an employer makes job decisions because of an employee's political beliefs, party affiliation, or civic activities. An employer that, for example, refuses to hire applicants who vote [Democrat or] Republican, fires anyone who supports [or opposes] gun control, or demotes someone who runs for the local school board is engaged in political discrimination.”

Did you know that over 60 million people already enjoy this right that I bring for your consideration today? States like California and New York have added *political affiliation* to their protected class groups.

Where are we in Maine on this issue? Keep in mind that when companies in Maine train employees on discrimination, political activity is included in the training, but the training ends up making excuses for the states who have not adopted political discrimination into their statutes. That is too bad for Maine.

I first became aware of this issue as a result of completing a human resources training video at my employer. In that video, the benefits are presented as important. The training video is widely used in Maine already. The video is from Vector LMS Higher Education Edition, and it is called “Preventing Harassment and

Discrimination: Non-Supervisors Clery Act and Title IX.”

The fact is that adding this protection is 100% non-partisan. People on both sides of the aisle in other states welcome this protection. These citizens do not need to fear being fired for participating in their community and taking a position, left, right, or center.

An exception is created for a situation in which a job description specifies that part of a job includes partisan activity. That is perfectly fine. The idea is along the same lines as a job description that requires the ability to lift a certain amount of weight.

I believe that this protection will be added to Maine civil rights law someday soon, because it removes a layer of heightened tensions among Maine citizens. If not you, if not today, then someday soon. Society has changed. We need to protect workers from these kinds of actions - firings that bend and break civility, even morality. I am talking about your constituents back home who today fear that speaking up on issues outside of the workplace will cost them their jobs.

Please give this bill your strongest consideration. It is an issue that will come back again and again, until we fully embrace it.

Thank you for your consideration of this legislation.