

HOSPITALITY
MAINE



45 Melville St. Augusta, ME 04330
207-623-2178
www.hospitalitymaine.com

327 Water St, Hallowell, ME 04347
207-623-0363
www.mainetourism.com

Testimony of Nate Cloutier

Before the Joint Standing Committee on Labor
February 5, 2025

In Opposition to LD 60, *"An Act to Allow Employees to Request Flexible Work Schedules"*

Senator Tipping, Representative Roeder, and distinguished members of the Labor Committee, my name is Nate Cloutier, and I am here today on behalf of HospitalityMaine, which represents Maine's restaurant and lodging industries. I am also testifying on behalf of the Maine Tourism Association, a non-profit association and the state's largest tourism organization with nearly 1500 members. HospitalityMaine and Maine Tourism Association respectfully oppose LD 60, *"An Act to Allow Employees to Request Flexible Work Schedules."*

LD 60 proposes that employees may submit written requests for flexible work schedules, which employers must consider and respond to in writing. While the bill acknowledges that employers are not required to grant such requests and may rescind flexible work schedules, if necessary, we have several concerns:

1. **Existing Flexibility:** The hospitality and tourism industries inherently offer flexible scheduling to accommodate both employee preferences and fluctuating business demands. Employees currently have the ability to request flexible schedules, and employers generally strive to accommodate these requests whenever feasible.
2. **Operational Challenges:** Mandating a formal process for requesting and responding to flexible work schedules introduces administrative burdens, particularly for small businesses. The requirement to provide written responses and justifications for denials could divert resources from core operations.
3. **Seasonal Variability:** Our industries experience significant seasonal fluctuations, requiring adaptable staffing levels and schedules. A formalized process may hinder the agility needed to respond to these changing demands, potentially impacting service quality and business viability.

4. **Potential for Misinterpretation:** Despite provisions allowing employers to deny requests inconsistent with operational needs, the formalization of this process, along with the creation of new penalties for non-compliance will have a harmful effect on Maine businesses.

Given these concerns, we believe that the existing mechanisms for schedule flexibility are sufficient and more effective in addressing the unique needs of our industries. We respectfully urge the committee to oppose LD 60 to prevent unintended consequences that could disrupt the delicate balance between employee preferences and operational requirements in Maine's hospitality and tourism sectors.

Thank you for your time and consideration. I am happy to answer any questions.