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**Testimony of Dillon Murray,  
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Neither For Nor Against  
LD 799, An Act to Report Gender Wage Gaps  
To the Joint Standing Committee on Labor  
Hearing, Wednesday, March 12, 2025**

Good Afternoon Senator Tipping, Representative Roeder and members of the Joint Standing Committee on Labor. My name is Dillon Murray, and I serve as the Legislative Liaison for the Maine Department of Labor (Department). I am here today to speak on behalf of the Department Neither for Nor Against LD 799, "An Act to Report Gender Wage Gaps."

The Department takes no position either for or against this legislation but offers the following considerations for the Committee's while you weigh the policy changes offered in this bill.

LD 799 requires employers with at least one employee in Maine and at least 250 employees in the United States to annually report gender-based wage data. Employers must collect data during a designated one-week period each year and submit a report to the Bureau of Labor Standards (BLS) containing:

- The number of male, female, and nonbinary employees;
- The median hourly equivalent rate of pay for each gender category;
- The gender wage gap, calculated as the median hourly equivalent rate of pay for male employees divided by that of female employees.

BLS would be responsible for collecting and publishing these reports on a publicly accessible website, summarizing the data, and forwarding findings to legislative committees overseeing labor and human rights issues. Employers must retain collected data for at least one year, and violations are subject to a civil penalty of up to \$1,000.

**Employer Responsibilities:**

- Designate a "snapshot week" for data collection between October 31<sup>st</sup> and December 31<sup>st</sup> of the proceeding year.
- Allow employees to review and correct reported data.
- Submit required wage data annually to BLS.
- Retain records for at least one year.

**Maine Department of Labor Responsibilities:**

- Collect and store employer-submitted reports.
- Publish individual employer reports and a summary analysis online.
- Forward a summary of findings to relevant legislative committees.
- Potentially adopt routine technical rules to support implementation.

MDOL would like to highlight the following technical aspects of the bill as currently written:

**1. Enforcement Mechanism Under 26 M.R.S. §626-A**

- LD 799 places enforcement under §626-A of Chapter 7, which pertains to unpaid wages and benefits. However, this bill does not establish wage parity requirements, so it is unclear how unpaid wages or benefits would apply in this enforcement context.

**2. Capacity and Scope of Bureau of Labor Standards (BLS)**

- Under current law, BLS does not collect or publish employer wage data in the manner outlined in the bill. Implementing LD 799 would require additional staff and possibly new technology solutions for data collection and publication.
- The Department is currently reviewing whether a technological solution would be necessary and what resources would be required for compliance with this bill.

**3. Overlap with Maine Human Rights Commission Responsibilities**

- It is possible that the Maine Human Rights Commission already collects or oversees similar wage disparity data. We defer to the Commission regarding any existing data resources or statutory responsibilities that may intersect with those outlined in LD 799.

While MDOL does not take a policy position on this bill, we encourage the Committee to consider the enforcement mechanisms, resource requirements for BLS, and potential overlaps with the Maine Human Rights Commission. If LD 799 moves forward, we encourage further discussion on how to best structure the implementation and enforcement framework.

We appreciate the opportunity to provide input and are happy to answer any questions.

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.