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Testimony of Nate Cloutier

Before the Joint Standing Committee on Labor

April 1, 2025

In Opposition to LD 598, "An Act to Require Minimum Pay for Reporting to Work"

Senator Tipping, Representative Roeder, and distinguished members of the Joint Standing Committee on Labor, my name is Nate Cloutier, and I am here today on behalf of HospitalityMaine, representing Maine's restaurant and lodging industries. I am also submitting comment on behalf of the Maine Tourism Association (MTA). MTA has been promoting Maine and supporting members in every type of tourism business, such as lodging, restaurants, camps, campgrounds, retail, guides, tour operators, amusements, and historical and cultural attractions for over 100 years. HospitalityMaine and the Maine Tourism Association oppose LD 598, "An Act to Require Minimum Pay for Reporting to Work."

LD 598 would require employers with at least 10 employees to compensate workers for at least two hours if they cancel or cut scheduled shifts, unless they made a documented good faith effort to notify the employee. The bill provides exceptions for "adverse weather conditions, a natural disaster, a civil emergency, an illness or medical condition of the employee, or a workplace injury of the employee." The bill does not apply to public employers or certain seasonal employees. The bill applies to employers who employ at least 10 employees in the usual and regular course of business for more than 120 days in a calendar year.

This legislation seeks to address the issue of employees being sent home after reporting to work, yet there is little evidence that this is a widespread or systemic problem. In industries like hospitality and tourism, flexibility is essential, and employees routinely manage shift changes and trades among themselves without significant disruption. The current system functions well, and there is no demonstrated need for this additional regulation.

Moreover, when similar legislation was introduced last year, it's my understanding that no employee advocacy groups testified that such a law was necessary. As presented, this bill appears to impose a

solution where no documented problem exists.

Notably, the bill exempts public employers, seemingly to avoid triggering a fiscal note. If such a measure were truly essential, it should apply equally to both public and private businesses; what's good for the goose should be good for the gander. This selective application raises concerns about fairness and the true necessity of the bill. Furthermore, by omitting enforcement provisions from the statute and instead deferring them to departmental rulemaking, the bill obscures potential costs and penalties for employers. This makes it difficult to assess the full impact of the legislation and raises concerns about unintended consequences.

In summary, Maine's hospitality and tourism sectors have long relied on clear communication and flexible scheduling to meet both employer and employee needs. LD 598 is an unnecessary and burdensome solution to a problem that has not been shown to exist. I urge the committee to reject this bill in the interest of maintaining a balanced, practical approach to workplace scheduling.

Thank you for your time and consideration of the industries fueling Maine's economy.