



MAINE AFL-CIO

A Union of Unions Standing for Maine Workers

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Testimony of Maine AFL-CIO Legislative & Political Director, Adam Goode, in Support of 598 "An Act to Require Minimum Pay for Reporting to Work"

Senator Tipping, Representative Roeder and members of the Labor Committee, my name is Adam Goode. I'm the Legislative and Political Director of the Maine AFL-CIO. We represent 40,000 working people in the state of Maine. We work to improve the lives and working conditions of our members and all working people. We testify in support of LD 598.

This bill would provide workers some protections on days when an employee reports to work at the request of an employer and the employer cancels or reduces the number of hours in an employee's scheduled shift. In those situations, the employee must be paid the lesser of 2 hours of pay at the employee's regular hourly rate of pay and the total pay for the shift for which the employee was scheduled. There are exemptions for employers with less than 10 employees, for employers that make a documented good faith effort to notify an employee not to report to work, for employers whose attempt to notify the employee of the shift change has been unsuccessful and for situations when an employee is not required to work due to adverse weather conditions, a natural disaster, a civil emergency, an illness or medical condition of the employee or a workplace injury of the employee.

Most workers who work under collective bargaining agreements will have far less difficulty with employers who engage in irregular work scheduling and who cancel shifts. Despite those protections, we feel it is important to support this bill for two reasons. First, Mainers who work in hourly jobs often have little or no control over their schedule, and regularly face last-minute changes to the shifts they're scheduled to work. Unpredictable schedules are major disruptions for lower wage workers with impacts on a worker's physical and mental health. They make it difficult for workers to manage their budgets, child care or other personal needs, and we think the modest pay for coming in to work a shift that is cancelled as proposed in this bill should be a minimum floor for the disruption an unpredicted schedule causes in a worker's life.¹

Second, we do have affiliate unions that very much struggle with this issue despite working under collective bargaining agreements. The Maine State Nurses Association represents nurses and other health care professionals in Maine and they will be submitting testimony in support of this legislation. These health care workers take on significant burdens to report for a shift, including arranging and paying for child care in advance, paying for the costs of transportation and forgoing other employment opportunities for that day. Aside from these economic sacrifices, they also skip plans with friends and family, miss medical appointments and generally contort their lives for the benefit of their employers.

We respectfully remind you that many health care workers are in families where there are multiple jobs at play, so when the nurse in the family heads off to work the other person in the household may be home with the child. A cancelled shift has cascading effects on family budgets because families have multiple employment responsibilities and schedule their lives around a work schedule.

¹Irregular Work Scheduling and its Consequences, Lonnie Golden, Economic Policy institute, April 2015, available at <https://www.epi.org/publication/irregular-work-scheduling-and-its-consequences/>

There are real and obvious burdens on a worker who reports to the jobsite and has their employer cancel or reduce the hours in their shift. We understand that this legislation is a compromise based on work done on a prior bill in the 131st. That said, receiving just two hours of pay when a nurse or health care worker reports for a shift and nothing when an employer cancels a shift prior to arrival still leaves workers financially behind for all the aforementioned reasons.

We would support the recommendation you will receive from Maine State Nurses Association to amend the bill to require a minimum of either 50% of the planned shift or four hours of pay as this would better approximate workers' lost wages and work-related expenses. Their second recommended improvement to the bill would be to require reporting pay for shifts reduced or canceled within 48 hours of the scheduled start time.

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¹Irregular Work Scheduling and its Consequences, Lonnie Golden, Economic Policy institute, April 2015, available at <https://www.epi.org/publication/irregular-work-scheduling-and-its-consequences/>