

## Maine Education Association

Jesse Hargrove President | Beth French Vice President | Jaye Rich Treasurer  
Rebecca Cole NEA Director | Rachelle Bristol Executive Director

### Testimony

#### In Support Of

#### LD 653: An Act to Allow Teachers to Qualify for Overtime Pay

Jan Kosinski, Government Relations Director, Maine Education Association

Before the Labor Committee

April 9th, 2025

Senator Tipping, Representative Roeder, and other members of the Labor Committee,

My name is Jan Kosinski, and I am the Director of Government Relations for the Maine Education Association (MEA). The MEA represents nearly 24,000 educators, including teachers and other educators in nearly every public school in the state, as well as full-time faculty and other professional and support staff in both the University of Maine and Community College systems. Thousands of retired educators continue their connection and advocacy work through the MEA- Retired program.

I offer this testimony today on behalf of the MEA in SUPPORT of LD 653, *An Act to Allow Teachers to Qualify for Overtime Pay*. We appreciate Representative Roeder brining this bill forward.

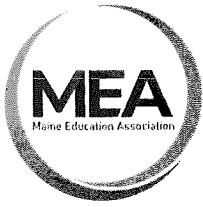
I hope we can all agree that teachers are underpaid and overworked. And even if any of us do not believe that the evidence is clear – our state is facing a severe workforce shortage of teachers. The state has consistently relaxed teacher certification requirements to address the shortages our schools face. The state has made emergency and conditional certificates more readily available for individuals who want to be teachers but lack the qualifications per our state’s rules and laws to become a teacher. Every year the Maine Department of Education must report to the United States Department of Education a list of “shortage areas” and the list has been growing and growing each year. The list for the 24-25 school year basically includes nearly every subject area and you will be hard pressed to find a subject or grade level that is not on the teacher shortage list:

**The following are PreK-12 teacher shortage areas for the 2024-2025 school year:**

- General Elementary
- Computer Technology
- Early Childhood
- English for Speakers of Other Languages
- English/Language Arts (Middle and Secondary Level)
- Gifted/Talented
- Health and Physical Education (Combined Endorsement)
- Mathematics (Middle and Secondary Level)

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- Music
- Science-Physical (Secondary Level)
- Science-Life (Secondary Level)
- Science (Middle Level)
- Social Studies (Middle and Secondary Level)
- World Languages
- Visual Arts
- *Deaf-Hearing Impaired\**
- *Teacher of Students with Disabilities\**

(Source: Maine Department of Education, found here: [Teacher Shortage Areas for the 2024-2025 School Year – Maine DOE Newsroom](#) )

While there are approximately 17,000 teachers in Maine, there are over 24,000 who are certified to teach – this point just demonstrates that we have some who are certified to teach but choose not to, because the pay is too low, and the job is too hard.

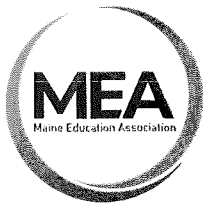
I am including with my testimony today the testimony I provided to the Education Committee during the public hearing on LD 34, *An Act to Increase the Minimum Teacher Salary*. This testimony more clearly spells out the challenges of the teacher workforce, the low pay compared to other states and articulates why we expect the shortages to grow. This bill proposes to increase the minimum teacher salary over many years until it reached \$50,000. If that bill passes, this legislation will be moot.

It is appalling that some teachers make less than the overtime exemption in law for private sector workers. As you know, under current law, the Maine minimum salary threshold for exempting a worker from overtime pay must exceed 3,000 times the State's minimum wage or the annualized rate established by the US Department of Labor, whichever is higher. As of January 1, 2025, the new minimum salary threshold in Maine is \$845.21 per week, or \$43,951 per year.<sup>1</sup> There are hundreds of teachers in our state who are making less than this threshold and regularly working more than 40 hours per week.

Teachers regularly report to us that they are working 50, 60 or 70 hours or more per week. In fact, some say they must work this hard to be a prepared, engaged, and thoughtful teacher. Teachers must provide instruction and supervision throughout the school day and are often engaged with students for hours without even a bathroom break, especially in the elementary grades where the teachers only break may occur when students have a diversified arts class (such as music, art, or physical education). Teachers must be in school before students arrive to prepare their classrooms, meet with administrators, connect with other colleagues to check in about specific students, all before the first bell rings and students begin arriving. During the day they are often tasked with

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<sup>1</sup> Please see Maine Department of Labor, With Federal Overtime Rule Blocked, Maine Minimum Salary Threshold will be \$43,951 for 2025, November 19, 2024, found here: [MDOL: News & Events](#)



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supervising lunch and recess periods. And then, when the students leave, teachers keep working – responding to emails from parents, attending school or district-wide meetings, professional development meetings, IEP meetings, meeting with colleagues, planning lessons for the next day, grading papers . . .and so much more. While the school day for students may end at 3pm or 3:30pm, it is not unusual for teachers to spend 3, 4 or 5 hours after school doing the work required of a teacher. And many do this while making \$40,000 per year.

And this is why we have teacher shortages in Maine and across the country.

The bill before you will need some significant amendments to achieve the intended outcome.

If the purpose of the bill is to allow teachers who make under the overtime exemption threshold of \$43,951 to qualify for overtime if they work over 40 hours per week, the bill would need to be sure to amend the current exemption for certain public sector workers found in Title 26, Section 664:

“D. Public employees, except those employed by the executive or judicial branch of the State.”

This section would need to explicitly remove teachers and salaried school employees from this exemption in current law to the overtime rate laws.

In addition, other provisions should be included to ensure enforcement and to apply other laws governing overtime to teachers. The provisions contained in LD 1492, *An Act to Fairly Compensate Teachers for Overtime Hours* may provide some good additions to consider as part of this legislation.

In addition, there are two areas in the Chapter 16 rules under the Department of Labor that will require amendment to disentangle teachers from the overtime exemptions. In the Definitions section, the language regarding “administrative” would need to be amended and specifically language regarding “educational institutions” will need to be removed and the teacher provisions under “special cases” will also need to be reviewed and amended.

We feel strongly we must address the root causes of our teacher shortage in Maine. We know there are challenging student behaviors and other increasing issues with profession. We also know that our schools struggle to find certified teachers and districts that pay the least often have the most trouble finding certified teachers. We remain committed to lifting teacher salaries to recruit and retain top notch teachers in our classrooms. We feel it is important to provide a professional salary to teachers. But until we can make that happen, we encourage the Committee to pass LD 653 and allow the lowest paid teachers to be compensated for the overtime they are clearly working.

Thank you in advance for your time and your attention. I will do my best to answer any questions you have.

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### Testimony

#### In Support Of

#### **LD 34: An Act to Increase the Minimum Salary for Teachers**

**John Kosinski, Government Relations Director, Maine Education Association**

**Before the Education and Cultural Affairs Committee**

**February 26, 2025**

Senator Rafferty, Representative Murphy and other esteemed members of the Education and Cultural Affairs Committee,

My name is Jan Kosinski, and I am the Director of Government Relations for the Maine Education Association (MEA). The MEA represents nearly 24,000 educators, including teachers and other educators in nearly every public school in the state, as well as full-time faculty and other professional and support staff in both the University of Maine and Community College systems. Thousands of retired educators continue their connection and advocacy work through the MEA-Retired program.

I offer this testimony today on behalf of the MEA in SUPPORT of LD 34, *An Act to Increase the Minimum Salary for Teachers*.

We believe this bill is among the most impactful pieces of legislation that you will take up this session to address one of the major issues plaguing public schools – namely, the shortages of qualified teachers and other certified professional staff. Sadly, the shortages are becoming a perennial, chronic issue facing our schools, and we hope we can make progress this session, despite our fiscal challenges, to prioritize lifting the starting teacher salary.

A simple search of the [servingschools.com](http://servingschools.com) website will show there are currently hundreds of open teaching positions in Maine's public schools. Hundreds. When our schools are unable to find suitable candidates, they must rely on "emergency certified" teachers or others who do not have the experience to undertake the complex behavioral, academic, social, and emotional needs of children. Without formal training, these educators may lack the foundations in effectively delivering instruction, differentiating instruction for diverse learners, and educating the whole child. A recent Massachusetts study found that students taught by Emergency Licensed Teachers (ELTs) experienced significantly lower scores on math and science assessments than those with certified educators. Additionally, those with ELTs, had higher rates in absenteeism, disciplinary infractions, lower GPAs, and lower grade progressions. This emphasizes the need to put highly

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qualified and credentialed educators in Maine classrooms.<sup>1</sup> Maine is currently 37<sup>th</sup> in the country in average starting teacher salary. The average starting teacher salary in Maine is \$41,163. This puts us dead last in New England. Our average starting teacher salary is behind New Hampshire, Vermont, Connecticut, and way behind Massachusetts. These are the states we compete with for teachers. An undergraduate from the UMaine system or one of the other teacher prep programs in Maine have options, and for too many teaching in Maine is not a viable option. We believe this is driven by the low starting teacher pay. In fact, Maine ranks among the lowest for average starting teacher salary on the entire eastern seaboard with only North Carolina and Georgia showing lower starting salaries than Maine.

**Table 1: Teacher Average Starting Pay, New England – 2024<sup>2</sup>**

State	Average Starting Teacher Salary	National Rank
Massachusetts	\$51,057	7 <sup>th</sup>
New York	\$49,315	11 <sup>th</sup>
Connecticut	\$48,784	13 <sup>th</sup>
Rhode Island	\$46,066	18 <sup>th</sup>
<b>National Average</b>	<b>\$44,350</b>	
Vermont	\$43,060	26 <sup>th</sup>
New Hampshire	\$41,590	34 <sup>th</sup>
Maine	\$41,163	37 <sup>th</sup>

**Table 2: Teacher Starting Average Starting Pay, Eastern Seaboard – 2024<sup>3</sup>**

State	Average Starting Teacher Salary	National Rank
District of Columbia	\$63,373	1 <sup>st</sup>
New Jersey	\$56,434	2 <sup>nd</sup>
Maryland	\$51,548	5 <sup>th</sup>
Massachusetts	\$51,057	7 <sup>th</sup>
New York	\$49,315	11 <sup>th</sup>
Pennsylvania	\$49,083	12 <sup>th</sup>
Connecticut	\$48,784	13 <sup>th</sup>
Florida	\$47,178	16 <sup>th</sup>
Virginia	\$46,250	17 <sup>th</sup>
Rhode Island	\$46,066	18 <sup>th</sup>

<sup>1</sup> Please see, Backes, B., Cowan, J., Goldhaber, D., & Theobald, R. (2024). *Good intentions, worrisome results: The impact of emergency teacher licensure in Massachusetts*. National Council on Teacher Quality.

<sup>2</sup> From Educator Pay Data, 2024, prepared by the Maine Education Association, April 18, 2024, Updated October 17, 2024, found here: [Educator Pay Data 2024 | NEA](#)

<sup>3</sup> *Ibid*



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Delaware	\$45,188	20 <sup>th</sup>
<b>National Average</b>	<b>\$44,350</b>	
Vermont	\$43,080	26 <sup>th</sup>
South Carolina	\$42,026	33 <sup>rd</sup>
New Hampshire	\$41,590	34 <sup>th</sup>
Georgia	\$41,148	39 <sup>th</sup>
North Carolina	\$40,136	42 <sup>nd</sup>

It is important to note, according to the Economic Policy Institute, the living wage for one adult with one child in Maine is \$67,421.<sup>4</sup> This means an entry level teacher is \$26,258 behind what is required for a basic living wage in our state if they have one child. Is it any wonder why so many teachers need to have second jobs just to make ends meet? And these second jobs take them away from their work of grading, preparing lessons and classroom plans, responding to parents, and take them away from their own children. We simply must do better.

Maine initiated a minimum teacher salary of \$30,000 starting on July 1, 2007. It was not until July 1, 2022 that the \$40,000 minimum teacher salary was enacted. It took the state 15 years to adjust the minimum teacher salary to the current minimum of \$40,000 and I shutter to think about what would happen to this profession and our schools if we need to wait another decade to lift the minimum teacher salary to \$50,000. If the minimum salary in 2007 of \$30,000 had been pegged to inflation the minimum salary today would be \$45,387. Even just compared to inflation, starting teacher salaries are falling behind.

The Maine Public Employees Retirement System (MainePERs) remains the most comprehensive resource regarding teacher shortages in our state. MainePERs staff are regularly tracking the number of teachers retiring and quitting and the numbers remain alarming and underscore the dire teaching shortages our state faces.

As of October of 2024, approximately 800 teachers per year are retiring and leaving the profession.

**Table 3: Annual Teacher Retirements, 2015-2023**

Year	Cumulative Annual Total
2015	880
2016	844
2017	842
2018	880
2019	916

<sup>4</sup> *ibid*



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2020	843
2021	821
2022	928
2023	824

Source: Maine Public Employees Retirement System

At the same time, an additional 500 "classroom teachers" are quitting each year and leaving employment in a Maine public school. They are not moving to a different school. This figure represents the number of teachers who are quitting – resigning their position and moving to a different career. MainePERs refers to these as "non-retirement resignations" and this reflects classroom teachers, not administrators and not ed techs, who have left their jobs and therefore no longer pay into MainePERs, a requirement for all teachers in Maine's public schools. As you can see the number of teachers quitting has more than doubled compared to eight years ago with record highs for teachers quitting in 2022 and 2023.

**Table 4: Annual "Classroom Teacher" Non-retirement Resignations, 2015-2023**

Year	Annual Total
2015	223
2016	262
2017	232
2018	256
2019	310
2020	293
2021	398
2022	575
2023	525

Source: Maine Public Employees Retirement System

Nearly 1,400 teachers are retiring or resigning each year. Even more alarming, according to the US Department of Education, while there are fifteen educator preparation programs in the state of Maine, collectively only 429 students completed the program in 2022.<sup>5</sup> According to Educate Maine, the number of students completing an educator prep program in Maine has declined by half since 2011-2012.

**Table 5: Number of Students Completing Educator Preparation Program in Maine 2011-2022<sup>6</sup>**

<sup>5</sup> Source: United States Department of Education, Title II Report found here: [Maine \(2023\) Public Reports](#)

<sup>6</sup> Source: Maine's Educator Workforce Data Landscape, 2024 page 13, found here: [EM-Educator-Workforce-Report-2024 \(3\).pdf](#)



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Year	Students Graduating from an Educator Preparation Program
2011-2012	863
2012-2013	728
2013-2014	679
2014-2015	554
2015-2016	569
2016-2017	551
2017-2018	417
2018-2019	411
2019-2020	444
2020-2021	404
2021-2022	429

So, let us do the math. 800+ teachers per year are retiring. 500+ teachers per year are quitting. And yet only 400+ are graduating from a program ready to enter the classroom in Maine's public schools. And there is our shortage.

In addition, we know anecdotally that some who complete educator prep programs are choosing to work in other, higher paying states to the south of us.

As you can see from the figures above, the shortages have only grown in recent years and will only intensify in the years ahead without action from you. It took years for the problem to get this bad, and it will only get worse unless we address the root cause of this issue. We must pay beginning teachers more.

The bill before you not only proposes to establish a new minimum, but also provides direct supplements from the state to help districts meet the new minimum. As each year progresses, the increases salary costs will be reflected in the state's Essential Programs and Services school funding formula, providing additional state aid to help districts with this cost.

Some may argue that we can not afford to lift the minimum teacher salary in Maine. We would argue we can't afford not to. Students get one chance to be in kindergarten. Once chance to be in first grade. One chance to be in second grade. Once chance to take physics or calculus in high school. We are failing our students and the future when we turn a blind eye to what is happening to what should be the most noble of professions. It is a disservice to our state, to our students and to our future if we ignore the real and present challenges our schools and our teachers face.

Thank you for your attention and for your service to the people of Maine. I will do my best to answer any questions you may have.

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