

Testimony of Nate Cloutier

Before the Joint Standing Committee on Veterans and Legal Affairs  
April 16, 2025

**In Opposition of LD 1554 as Drafted, “*An Act to Require Sexual Harassment Training for Restaurant Employees*”**

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. HospitalityMaine opposes LD 1554, “*An Act to Require Sexual Harassment Training for Restaurant Employees*” as drafted.

This testimony is response to the sponsor amendment, which is a strike and replace of the original bill. It would require the Department of Labor to create a uniform sexual harassment policy for restaurants by January 1, 2026, that covers patrons, employees and employers of restaurants. Restaurants would have to adopt the policy by January 1, 2027. Establishments would also need to provide proof of having adopted the policy within 90 days of license renewal to the Bureau of Alcoholic Beverages and Lottery Operations (BABLO) or the establishment may be denied renewal of their liquor license by the Bureau.

HospitalityMaine does not oppose the intent behind this legislation. We share the goal of fostering safe, respectful workplaces across the hospitality industry. However, we believe the bill is unnecessary because current state law already accomplishes its objectives.

Under Title 26 M.R.S.A. §807, employers with 15 or more employees are required to provide comprehensive sexual harassment training to all new hires within one year of employment. This training must include:

- A written notice of the illegality of sexual harassment;
- The definition of sexual harassment under Maine law;
- Descriptive examples of harassment;
- The internal complaint procedures available to employees;
- Legal options and complaint procedures through the Maine Human Rights Commission, including contact information; and
- Information on protection against retaliation.

In addition, supervisory and managerial employees must receive further training within their first year that emphasizes their specific responsibilities and outlines procedures for immediate and appropriate corrective action.

These requirements already apply across all industries, including restaurants. We recognize that at times our industry has fallen short. All industries have at times fallen short. At times this very institution has fallen short. Those shortcomings should be addressed by improving access to resources.

HospitalityMaine is a membership-based organization committed to ensuring restaurants have access to effective training tools. We recommend platforms like Easy Llama, which offers Maine-specific harassment training at \$20 per employee, and Serv Safe, which provides restaurant-focused programs. These tools include features like automatic reminders and progress tracking to support compliance.

We also see several technical concerns with the legislation.

- The bill directs the Department to create a uniform “policy for restaurants.” What constitutes a policy? How would it differ from current training requirements? Would there be costs associated with accessing or implementing it?
- BABLO would be required to certify adoption of a policy from establishments that have no involvement with alcohol liquor regulation. Depending on many factors, the ability to meet the 90-day timeline established in the bill may be difficult for the Bureau or restaurant. Unlike many menu items, alcohol sales provide more profit to an industry that makes 3-5% margins on average.
- It’s unclear what is meant by including patrons in an established policy.
- The bill’s definition of restaurant omits bars and breweries.

In sum, we believe that existing law already requiring sexual harassment training of restaurants and all businesses with 15 or more employees provides the adequate training for employees.

For these reasons, we respectfully urge the committee to oppose LD 1554. Thank you for your time and consideration. I would be happy to answer any questions.