



Mike Tipping
Senator, District 8

THE MAINE SENATE
132nd Legislature

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Augusta, Maine 04333

Representative Roeder and colleagues of the Labor Committee,

I'm Mike Tipping, I represent Senate District 8 in Penobscot County and I'm proud to present LD 575, An Act to Ensure Equitable Access to the Paid Family and Medical Leave Benefits Program by Removing the Requirement That Leave Must Be Scheduled to Prevent Undue Hardship on the Employer.

My wife is Canadian. We met in Nova Scotia and decided to live together here in Maine. If we had been living on the other side of the border when our kids were born, we wouldn't have had 12 weeks of paid family leave, but a full year.

I'm very proud of the work this committee did last term to bring Maine a bit more in line with the rest of the developed world and finally create a public paid family and medical leave program.

Paid leave is blindingly popular. One recent poll found 93% of Mainers in favor of instituting this program. In speaking with some of the volunteers who gathered signatures to place the issue on the ballot if the legislature failed to act, I heard that it was the easiest issue for which they've ever asked people to sign. Everyone has a story about the needs that paid family and medical leave addresses and Mainers believe deeply in the basic idea that you should be allowed to take some paid time off when you need to care for yourself or a loved one.

When this committee took up this vital issue last term, after long public hearings and work sessions, we worked out many compromises, including lowering payments, adjusting tiers and limiting eligibility, arriving at a plan that most stakeholders could live with.

One of those compromises that worried me at the time was the insertion of a hardship provision, something no other state has. The clause reads "Use of such leave must be scheduled to prevent undue hardship on the employer as reasonably determined by the employer."

This obviously requires some interpretation, and I have some concerns that the rulemaking on this provision so far has interpreted it too broadly, allowing employers to cancel paid family or medical leave inappropriately and leading to an increase in lawsuits as Mainers attempt to assert their rights. This bill would remove that provision.

Despite my concerns, I hear the strong arguments that we should not make significant changes to this program and the balance of compromise it represents until we've given it a chance to function and are able to assess how it performs its important purpose.

Others obviously don't feel that way, proposing major changes that would weaken or repeal this vital protection for Maine workers and families. If this committee does choose to open up and modify this program, I would argue that we make it stronger, not weaker, and make it easier for Maine people to access the leave that they've paid for and deserve.

Thank you for your consideration and I'm happy to answer any questions.