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**TO: Senator Tipping, Representative Roeder
Members of the Joint Standing Committee on Labor**
FROM: Becky Smith, Director of Government and Community Relations
**RE: Testimony in Opposition to LD 653, An Act to Allow Teachers to Qualify for
Overtime Pay**
DATE: April 9, 2025

Senator Tipping, Representative Roeder and Members of the Joint Standing Committee on Labor, my name is Becky Smith, and I am providing testimony in opposition to LD 653, *An Act to Allow Teachers to Qualify for Overtime Pay*, on behalf of the Maine Community College System.

As you know, existing federal and state law provides an overtime exemption for salaried executive, administrative or professional employees who meet certain income limits. In addition, the state law also exempts certain public employees from overtime pay. For purposes of this exemption, “Public employees” are defined as “any person whose wages are paid by a state or local public employer, including the State, a county, a municipality, the University of Maine System, a school administrative unit and any other political body or its political or administrative subdivision.”

By its language, LD 653 seeks to broadly extend overtime compensation to teachers. However, as drafted, and given the language of existing exemptions, its effect is unclear. Given this uncertainty, the bill would need to clarify its intended application and for the sake of clarity, provide a specific carve out for higher education institutions.

If this bill were interpreted to extend overtime to faculty at the Maine Community College System, this bill would impose an unsustainable financial burden on our colleges. Moreover, the administrative complexities of tracking faculty work hours—particularly for tasks performed outside the classroom — would create significant compliance challenges and detract from the core mission of educating students.

Currently, faculty members are allowed to add to their bargained courseload and receive increased compensation. However, if this bill were to pass and be interpreted to apply to MCCS, Colleges could not offer additional courses to full-time faculty for concern of incurring overtime. MCCS would have to renegotiate at least two collective bargaining agreements to address overtime and instructional coverage for courses—or find savings elsewhere in our budget.

For these reasons, we urge you to oppose LD653 as currently drafted.