

Gregory Dugal
HospitalityMaine

Senator Rafferty, Representative Sylvester and distinguished members of the Labor and Housing Committee, my name is Greg Dugal, and I am here today representing HospitalityMaine and our over 1000 restaurant and lodging members to speak in opposition to LD 358, An Act To Protect Workers from Unsafe Working Conditions with Regard to Indoor Temperatures. Obviously, we want a safe working environment for our employees, but this bill would put us in uncharted waters. A one-size fits all approach to temperature control could put many industries, most notably the restaurant industry at risk. We have just suffered through the worst year our industry has experienced in modern times and we certainly do not need additional costly laws or regulations to hamper our recovery.

The Occupational Safety and Health Administration (OSHA) does not even define minimum and maximum temperatures in the indoor workplace at the Federal level. They have recommended temperatures for office spaces, not specialty workplaces. We believe this is true based on what would seem to be the diversity of workplaces that exist. They may be warmer or cooler based on the type of operation conducted or end product that is being produced, not to mention the seasonal aspects to temperature variances. Again, OSHA has suggested guidelines for office environments, but no mandated temps in any space including offices, as is proposed here. Directly from their web site- OSHA does not have specific regulations for indoor workplace temperatures.

If OSHA with the might of the Federal government behind it, is unwilling or unable to make these recommendations with all the resources available to them, what ability will the State of Maine have to conduct these same analyses that could potentially cost employers sizable sums of money to adhere to.

Twenty-five states have outdoor workplace temperature standards, but as far as we can tell no other state has undergone this type of review and oversight for indoor temperatures and none that we can find have this type of statute. California has discussed it, but nothing has been acted upon to our knowledge. This legislation could have a sizable impact on many different types of businesses from science and technology companies, precision machine shops, storage in warehouses and kitchens, our main concern, in thousands of licensed establishments, both take out and dine in. There are kitchens in hospitals, schools, nursing homes, food pantries, churches and as previously noted it could be difficult and potentially very expensive to comply with these rules, all for what may amount to a few days per year. So we encourage you to please vote LD358 out ought not to pass. Thank you for your time and consideration.