

## **TESTIMONY**

In support of

### **LD 616: An Act to Increase Accountability for Wage Violations**

Andrew Mason, General Counsel, Maine Education Association

Before the Joint Standing Committee on Labor and Housing

**March 15th, 2021**

Senator Rafferty, Representative Sylvester and other esteemed members of the Labor and Housing Committee,

My name is Andrew Mason and I am here on behalf of the Maine Education Association to testify in support of LD 616, An Act to Increase Accountability for Wage Violations. The MEA represents 24,000 educators in our great state, including thousands of teachers, ed tech IIs and ed tech IIIs, and nearly 5,000 retired educators.

It should not be a controversial position for the Legislature to reaffirm the importance of employers paying their employees fully and correctly for all the hours the employees work and for all of the wages they are due. Many low-wage hourly workers depend upon and accept the employer's calculations without question. Most employers do the right thing and follow the law. However, it should also not be a controversial statement that some supervisors, managers, or employers also try to skirt the various wage laws, sometimes merely because they think they can as a display of power or control. This bill proposes strengthening the enforcement provisions already existing in law by increasing fines and the ability of the state to provide oversight and enforcement of the wage laws.

It should be noted that the changes this bill makes by increasing fines and remedies available to the employee will still not snag an unsuspecting employer who makes a mistake or error in calculations with no ill intent because current law already provides protection to such employers by not allowing an employee to pursue an enforcement action except after notice of a dispute concerning wages is given to the employer. "Remedies for unpaid wages do not become available to the employee except as follows. If the wages are clearly due without a bona fide dispute, remedies are available to the employee 8 days after the due date for payment. If there is a bona fide dispute at the time payment is due, remedies become available to the employee 8 days after demand when the wages are, in fact, due and remain unpaid." 26 M.R.S. Sec. 626-A.

Thank you for your time and I am happy to answer any questions.