

CHRISTINE KELLER

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Labor & Housing Committee
100 State House Station
Augusta, ME 04333
LBHS@legislature.maine.gov

Re: LD 607 (formerly 402) An Act To Restore Overtime Protections for Maine Workers

Senator Hickman, Senate Chair -
Representative Sylvester, House Chair -
Esteemed members of the Labor & Housing Committee –

I am writing to you today in opposition of LD 607. **This proposal failed at the federal level and through the federal court circuit, and here in Maine in 2019; as it should.**

<https://www.shrm.org/resourcesandtools/legal-and-compliance/employment-law/pages/judge-strikes-down-obama-dol's-overtime-rule.aspx>

The unintended consequences are detrimental to municipalities and business alike, people are not entitled to the language this outlines and should work and strive for the job and benefits they aspire to, but not have it be an expectation of an existing employer they agreed to work for. The greater Maine demographic is not riddled with corporations but rather small business and local government – entities that have to operate on a budget, increases do not magically appear > and would result in a decrease elsewhere – to include **impairing the very jobs this purports to bolster**.

I am a salaried Maine Municipal Clerk, Registrar of Voters and Welfare Director with nine years in municipal government. Prior careers include: HR Director, Business Office Manager and Accounts/Bookkeeping, Payroll/Benefits. In all of my employment history, **I have always understood the terms and conditions of employment that I sought and agreed to**, and to coin the expression; as I *worked my way up the ladder*. Benefits and flex time are not factored into this proposal, therefore it is not viable or appropriate to thousands of salaried working Mainers.

I am currently classified as a Department Head and earn my salary as scheduled during regular business hours, paid weekly. However, my employment also requires (by statute) working two evenings each month for Council meetings, bi-annual caucus weekends hours, Annual Town Meeting evening, Annual School Budget Meeting evening, and additional early and late hours during elections periods up to each June and November. I am provided “flex-time” to offset these overage periods, but **due to the demands of the office, season or workload, there are many times flex-time is not possible > until another pay period. I understood these arrangements when accepting my salary and job requirements, and have appreciated the flexibility afforded me** when trying to find optimal time with the least impact to colleagues and the public - when planning to take **my well-earned and well-deserved flex-time out of the office**. I prefer and appreciate the time off, as my personal time is exceptionally valuable to me, I am a responsible adult who knows how to budget on my agreed salary; I do not expect nor seek overtime – as was the agreement when I chose to accept the conditions of my employment offer (that the municipality has fixed budget for).

Like in my case, there is no additional funds budgeted or appropriated for many salaried municipal employees who experience similar arrangements. **This proposed legislation would rob me of the time off due to me that is to my line of thinking – far superior given the hours we are required to put in outside of M-F office hours, particularly to administrate complex and labor intensive elections that are not covered by others.**

This legislation does NOT factor in the value of my benefit package – I took a substantial cut in pay to accept my current position; particularly related to the benefit package. My salary classification benefits package includes: 14 paid holidays, 3 weeks paid vacation, 12 days/yr accrued sick time, \$13,000+/yr health/dental/vision insurance premium covered, \$1500 HRA (reimbursements for medical/scripts not covered), 10% match 401K/MSR retirement contributions. So while my annual salary might be considered low in comparison to my prior career history and abilities; **my benefit package is a tremendous value to me** at \$19,000+/annually.

To be reclassified by this proposed legislation; forcing me to be designated as an hourly employee – would be a real slap in the face, detrimental to the administration of elections (this process is too specified and complex to forgo or delegate and there is no funding for additional hires let alone overtime), and is not an appropriate solution given the issues it creates rather than purportedly resolves. The entitlement mindset of **this proposal ignores the unintended consequences and who this legislation hurts rather than helps.**

My flex-time off is precious to me. This proposal will take away my hard-earned 'breathers', that benefits my health, and permits me to recharge and meet the demands of my salary position. Perfect example: there is no amount of overtime that offsets time off after working 18-20 days to administer elections (which I might remind you the same legislators want to add more duties to our already overflowing responsibilities surrounding elections). At some point, after breaking all the other labor laws on the books to do the State's bidding – I as a human being > actually require sleep, have personal responsibilities, and a commute I prefer not to fall asleep at the wheel during. Those putting forth entitlement-minded ideologies > should be researched prior to proposing such detrimental legislation.

You have a responsibility to consider this has already been deemed unfit for legislation by the federal circuit courts, and to consider the impact to all the salary workers and businesses that would be affected – not just the fraction of individuals in the greater Portland south and corporate sector. The majority of Maine is rural, with a backbone of small business already struggling with undermining minimum wage increases > this one-size-fits-all approach undermines the State in totality and the greater demographics this proposed legislation willfully disregards.

I thank you for your time and consideration, and respectfully ask you to **oppose this damaging and illegal legislation.**

Respectfully Submitted,



Christine Keller

Municipal Clerk, Registrar of Voters, Welfare Director
President Somerset County Clerks Association
Former HR Director, Rural Maine property taxpayer