



Janet T. Mills
GOVERNOR

STATE OF MAINE
DEPARTMENT OF LABOR
54 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0054

Laura A. Fortman
COMMISSIONER

**Testimony of Michael Roland, Bureau of Labor Standards,
Maine Department of Labor
Neither For Nor Against LD 938,
An Act To Ensure Maine Workers' Right To Request a Schedule Change at Their Places
of Employment**

To the Joint Standing Committee on Labor and Housing
Public Hearing, Wednesday, April 21, 2021

Good morning Senator Hickman, Representative Sylvester and members of the Joint Standing Committee on Labor and Housing. I am Michael Roland, Director of the Bureau of Labor Standards for the Maine Department of Labor (Department). I am here today to speak on behalf of the Department neither for nor against LD 938, "An Act To Ensure Maine Workers' Right To Request a Schedule Change at Their Places of Employment."

The proposed bill would create a right for an employee to request a change in their schedule. If the request is denied, then the employer would need to provide a reason in writing. The proposal would apply to employers with more than 10 employees.

The Department appreciates the intent and sees no particular problem with the regulatory content of this proposal. Its method of promoting and supporting dialogue between employees and employers could certainly operate to benefit all parties. With respect to enforcement, however, we observe that the minimum penalty of \$5,000 seems excessive for the purpose and may result in a reluctance to assess a penalty in some circumstances.

Though no statute currently exists regarding scheduling practices, the Bureau frequently receives inquiries regarding last-minute or on-demand changes to workers schedules. Therefore, we believe that a fairly large number of inquiries and possible complaints could be generated by this statute, and that an additional Wage and Hour position may be required to respond to them.

Thank you for your time and attention. I would be happy to answer any questions you may have now or at a future work session.

The Maine Department of Labor is committed to serving Maine workers and businesses by helping employers recruit and train a talented workforce, providing workers with skills needed to compete in our economy, assisting individuals when jobs are lost, aiding people with disabilities reach career goals, ensuring safe and fair workplaces for people on the job and providing research and analysis of employment data to support job growth.