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GOVERNOR

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Laura A. Fortman  
COMMISSIONER

To: Senator Craig Hickman, Chair  
Representative Mike Sylvester, Chair  
Members of the Joint Standing Committee on Labor and Housing

From: Michael Roland, Director, Bureau of Labor Standards, Maine Department of Labor

Date: Friday, April 30, 2021

Re: L.D. 1436, An Act To Protect Certain Essential Workers from Infectious Disease

The Department has already testified on a similar bill this session. Therefore, I am sending this letter on behalf of the Department of Labor neither for nor against L.D. 1436, An Act To Protect Certain Essential Workers from Infectious Disease.

MDOL does not have jurisdiction to enforce health and safety standards in the private sector. Maine's status as a "State Plan State" provides enforcement authority for state & local governments only. The federal Occupational Safety and Health Administration (OSHA) retains enforcement authority for private sector and federal employers.

Both OSHA and Maine's Workplace Safety and Health Division currently have personal protective equipment requirements and a penalty structure already in place. It is likely that OSHA will propose additional regular and/or Emergency Temporary standards sometime in the near future for private and federal employers, in which case Maine's Board of Occupational Safety and Health will be compelled to also adopt those standards at a minimum for remaining public employers.

Thank you very much for the consideration of my letter. I will be happy to join you for the work session on this bill and answer any questions you may have.

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.

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