



Manufacturers Association of Maine

Testimony of
Jessica L. Laliberte

On behalf of the Manufacturers Association of Maine

In Opposition of

LD 1711 An Act to Enhance Enforcement of Employment Laws

May 21, 2021

Good afternoon, Senator Hickman, Representative Sylvester and members of the Joint Standing Committee on Labor and Housing. My name is Jessica Laliberte. I am the policy relations manager for the Manufacturers Association of Maine (MAME), a non-partisan, pro-growth, pro-manufacturing trade organization representing hundreds of manufacturers.

I am here today in opposition of **LD 1711 An Act to Enhance Enforcement of Employment Laws**. This proposal seems to be a direct copy of a law in the state of California; Private Attorneys General Act (PAGA) which authorizes aggrieved employees to file lawsuits to recover civil penalties on behalf of themselves, other employees, and the State of California for Labor Code violations. This bill seeks to do the same here in Maine.

Maine is not California. We have little in common. California's population is 39.5 million while Maine's is just over 1.3 million people.

This bill would place the state in the position of acting as private litigation lawyers. These cases are often settled out of court. Maine employees currently have the ability to maintain these claims against an employer pursuant to the Maine Whistleblower Protection Act, which permits an employee to bring a cause of action for retaliation as a result of any whistleblowing behavior and currently can go to the state department of labor or the Maine Human Rights Commission if they believe that a law or regulation has been violated.

This is an extremely complex and technical bill, brought forth in the waning hours of session. This bill is unwarranted and appears to be a solution looking for a problem. Employees who feel they have been retaliated against for exposing violations of law already have an avenue of remedy- as discussed above, and can do so without paying up-front fees, as the MWPA includes a fee-shifting provision. This bill, it

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would seem would necessitate adding staff to the Office of the Attorney General to handle such cases. Who will pay for the increased staffing? Taxpayers.

Should **LD 1711** pass, Maine would yet again be an outlier. What message does legislation like this send to businesses? This is yet another bill whose intent seems to be in direct conflict with the ten-year economic plan. Why would a business choose to come to our state or what incentive is there for businesses currently in operation here to remain?

This is a costly proposal with many unpalatable consequences. The Manufactures Association of Maine opposes **LD 1711 *An Act to Enhance Enforcement of Employment Laws*** and urges an ought not to pass vote.

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