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March 23, 2022

Honorable Michael Tipping, Senate Chair
Honorable Amy Roeder, House Chair
Joint Legislative Committee on Labor and Housing
100 State House Station
Augusta, ME 04333

Re: ***Testimony in opposition to LD 827, An Act To Allow Employees to Request Flexible Work Schedules***

Dear Senator Tipping, Representative Roeder, and Members of the Committee on Labor and Housing:

The Maine Water Utilities Association (MWUA) appreciate the opportunity to provide testimony in opposition to LD 827.

About MWUA. MWUA is a nonprofit association based in Augusta that provides support for water works professionals throughout the State of Maine in advocating for safe drinking water through educational and technical programming as well as advocacy on the local, state, and national level. The Association was formed in 1925 and counts approximately 109 water utilities in Maine as members.

Discussion. LD 827 would give employees a statutory right to ask for a flexible work schedule for up to six months at a time. MWUA believes that this expansion of employee statutory rights is not warranted. Employees already can ask for a flexible work schedule from their employers – there is no statutory prohibition from doing so.

In this period of low unemployment, it is common for employers to offer or accommodate work hour and/or location flexibility to recruit or retain employees. Businesses permit work hour and location flexibility based upon the specific needs and challenges of the business. The work arrangements between employee and employer, in the realm of flexible work schedules, is best left to be worked out between the employer and employee rather than codifying additional statutory employee protections. Instances such as this are extremely rare, and we believe other labor protections such as the Maine Human Rights Act and U.S. Equal Employment Opportunity Commission laws sufficiently protect employees who request special work arrangements. In our view, this bill proposes a solution where there is no problem to fix.

Employers spend considerable resources ensuring compliance with existing State and federal employment statutes and regulations. Imposing additional statutory burdens on employers

Letter from MWUA re LD 827

March 23, 2023

Page 2

without a clear and general demonstrated need, only serves to increase the cost of doing business in Maine without meaningful benefit.

Conclusion. The proposed statutory protections for employees are not needed. We ask you to oppose this legislation and vote ought not to pass.

Thank you for your consideration.



Roger Crouse,
Legislative Committee Chair, Maine Water Utilities Association
General Manager, Kennebec Water District

cc: Bruce Berger, Executive Director (MWUA)
James I. Cohen, Verrill Dana, LLP, Legislative Counsel