

Jeremy Dougherty  
Bar Harbor Inn & Spa  
LD 1190

Good Afternoon,

My name is Jeremy Dougherty and I am the General Manager of the Bar Harbor Inn & Spa in Bar Harbor, Maine. I employ about 160 employees and our parent company, Witham Family Hotels, has about 450 employees. As we are one legal entity, we would collectively fall under the 250 employee baseline for LD 1190.

I oppose the legislation as written, but do not entirely oppose with the assumed purpose behind it. Employees deserve to have a work schedule in advance of their actual work week and as an employee, a two-week notice would be helpful in organizing their life. However, that only works well in more structured business models that allow for that consistency. In the hospitality industry we have huge fluctuations in business and short-term cancellations and additions to business that can rapidly change by something as urgent and untimely as a weekend forecast of rain that creates a rash of sudden hotel room cancellations. In this scenario with 1190 we would incur costs for the last-minute cancellations 1-2 days out for a cancelled event and reduced business due to weather forecasts. This 1190 would also create an unreasonable amount of reconciliation and compliance to ensure we are paying for the right amounts of penalties in these last-minute changes to schedules. Call off's the night off in restaurants service happens NIGHTLY in most restaurants. In fact, there is almost always a willing volunteer for a server to be the first to "be cut" from the shift if they arrive and there is not enough covers on the books to need as many staff. Would this legislation force employers to do better on advance scheduling? Yes. Would it force them to overschedule, or under schedule two weeks out? Yes. Ultimately, two weeks out too much time for most hospitality positions even if well intentioned and valuable in several other ways. But the record keeping of schedules, reconciliation for penalties that certainly will happen when we have to adjust schedules for a number of reasons not mentioned in the exceptions...those are additional processes that I respectively find to be really a big overreach. This feels a lot like a solution to a problem that didn't need to be solved and, in the process, it's just going to make it even more difficult to run a hospitality business in Maine.

I worry far less about locations like Bar Harbor and some of our coastal properties that generally run a very high occupancy and therefore, every day is really busy. We don't have the same dips and lulls in business a traditional market would have, which makes consistent scheduling much easier. For most departments, we already have mostly set schedules and this LD 1190 isn't an issue. For restaurants, of which we have three, this creates so many challenges as there are 100 people shuffling around in different restaurants to adjust to everyone's personal issues that alter their ability to complete their assigned schedule. It's the restaurants where I can see this being extremely cumbersome, I submit my feedback as one that supports the general need for anyone to have some predictability to their work and life. And one that knows even the best planned operation has so many unpredictable issues that are not caused by the employer, and in these cases, we would be financially penalized for such a bill. I'm sure in a more global sense for all the various businesses in Maine this makes a lot of sense, but for the restaurants this would be quite challenging as written.