

FEDERAL WAGE AND LABOR LAW INSTITUTE

Minimum Wage



Labor Laws of the State of Maine provide protection for people who work in Maine. The Maine Department of Labor administers the laws, which all employers must follow. Department representatives inspect workplaces to ensure compliance. Citations and penalties may be issued to employers who do not comply.



Maine Law (Title 26 M.R.S.A. § 668) requires every employer to place this poster in the workplace where workers can easily see it.

This poster is provided at no cost by the Maine Department of Labor and may be copied.

October 1, 2009 — Minimum Wage is \$7.50 per hour

Service Employees
A service employee is someone who regularly receives more than \$30 a month in tips. The employer must pay a cash wage of at least one-half of the regular minimum wage. If the employee's total cash wage combined with the total tips for the week do not average at least the minimum hourly wage, the employer must pay the employee the difference in wages. Tips belong to the employee providing direct service to the customer. Employees may be required to pool their tips to be divided evenly among service employees only.

the opposite sex for work that is of a comparable nature in skill, effort and responsibility. This does not include seniority, merit or shift differentials which do not discriminate based on sex.

Employers may not discriminate against an employee for inquiring about, disclosing, comparing or otherwise discussing the employee's wages with others

Board and Lodging
Wages may include reasonable costs to the employer furnishing food and lodging. Food and lodging must actually be used by the employee, clearly shown on the employee statement and wage records, and approved by the Bureau of Labor Standards.

Statements to Employees
Every employer shall give to each employee with the payment of wages a statement clearly showing the date of the pay period, hours worked, total earnings and itemized deductions.

Records
Employers shall keep, for three years, accurate records of hours worked and wages paid to all employees.

Unfair Contracts
An employer cannot make a special contract or agreement with an employee to exempt that employee from minimum wage or overtime.

Note: Maine employers may also be covered under the Federal Fair Labor Standards Act. For more information, contact the U.S. Department of Labor Wage and Hour Office at 603-666-7716.

For more information, contact:

Maine Department of Labor
Bureau of Labor Standards
45 State House Station
Augusta, Maine 04333-0045
Telephone: 207-623-7900
TTY users call Maine Relay 711
Web site: www.maine.gov/labor/bls
E-mail: webmaster.blis@maine.gov

rev. 10/12

STATE OF MAINE

MAINE DEPARTMENT OF LABOR Bureau of Unemployment Compensation FULL AND PART-TIME WORKERS

EMPLOYEES OF THIS FIRM ARE COVERED BY THE MAINE EMPLOYMENT SECURITY LAW

- HOW TO FILE A CLAIM FOR UNEMPLOYMENT BENEFITS:** All new and reactivated claims for unemployment benefits are filed either by telephone, by Internet, or by mail. **Do not delay in filing your claim once you are out of work. CLAIMS CANNOT BE BACKDATED.**
A. BY TELEPHONE: To file a claim for unemployment benefits by telephone, you will need to know your Social Security Number. Also, you should have the names and addresses of all employers for whom you worked, and your dates of employment in the last 18 months. Call this toll free telephone number to connect with the Unemployment Claims Center System.

1-800-593-7660
TTY Users Call Maine Relay 711

LANGUAGE INTERPRETER: We provide language interpreter services in approximately 140 commonly spoken languages. Arrangements will be made to have an interpreter assist you when you call the Unemployment Claims Center.

B. BY INTERNET: A claim can be filed on the Internet. The website is: www.file4ui.com.

If you do not have a phone or computer, you can still file your claim this way, free of charge, at any Department of Labor CareerCenter.

C. BY MAIL: In some cases, your employer will give you a claim form. You can also obtain paper claim forms from any Department of Labor CareerCenter. Mail your initial claim form to the nearest Unemployment Claims Center:

Maine Department of Labor
Bureau of Unemployment Compensation

97 State House Station
Augusta, ME 04333-0097

P. O. Box 450
Bangor, ME 04402-0450

P. O. Box 1088
Presque Isle, ME 04769-1088

2. BASIC ELIGIBILITY REQUIREMENTS

A. Earnings During the Base Period: The "base period" is a one-year period that includes four calendar quarters. To establish a claim, an individual must have earned two times the annual average weekly wage in Maine in each of two different calendar quarters, and a total of six times the annual average weekly wage in Maine in the whole base period. In most cases, the Department of Labor has your wage information on file. If it is not on file, the Department will take steps to obtain it.

B. Separation: If you were laid off from your last job due to a lack of work, no additional investigation is required. If you separated from your last job for reasons other than lack of work, you will be scheduled for a fact-finding interview. A determination will then be made regarding your eligibility for benefits.

C. Weekly Requirements: Weekly eligibility requirements include being able to work and being available for work, making an active search for work (unless your work search has been "waived"), not refusing offers of suitable work or referral to suitable job opportunities from the CareerCenters.

D. Aliens: If you are not a U.S. Citizen, your Social Security number and/or your Alien Permit number will be checked with the Department of Homeland Security, Immigration and Naturalization Service.

3. UNEMPLOYMENT BENEFITS ARE TAXABLE: Unemployment benefits are taxable and have to be reported when you file your income tax forms.

4. CHILD SUPPORT: If you owe child support that you pay to the Department of Health and Human Services (DHHS), up to fifty percent (50%) of your unemployment check may be withheld and sent to DHHS.

5. BENEFITS FOR PARTIAL UNEMPLOYMENT: An employer shall issue a properly completed partial unemployment claim form to each employee who is customarily employed full-time and who is given less than full-time hours during a week due to lack of work, and who is not separated from the employer.

CAUTION: This poster is designed to notify individuals of their rights regarding the filing of claims for unemployment benefits. It does not have the force or effect of law. For more information, call 1-800-593-7660 toll free.

To Be Posted In A Conspicuous Place

Me. I-1 (rev. 07/2012)

Child Labor Laws



Child Labor Laws of the State of Maine provide protection for people under the age of 18 in nonagricultural jobs. The Maine Department of Labor administers the laws, which all employers must follow. Department representatives inspect workplaces to ensure compliance. Citations and penalties may be issued to employers who do not comply.



Maine Law (Title 26, M.R.S.A. § 42-B) requires every employer to place this poster in the workplace where workers can easily see it.

This poster is provided at no cost by the Maine Department of Labor and may be copied.

14- & 15-year olds may work in most businesses, except in most jobs in manufacturing, mechanical, dry cleaners, laundries, bakeries, hotels/motels, and most commercial places of amusement.
Minors under 14 years old may not work in most businesses.

Work Permits
• Minors under 16 years of age need work permits in order to work.
• Superintendent of schools certifies the academic standing.
• Minor allowed only 1 permit during school year, 2 during summer vacation.
• Minor cannot work until permit is approved by Bureau of Labor Standards.
• Employer must keep Bureau-approved permit on file.

Work Hours
Under 16 years old
• No more than 6 days in a row.
• Cannot work before 7:00 a.m.
• Cannot work after 7:00 p.m. during school year.
• Cannot work after 9:00 p.m. during summer vacation.

When School is Not in Session
• No more than 8 hours in any one day (weekend, holiday, vacation or workshop).
• Not more than 40 hours in a week (school must be out entire week).

When School is in Session
• No more than 3 hours on a school day, including Friday.
• Not more than 18 hours in a week that school is in session one or more days.

16- & 17-year olds may work in most businesses, but not in hazardous jobs.
Prohibited Jobs
Youth under 18 years old are not allowed to work at many hazardous jobs. Contact the Bureau of Labor Standards for details. For current list of hazardous jobs see Federal Regulation 29 CFR, Part 570.

16- & 17-year olds (enrolled in school)
• No more than 6 days in a row.
• Cannot work before 7 a.m. on a school day.
• Cannot work before 5 a.m. on a non-school day.
• Cannot work after 10:15 p.m. the night before a school day.
• Can work up to midnight when there is no school the next day.
When School is Not in Session
• No more than 10 hours in any one day (weekend, holiday, vacation, or workshop).
• No more than 50 hours in a week.

When School is in Session
• No more than 6 hours on a school day.
• No more than 10 hours on any holiday, vacation, or workshop day.
• Not last day of school week may work up to 8 hours.
• No more than 24 hours in a week except may work 50 hours any week that approved school calendar is less than 3 days or during the first and last week of school calendar.

Recordkeeping
All employers must keep accurate daily records of hours for workers under 18. Records must show what time the minor began work, total hours worked, and what time the minor finished work each day.
Note: Maine employers may also be covered under the Federal Fair Labor Standards Act. For more information, contact the U.S. Department of Labor Wage and Hour Office at 603-666-7716 or http://youth.dol.gov/.

For more information, contact:
Maine Department of Labor
Bureau of Labor Standards
45 State House Station
Augusta, Maine 04333-0045
Telephone: 207-623-7900 or 207-623-7930
TTY users call Maine Relay 711
Web site: www.maine.gov/labor/bls

rev. 03/14

Equal Employment Opportunity is THE LAW



Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

The Maine Human Rights Act prohibits discrimination because of race, color, sex, sexual orientation, age, physical or mental disability, genetic information, religion, ancestry or national origin.

The Maine Human Rights Act also prohibits discrimination because of filing a claim or asserting a right against a prior employer under the Workers' Compensation Act or retaliation under the Whistleblowers' Protection Act.

EQUAL EMPLOYMENT RIGHTS
The opportunity for an individual to secure employment without discrimination because of race, color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin is a civil right.

UNLAWFUL EMPLOYMENT DISCRIMINATION
It is unlawful employment discrimination for any employer, because of race, color, sex, sexual orientation, age, physical or mental disability, genetic information, religion, ancestry or national origin, or because of an individual's previous assertion of a claim or right against a prior employer under the Workers' Compensation Act, or because of previous actions taken that are protected under the Whistleblowers' Protection Act, to:

- Fail or refuse to hire or otherwise discriminate against an applicant for employment.
- Discharge an employee or discriminate with the respect to hire, tenure, promotion, transfer, compensation, terms, conditions or privileges of employment.
- Retaliate against a person who has filed a charge of discrimination, participated in a discrimination proceeding, or opposed a violation of the Maine Human Rights Act.

IF YOU FEEL YOU HAVE BEEN DISCRIMINATED AGAINST, CONTACT:
MAINE HUMAN RIGHTS COMMISSION
51 STATE HOUSE STATION, AUGUSTA, MAINE 04333-0051
PHONE (207) 624-6290 FAX (207) 624-8729 TTY: MAINE RELAY 711
www.maine.gov/mhrc
Printed under appropriation: 01094H1010012 (102012 REV.)

Regulation of Employment



Labor Laws of the State of Maine provide protection for people who work in Maine. The Maine Department of Labor administers the laws, which all employers must follow. Department representatives inspect workplaces to ensure compliance. Citations and penalties may be issued to employers who do not comply.



Maine Law (Title 26 M.R.S.A. § 42-B) requires every employer to place this poster in the workplace where workers can easily see it.

This poster is provided at no cost by the Maine Department of Labor and may be copied.

Time of Payment
Most employees must be paid in full at least every 16 days. Employees must be notified of any decrease in wages or salary at least one day prior to the change.

Payment of Wages
Employees who leave a job must be paid in full on the next payday or within two weeks, whichever is earlier. Any vacation pay earned is due at the same time.

Severance Pay
Businesses that have 100 or more employees at a single location may have to provide severance pay to employees if that business location closes or has a mass layoff.

Unfair Agreement
Employers cannot require that an employee pay for losses such as broken merchandise, bad checks, or bills not paid by the customers, nor for special uniforms and certain tools of the trade.

Rest Breaks
Most employees must be offered a 30-minute paid or unpaid rest break after 6 hours of work. Nursing mothers must be provided with unpaid break time or be permitted to use their paid break or meal time to express milk. The employer must make reasonable efforts to provide a clean room or location, other than a bathroom, where the milk can be expressed.

Family Medical Leave
An employee who has worked for the last 12 months at a workplace with 15 or more employees can have leave for up to 10 paid or unpaid weeks in 2 years for:

- Birth or adoption of a child or domestic partner's child
- Serious illness of the employee or immediate family member, including domestic partner
- Organ donation
- Death or serious health condition of the employee's spouse, domestic partner, parent or child if it occurs while the spouse, domestic partner, parent or child is on active duty.
- Serious illness or death of a sibling who shares joint living and financial arrangements with the worker.

(Federal family medical leave is different. Call 603-666-7716 for more information.)

At-Will Employment - Under Maine law, an at-will employee may be terminated for any reason not specifically prohibited by law. In most instances, you are an at-will employee unless you are covered by a collective bargaining agreement or other contract that limits termination. If you have questions about at-will employment, contact your human resources department or the Bureau of Labor Standards.

Leave for Victims of Violence, Assault, Sexual Assault or Stalking
Must be allowed upon request if an employee (or a child, parent or spouse of an employee) is a victim of violence, assault, sexual assault or stalking or any act that would support an order for protection under Title 19-A M.R.S.A., c. 101 and the employee needs the time to:

- Prepare for and attend court proceedings; or
- Receive medical treatment; or
- Obtain necessary services to remedy crisis.

Leave to Care for Family
Must be allowed upon request if an employee (or a child, parent or spouse of an employee) is a victim of violence, assault, sexual assault or stalking or any act that would support an order for protection under Title 19-A M.R.S.A., c. 101 and the employee needs the time to:

- Prepare for and attend court proceedings; or
- Receive medical treatment; or
- Obtain necessary services to remedy crisis.

Mandatory Overtime
Most employers may not require employees to work more than 80 hours of overtime in any consecutive 2-week period. A nurse who has worked 12 consecutive hours may not be disciplined for refusing to work additional hours and must be allowed at least 10 hours off after working 12 hours. (There are exceptions to this law.)

Note: Maine employers may also be covered under the Federal Fair Labor Standards Act. For more information, contact the U.S. Department of Labor Wage and Hour Office at 603-666-7716.

For more information, contact:
Maine Department of Labor
Bureau of Labor Standards
45 State House Station
Augusta, Maine 04333-0045
Telephone: 207-623-7900
TTY users call Maine Relay 711
Web site: www.maine.gov/labor/bls
E-mail: webmaster.blis@maine.gov

rev. 07/12

THE MAINE HUMAN RIGHTS ACT PROHIBITS SEX DISCRIMINATION

SEXUAL HARASSMENT ON THE JOB IS ILLEGAL

- ✗ UNWELCOME SEXUAL ADVANCES
- ✗ SUGGESTIVE OR LEWD REMARKS
- ✗ UNWANTED HUGS, TOUCHES, KISSES
- ✗ REQUESTS FOR SEXUAL FAVORS
- ✗ RETALIATION FOR COMPLAINING ABOUT SEXUAL HARASSMENT

IF YOU FEEL YOU HAVE BEEN DISCRIMINATED AGAINST, CONTACT:

MAINE HUMAN RIGHTS COMMISSION
51 STATE HOUSE STATION, AUGUSTA, MAINE 04333-0051
PHONE (207) 624-6290 FAX (207) 624-8729 TTY: MAINE RELAY 711
www.maine.gov/mhrc

OR CONTACT YOUR PERSONNEL DEPARTMENT: DEPARTMENT / AGENCY CONTACT

Printed under appropriation: 01094H1010012 (102012 REV.)

Safe Work for Computer Operators



The Maine Video Display Terminal (VDT) Law gives certain rights to people who use computers for work.



Employers must place this poster in the workplace where workers can easily see it.

This poster is provided at no cost by the Maine Department of Labor and may be copied.

If you work at a computer for more than 4 hours in a row on most days, your employer must:

1. Train you to use your computer safely so you won't get hurt. Using your computer safely includes:
 - Not hitting the keys too hard.
 - Not keeping too fast or too long, and
 - Not sitting in one position or in an uncomfortable position.
2. Train you the right way to adjust your workstation.
3. Train you within the first month after you are hired and then once a year.

If you have questions about working safely at the computer, speak to your supervisor or contact the Bureau of Labor Standards

Telephone: 1-877-SAFE-345(1-877-723-3345)
TTY users call Maine Relay 711
E-mail: webmaster.blis@maine.gov
Website: www.maine.gov/labor/bls

rev. 07/12

Whistleblower's Protection Act

Protection of Employees Who Report or Refuse to Commit Illegal Acts



This poster describes some important parts of the law. A copy of the actual law or formal interpretations may be obtained from the Department of Labor, Bureau of Labor Standards by calling (207) 623-7900. (The laws are also on the Bureau's web site.)



Maine Law (Title 26, M.R.S.A. § 42-B) requires every employer to place this poster in the workplace where workers can easily see it.

This poster is provided at no cost by the Maine Department of Labor and may be copied.

It is illegal for your boss to fire you, threaten you, retaliate against you or treat you differently because:

1. You reported a violation of the law;
2. You are a healthcare worker and you reported a medical error;
3. You reported something that risks someone's health or safety;
4. You have refused to do something that will endanger your life or someone else's life and you have asked your employer to correct it; or
5. You have been involved in an investigation or hearing held by the government.

You are protected by this law ONLY if:
1. You tell your boss about the problem and allow a reasonable time for it to be corrected; or
2. You have good reason to believe that your boss will not correct the problem.

To report a violation, unsafe condition or practice or an illegal act in your workplace, contact:

(This information should be filled in by the employer)

(Name) (Title) (Location or Phone)



For more information or to file a complaint under this law, contact:

The Maine Human Rights Commission
51 State House Station
Augusta, Maine 04333
Tel: (207) 624-6290
TTY users call Maine Relay 711
www.maine.gov/mhrc

The following agencies may provide useful information on workplace safety and labor laws:

U.S. Department of Labor
Wage and Hour Division
P.O. Box 554
Portland, Maine 04112
Tel: (207) 780-3344
www.dol.gov

U.S. Department of Labor/OSHA
40 Water Street
Augusta, Maine 04330
Tel: (207) 626-9160
www.osha.gov

Maine Department of Labor
Bureau of Labor Standards
45 State House Station
Augusta, Maine 04333-0045
(207) 623-7900
TTY Users call Maine Relay 711
Web site: www.maine.gov/labor/bls
E-mail: webmaster.blis@maine.gov

rev. 07/12

FOR DATES OF INJURY ON AND AFTER JANUARY 1, 2013



WORKERS' COMPENSATION

WORKERS' COMPENSATION BOARD REGIONAL OFFICES

AUGUSTA
24 Stone Street, Suite 102
Augusta, ME 04330
207-287-2308
1-800-400-6854

LEWISTON
36 Millington Way
Lewiston, ME 04240-5811
207-753-7700
1-800-400-6857

BANGOR
106 Hogan Road, Suite 1
Bangor, ME 04401
207-941-4550
1-800-400-6856

PORTLAND
62 Elm Street
Portland, ME 04101
207-822-0840
1-800-400-6858

CARIBOU
43 Hatch Drive, Suite 110
Caribou, ME 04736-2347
207-498-6428
1-800-400-6855

Visit our website at:
www.maine.gov/wcb
Statewide TTY: Maine Relay 711

Notice to Employees:

State law requires your employer to provide workers' compensation insurance for its employees. Workers' compensation insurance provides benefits to employees who are injured at work.

If you are injured at work, NOTIFY YOUR EMPLOYER AT ONCE. You may lose your right to receive benefits unless your employer is notified within 30 days of your injury. Your claim is also subject to a two-year statute of limitations. Worker advocates are available at the Workers' Compensation Board to help injured workers.

It is against the law for employers to misclassify employees as independent contractors for the purpose of avoiding workers' compensation insurance, unemployment coverage, or other employer paid taxes and withholdings. For more information on laws pertaining to the hiring of independent contractors, visit the Worker Misclassification Task Force website at www.maine.gov/labor/misc.

If you have any questions about your rights, please contact one of the regional offices.

A l'intention des Employés:

Si vous êtes victime d'un accident du travail, PRENEZ VOTRE EMPLOYEUR IMMÉDIATEMENT. Passez un délai de 30 jours, vous risquez de perdre vos droits à l'indemnisation.

Au-delà de deux ans, votre déclaration n'est pas recevable. Pour aider les victimes d'un accident du travail, le Workers' Compensation Board met des conseillers juridiques à leur disposition.

Il est interdit aux employeurs de classer faussement leurs salariés comme étant des contractants privés afin d'échapper à l'assurance compensatrice-employeur, aux

indemnités de chômage, ou aux autres charges et retenues dues par l'employeur. Pour plus de détails sur la législation relative à l'utilisation des services privés, visitez le site Internet de Worker Misclassification Task Force (Unité anti-fraude en matière de classification des salariés): www.maine.gov/labor/misc.

Si vous n'êtes pas sûr de vos droits, veuillez contacter l'un des bureaux régionaux.

Aviso a los Trabajadores:

La ley del estado de Maine requiere que su empleador proporcione el seguro de compensación para el trabajador a todos los trabajadores. El seguro de compensación para el trabajador proporciona beneficios a los trabajadores accidentados en el trabajo.

En caso de sufrir accidente o daño laboral, NOTIFIQUELO INMEDIATAMENTE A SU EMPLEADOR. Podría perder el derecho a recibir compensación a menos que su empleador sea notificado de este accidente o daño en el plazo de 30 días. Así mismo esta reclamación debe hacer referencia a un accidente o daño que no haya ocurrido hace más de dos años. Los defensores del trabajador están disponibles para proporcionar ayuda a los trabajadores accidentados en el Consejo de Administración de Compensación para el Trabajador (Workers' Compensation Board).

El hecho de no clasificar a los empleados como contratistas independientes, con el propósito de evitar el seguro por compensación al trabajador, cobertura para desempleados, o otros impuestos pagados y retenciones por el empleador, está en contra de la ley del empleador. Para mayor información acerca de las leyes pertenecientes a la contratación de contratistas independientes, visite el Worker Misclassification Task Force en la página web de www.maine.gov/labor/misc.

En caso de tener cualquier pregunta sobre sus derechos, favor de dirigirse a una de las oficinas regionales de compensación para el trabajador.

Interpreters available:

When calling for assistance, please use the name of your language in English and an interpreter will be called for you. Please say so on the line.

Tous les interprètes a sa disposition
Si vous êtes victime d'un accident du travail, PRENEZ VOTRE EMPLOYEUR IMMÉDIATEMENT. Passez un délai de 30 jours, vous risquez de perdre vos droits à l'indemnisation.

Todos los intérpretes a su disposición
Precisador de atendimento em Português, por favor diga "Português" e um intérprete será chamado em português. Por favor, especifique no telefone.

Albanian interpreters (disponibil)
Se vece Njegun di asistencen e Italian. Vi preghiamo di dire "italian" e un interprete sara messo a vostra disposizione. Vi preghiamo di rimanere in linea.

Das interpreten sind a votre disposition
Langue que vous appelez pour demander de l'aide, précisez le mot "français" et nous mettrons un interprète à votre disposition. Prière de rester en ligne.

Interpreters available:
When calling for assistance, please use the name of your language in English and an interpreter will be called for you. Please say so on the line.