

MAINE LABOR LAW POSTINGS



WORKERS' COMPENSATION

FOR DATES OF INJURY ON AND AFTER JANUARY 1, 2020

WORKERS' COMPENSATION

WORKERS' COMPENSATION BOARD REGIONAL OFFICES

AUGUSTA
442 Civic Center Drive, Suite 225
156 State House Station
Augusta, ME 04333-0156
207-287-2308
1-800-440-6854

LEWISTON
36 Millison Way
Lewiston, ME 04240-5811
207-753-7700
1-800-440-6857

BANGOR
396 Griffin Road, Suite 105
Bangor, ME 04401
207-941-4550
1-800-440-6856

PORTLAND
56 Northport Drive, Suite 201
Portland, ME 04103
207-822-0840
1-800-440-6858

CARIBOU
43 Hatch Drive, Suite 110
Caribou, ME 04736-2347
207-498-6428
1-800-440-6855

Visit our website at:
www.maine.gov/wcb
Statewide TTY: 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 60 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 purposes 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/labormisclass.

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

A l'intention des Employés:

D'après les lois de l'état du Maine, votre employeur est tenu de souscrire à une assurance indemnitaire des victimes victimes d'un accident du travail. Si vous êtes victime d'un accident du travail, PREVEZ VOTRE EMPLOYEUR IMMEDIATEMENT. Passé un délai de 60 jours, vous risquez de perdre vos droits à l'indemnisation. Au-delà de deux ans, votre déclaration n'est plus recevable. Pour aider les victimes d'un accident du travail, le Workers' Compensation Board met des conseillers juridiques à leur disposition.

La loi interdit aux employeurs de classer fallacieusement leurs salariés comme étant des contractants privés au fins d'échapper à l'assurance compensatrice-employé, aux

indemnités de chômage, ou aux autres charges et retenues dues par 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-faule en matière de classification des salariés) : www.maine.gov/labormisclass.

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 compensaciones para el trabajador a todos los trabajadores. El seguro de compensaciones para el trabajador proporciona beneficios a los trabajadores accidentados en el trabajo. En caso de sufrir accidente o daño laboral, NOTIFIQUELO INMEDIATAMENTE ASU EMPLEADOR. Podría perder el derecho a recibir compensación si no le notifica a su empleador dentro de 60 días de haber ocurrido 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 trabajo. Para mayor información acerca de las leyes pertinentes a la contratación de contratistas independientes, visite el Worker Misclassification Task Force en la página web de www.maine.gov/labormisclass.

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, u otros impuestos pagados y retenidos por el empleador, está en contra de la ley del empleador. Para mayor información acerca de las leyes pertinentes a la contratación de contratistas independientes, visite el Worker Misclassification Task Force en la página web de www.maine.gov/labormisclass.

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

UNEMPLOYMENT INSURANCE

Maine Employment Security Law



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.



Rules Governing The Administration of the Employment Security Law states every employer shall post and maintain such notices to its workers.

This poster is available online at no charge and may be copied: <https://www.maine.gov/labor/posters/>

Full- and Part-Time Workers

How to file a claim for unemployment benefits All new and reactivated claims for unemployment benefits are filed either online, telephone or by mail. **Do not delay in filing your claim once you are out of work. Claims cannot be backdated.**

When filing, 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.

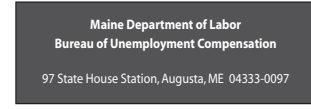
To file online, www.maine.gov/reemplyme This is the fastest, easiest way to file.

To file by phone: 1-800-593-7660
TTY Users Call Maine Relay 711.

All individuals filing for Unemployment Insurance benefits are required by law to be registered with the Maine JobLink. Visit www.maineccareercenter.gov to access Maine JobLink.

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

To claim by mail: In some cases, your employer will give you a claim form. Mail your initial claim form to the Unemployment Claims Center listed below.



The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to people with disabilities upon request.

Me. 1-1 (rev. 11/2019)

REGULATION OF EMPLOYMENT

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 available online at no charge and may be copied: <https://www.maine.gov/labor/posters/>

Time of Payment
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
An employee leaving employment, must be paid in full no later than the employee's next established payday. This may also include the payment of accrued vacation pay and/or Earned Paid Leave.

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

Rest Breaks
Most employees must be offered a 30 consecutive 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 may be entitled to up to 10 weeks of paid or unpaid leave for a qualifying event.

- Birth or adoption of a child or domestic partner's child;
- Serious health condition of the employee or immediate family member, including domestic partner; domestic partner's child, grandchild, domestic partner's grandchild;
- 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 health condition or death of a sibling who shares joint living and financial arrangements with the worker.

(Federal family medical leave is different, call 866-487-9243 for more information.)

Leave for Victims of Violence, Assault, Sexual Assault or Stalking
Must be allowed upon request if an employee for 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
If the employer's policy provides for paid time off, the employee must be allowed to use up to 40 hours in a 12-month period to care for an immediate family member who is ill.

Earned Paid Leave
An employer that employs more than 10 employees in the usual and regular course of business for more than 120 days in any calendar year shall permit each employee to earn paid leave based on the employee's base pay. An employee is entitled to earn one hour of paid leave from a single employer for every 40 hours worked, up to 40 hours in one year of employment. Accrual of leave begins at the start of employment, but the employer is not required to permit use of the leave before the employee has been employed by that employer for 120 days during a one-year period.

Earned Income Tax Credits
Employees may be eligible for federal and state earned income tax credits. Employees may apply for the tax credits on the employee's income tax return.

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 866-487-9243.

For more information, contact:
Maine Department of Labor
Bureau of Labor Standards
45 State House Station
Augusta, Maine 04333-0045
located at: 45 Commerce Drive
Telephone: 207-623-7900 | TTY users call Maine Relay 711.
Website: www.maine.gov/labor/bls | Email: bls.mdo@maine.gov

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.

The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to people with disabilities upon request. rev. 12/23

VDT LAW

Video Display Terminals



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



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 available online at no charge and may be copied: <https://www.maine.gov/labor/posters/>

Video Display Terminals MRSA Title 26 §251.

1. Bureau. "Bureau" means the Department of Labor, Bureau of Labor Standards.
2. Employ. "Employ" means to employ or permit to work.
3. Employee. "Employee" means any person engaged to work on a steady or regular basis as an operator by an employer located or doing business in the State.
4. Employer. "Employer" means any person, partnership, firm, association or corporation, public or private that uses 2 or more terminals at one location.
5. Operator. "Operator" means any employee whose primary task is to operate a terminal for more than four consecutive hours, exclusive of breaks, on a daily basis.
6. Terminal. "Terminal" means any electronic video screen data presentation machine, commonly called video display terminals.

For full text of the statute visit MRSA Title 26 §251, 252.

If you have questions about working safely at the computer, speak to your supervisor or contact the Maine Department of Labor Bureau of Labor Standards
Tel: 1-877-SAFE-345 (1-877-723-3345)
TTY users call Maine Relay 711.
Web site: www.maine.gov/labor/bls
Email: bls.mdo@maine.gov

The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to people with disabilities upon request. rev. 11/19

WHISTLEBLOWERS' PROTECTION

Whistleblower's Protection Act



Protection of Employees Who Report or Refuse to Commit Illegal Acts



Maine Law (Title 26 M.R.S.A. § 839) requires every employer to place this poster in the workplace where workers can easily see it.

This poster is available online at no charge and may be copied: <https://www.maine.gov/labor/posters/>

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:
- | | |
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| U.S. Department of Labor
Wage and Hour Division
P.O. Box 554
Portland, Maine 04112
Tel: 207-780-3344
www.dol.gov | Maine Department of Labor
Bureau of Labor Standards
45 State House Station
Augusta, Maine 04333-0045
Tel: 207-623-7900
TTY users call Maine Relay 711.
Web site: www.maine.gov/labor/bls
Email: bls.mdo@maine.gov |
|--|--|
- U.S. Department of Labor/OSHA
40 Western Avenue
Augusta, Maine 04330
Tel: 207-626-9160
www.osha.gov

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MINIMUM WAGE

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. § 42-B) requires every employer to place this poster in the workplace where workers can easily see it.

This poster is available online at no charge and may be copied: <https://www.maine.gov/labor/posters/>

Minimum Wage is \$14.15 per hour effective January 1, 2024

Minimum Wage
Under Maine Labor laws, any business operating in the state with one employee is automatically covered by state law. This includes all public and private employers regardless of profit or size. Effective January 1, 2024, the minimum wage in Maine is \$14.15 per hour.

Municipal Minimum Wage Ordinances
Employers with employees who work in Bangor and/or Portland or any other municipality that passes a local minimum wage ordinance, may be subject to additional regulations and should check with municipal officials.

Service Employee
A service employee is someone who regularly receives more than \$179 a month in tips. As of January 1, 2024, employers must pay a direct service wage of at least \$7.06 per hour. If the employee's direct wage combined with earned tips do not average, on a weekly basis, the state required minimum wage, the employer must pay the difference.

Overtime
Unless specifically exempted, employees must receive overtime pay for hours worked in excess of 40 in a workweek at a rate not less than time and one-half their regular rate of pay. Employees have the right to allow or deny overtime, but if overtime is worked, it must be paid in accordance with state requirements. Compensatory or "comp" time cannot be used by private-sector employers, although private-sector employers can allow employees to flex their time within the workweek (but not the pay period) if the pay period is longer than a seven day cycle in the workweek).

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
Email: bls.mdo@maine.gov

Exemptions from Overtime
Maine statutes incorporate by reference the salary requirements under the Fair Labor Standards Act (FLSA). The new minimum salary requirement will be \$816.35 per week as of January 1, 2024. Salary is only one factor in determining whether a worker is exempt from overtime under federal or state law. The duties of each worker must be considered as part of this analysis. Failure to adhere to both requirements—meeting the duties test and the weekly salary threshold—are violations of state law and potentially federal law depending on the discrepancies in the laws.

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.

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

The Department of Labor enforces state wage and hour laws. Employers with questions about the law may call 207-623-7900 or may visit the department's webpage.

Minimum Wage Guidance
www.maine.gov/labor/labor_laws/minimum_wage_faq.html
legislature.maine.gov/statutes/26/title26sec664.html

Overtime Guidance
www.maine.gov/labor/labor_laws/overtime.html
legislature.maine.gov/statutes/26/title26sec664.html

*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.

The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to people with disabilities upon request. rev. 12/23

SEXUAL HARASSMENT

THE MAINE HUMAN RIGHTS ACT PROHIBITS SEX DISCRIMINATION

SEXUAL HARASSMENT ON THE JOB IS ILLEGAL

- × UNWELCOMED 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

VETERANS' BENEFITS & SERVICES

Veterans' Benefits & Services



Benefits and Services for Maine Veterans can be accessed through the Department of Defense, Veterans and Emergency Management and the Maine Bureau of Veterans' Services. This poster describes some important benefits and services offered. Free printed posters and requirements may be obtained from the Department of Labor, Bureau of Labor Standards, by calling 207-623-7900 or by visiting the Bureau's website at www.maine.gov/labor/posters/.



Maine Law (Title 26, M.R.S.A. § 42-D) requires every employer with more than 50 full-time equivalent employees to place this poster in the workplace where workers can easily see it.

This poster is available online at no charge and may be copied: www.maine.gov/labor/posters/

The State of Maine provides a wide variety of services for Veterans. This poster provides information for the following benefits and services:

- Educational, Workforce & Training Resources**
 - Maine CareerCenters are located throughout the state and provide educational, training and workforce resources, including veteran-specific referral services through the Maine Military and Community Network and employment support like the Maine Hire-A-Vet Program at www.maineccareercenter.com/mhvw/
 - Each CareerCenter has a dedicated veteran representative on-site. Find out more at www.maineccareercenter.gov and www.maineccareercenter.gov/employment/veterans.htm
 - Entrepreneurship services from the Small Business Administration are also offered. Find out more at www.maine.gov/veterans/benefits/employment/
 - For further educational resources, the Maine Bureau of Veterans' Services has a complete listing of institutions of higher learning in their Maine Veterans' Benefits and Resource Guide at www.maine.gov/veterans/docs/MBVS-Resource-Guide.pdf.
 - The State of Maine has an employment preference to veterans who apply for State positions. In addition, in accordance with Executive Order 2016-002, if a veteran applies for a State job and is not ultimately hired for that job, it is the policy of the Bureau of Human Resources to provide guidance to that veteran on other State of Maine openings for which that veteran may be qualified to apply. See guidance at www.maine.gov/bhr/state-jobs/veterans-preference-in-job-applications
- Eligibility for Unemployment Insurance Benefits**
 - You may be eligible for unemployment insurance if you separated in the last 18 months.
 - If filing in the State of Maine, call 1-800-593-7660 or visit the unemployment website for more information www.maine.gov/unemployment/
- Driver's Licenses & Non-Driver Identification Cards**
 - Veterans may request a military service license designator for their license or ID. Proof of active service or honorable discharge (DD Form 214) is required.
 - For more information about the eligibility requirements for the Military Service Designation, contact the Bureau of Motor Vehicles at 207-624-9000.

For more information, contact:

Veterans & Emergency Management
Website: www.maine.gov/dsem/index.html
Maine Bureau of Veterans' Services
Phone: 207-287-7020 | Website: www.maine.gov/veterans/

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