



# Maine Forest Products Council

*The voice of Maine's forest economy*

## Testimony in Opposition to LD 949

### “An Act to Protect Workers from Employer Surveillance”

April 4, 2023

Patrick Strauch, Executive Director

Senator Tipping, Representative Roeder and members of the Committee on Labor and Housing my name is Patrick Strauch and I am here today to present testimony on behalf of the Maine forest Products Council in opposition to LD 949, “An Act to Protect Workers from Employer Surveillance.”

While we appreciate efforts to protect the rights of employees from egregious uses of technology, the Council is opposed to this legislation because it can be difficult to draw the line under a continuum of situations.

As drafted in LD 949, employer surveillance is defined as “the use of trackers, cameras, task software or other monitoring systems that track the productivity and keystrokes of employees.”

While the Council appreciates the section of the bill that states “An employer may use employer surveillance if it is strictly necessary to ensure employee health and safety or the security of employer data”, safety is only one reason for forest products businesses to utilize surveillance technology. Manufacturers rely exclusively on live cameras to identify issues on a production line. Here are a few examples:

- Sawmill examples:
  - In a sawmill, every step of the process is under view by a control room that ensures that scanners and equipment are flowing and not encountering machine malfunctions that create safety hazards or disrupt the flow of the mill.
  - Because lumber grading is subjective, graders undergo training and follow-up evaluations to better hone their skills and learn from defects identified in materials further down the line.
  - Sawmills have very sophisticated diagnostics that scan logs and trace the yield of each log down to the grade and yield of boards created from the original piece. Sawyers are constantly reviewing yield and productivity measurements to improve analytical skills.
- Logging example:
  - Loggers and foresters utilize GPS navigation to download operational maps into harvesting equipment. Machines are tracked to ensure that environmental protection boundaries remain unbreached and that forest sites have been covered thoroughly.

#### Companies represented on the MFPC Board

A & A Brochu Logging  
American Forest Mgmt.  
Baskahegan Co.  
BBC Land, LLC  
Columbia Forest Prod.  
Cross Insurance  
Family Forestry  
Farm Credit East  
Fontaine Inc.  
H.C. Haynes  
Huber Resources  
INRS  
J.D. Irving  
Katahdin Forest Mgmt.  
Key Bank  
Kennebec Lumber  
LandVest Inc.  
Louisiana Pacific  
Maibec Logging  
ND Paper  
Nicols Brothers  
Pingree Associates  
Prentiss & Carlisle  
ReEnergy  
Richard Wing & Son  
Robbins Lumber  
Sappi North America  
Southern Maine Forestry  
Stead Timberlands  
St. Croix Tissue  
St. Croix Chipping  
TD Bank  
Timber Resource Group  
Timberstate G.  
Wadsworth Woodlands  
Wagner Forest Mgt.  
Weyerhaeuser  
Woodland Pulp

- Trucking examples:
  - GPS systems are used universally in the trucking industry to evaluate driver safety and efficiency.
  - GPS systems also enable greater efficiency in dispatching drivers on route to ensure the greatest loaded mile goals and to reduce fuel consumption.
  - Camera systems are mounted on dash boards to witness traffic conditions and examine accident circumstances.

As you can see, various sectors of our industry rely on different types of surveillance systems to ensure safety, efficiency and to hone valuable skills. In all instances, employees are fully aware of the use of the systems that are in place.

Here are some points we suggest for discussion for the Committee:

- **Need to clarify the intent:** Is this bill is for office workers, remote workers or a broader definition of employees?
- **Employer surveillance limitations:** Workers in manufacturing or operational jobs should be excluded from these provisions.
- **Define the difference** between employee surveillance and production and safety monitoring.

The Maine Forest Products Council is opposed to the current bill and would be glad to answer any questions you may have.

Thank you for your consideration.