

**LD 1794 “An Act to Enhance the Predictability of Mandated Overtime”
President Troy Jackson - Proposed Amendment**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 26 MRSA §603, sub-§6, is enacted to read:

6. Exception for pulp or paper mill workers. Notwithstanding subsection 2, a pulp and paper mill worker may not be disciplined for refusing to work more than 16 consecutive hours.

Sec. 2. 26 MRSA §603-A is enacted to read:

1. **Definition.** As used in this section, unless context otherwise indicates, “pulp or paper manufacturing facility” means a facility in the State that is used primarily to manufacture pulp or paper products.
2. **Applicability.** This section does not apply”

A. To a pulp or paper manufacturing facility that has ~~50 or~~ fewer than 50 employees; or

B. During an emergency in which there is an immediate danger to life or property. An emergency does not include regular equipment maintenance, or other employees not working due to vacation time, holidays, floating holidays, time off for illness or a short-term disability or planned family or medical leave.

3. Mandatory overtime. A pulp or paper manufacturing facility may not require an employee to work more than 28 hours of overtime per day. Mandatory overtime hours may not exceed 16 hours in one continuous shift.

4. Advance notice required. A pulp or paper manufacturing facility shall give notice to an employee that overtime is required no later than 72 days before the date of the overtime. A pulp and paper manufacturing facility shall give notice to an employee that an employee’s work schedule has changed no later than 72 days before the date of the first day with a change in schedule.

5. Prohibitions. A pulp or paper manufacturing facility may not:

A. Take an adverse employment action against an employee who refuses to work mandatory overtime or who refuses to work a changed schedule with less than 72 days’ notice as required in subsection 4, or

B. Require an employee to work on a previously approved vacation day, floating holiday, or holiday. For purposes of this subsection, vacation time is from the last regular scheduled workday shift to the first following scheduled workday shift of the approved vacation.

6. Voluntary overtime. An employee of a pulp or paper manufacturing facility may work overtime in excess of 2 hours per day voluntarily.

7. Collective bargaining. Nothing in this section shall supersede any existing provisions in or shall prevent the parties to a collective bargaining agreement from adopting provisions related tot overtime provided that such provisions are at least equal to or greater than those in this section.

SUMMARY

This amendment replaces the bill. It places restrictions on mandatory overtime and schedule changes for employees of pulp or paper manufacturing facilities