

DRAFT AMENDMENT FROM PRESIDENT JACKSON FOR 3.28.24

COMMITTEE AMENDMENT “ ” to S.P. 719, L.D. 1794, “An Act to Enhance the Predictability of Mandated Overtime for Pulp or Paper Manufacturing Facility Employee”

Amend the bill by striking out the title and substituting the following:

'Resolve, To Establish the Commission on Predictability of Mandated Overtime for Pulp or Paper Manufacturing Facility Employees'

Amend the bill by striking out everything after the title and inserting the following:

'Sec. 1. Commission established. Resolved: That the Commission on Predictability of Mandated Overtime for Pulp or Paper Manufacturing Facility Employees, referred to in this resolve as "the commission," is established.

Sec. 2. Purposes. Resolved: The commission is established to examine the current levels of forced overtime utilization at paper mills in Maine that have more than 50 employees; the impact of the use of forced overtime on workplace and public safety, employee morale, ability to hire and more; to seek public and expert input on solutions; and to make recommendations for solutions, including legislation, to address the increased use of forced overtime and loss of days off that is undermining workplace and public safety, morale and ability to hire.

Sec 3. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of ⁹~~15~~ members as follows:

1. ²Four members of the Senate, appointed by the President of the Senate, including one member of the party holding the largest number of seats in the Legislature and one member of the party holding the 2nd largest number of seats in the Legislature;

2. ²Four members of the House of Representatives, appointed by the Speaker of the House, including one member of the party holding the largest number of seats in the Legislature and one member of the party holding the 2nd largest number of seats in the Legislature;

3. Two members representing the interests pulp or paper manufacturing facility companies, appointed by ~~the Speaker of the House;~~ ^{1 Speaker, 1 president}

4. Two members representing the interests of pulp or paper manufacturing facility employees, appointed by ~~the Senate President;~~ ^{1 Speaker, 1 President}

~~5. One member who is experienced in issues of occupational health, appointed by the Speaker of the House;~~

~~6. One member who is experienced in labor relations issues, appointed by the Senate President; and~~

7. The Director of the Bureau of Labor Standards, Department of Labor or their designee.

Sec. 4. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

Sec. 5. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments

have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

Sec. 5. Duties. Resolved: That the commission shall examine the following:

1. The employment conditions of pulp or paper manufacturing facility employees, including mandated overtime.
2. The amount of overtime hours worked over the period of 2021, 2022, 2023 and the first half of 2024 at ~~paper mills~~ in Maine that have more than 50 employees.
3. The amount of overtime worked that has been voluntary and the amount that has been mandated at paper mills in Maine that have more than 50 employees, broken down by department;
4. The amount of overtime worked that involved employees being "inverted" or forced to come in on holidays, vacation days, ~~or scheduled days off~~;
5. ~~A staffing level report on what level of staffing is required to effectively run operations at paper mills in Maine that have more than 50 employees that considers how many people are expected to be out on vacation, holidays, disability, medical leave and approved days off.~~
6. Current employee policies to ensure workplace and community safety when employees are working 18 or 24 consecutive hours ~~due to forced overtime~~;
7. Current employee policies at paper mills in Maine that have more than 50 employees that limit the amount of ~~mandatory~~ overtime that employees at paper mills can be required to perform; *manufacturing facilities*
8. Current employee policies at ~~paper mills~~ in Maine that have more than 50 employees that allow for employees ~~to communicate whether they want to voluntarily take on overtime hours~~; *Concerning overtime procedures.*
9. ~~Current employee policies at paper mills in Maine that have more than 50 employees that govern how and when employees are notified that they will be mandated to work overtime or that they will be asked to voluntarily accept overtime shifts.~~
10. ~~Recommendations for solutions, including legislation, to address the increased use of forced overtime and loss of days off that is undermining workplace and public safety, morale and ability to hire.~~

The commission may hold up to two public hearings to seek public input on these issues.

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the commission, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 7. Report. Resolved: That, no later than ~~November 6, 2024~~ *December 31, 2024*, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Labor and Housing. The joint standing committee with jurisdiction over labor matters may report out a bill related to the report to the 132nd Legislature in 2025.'

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Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment replaces the bill. This amendment establishes the Commission on Predictability of Mandated Overtime for Pulp or Paper Manufacturing Facility Employees