



DEPARTMENT OF LABOR  
BUREAU OF LABOR STANDARDS  
45 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0045

LAURA A. FORTMAN  
COMMISSIONER

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GOVERNOR

WAGE & HOUR DIVISION

MICHAEL ROLAND  
DIRECTOR

April 27, 2022

Jasper Ieronimo  
Ieronimo Holdings, LLC;  
DBA – Gambino Brothers Pizza;  
PO Box 270  
Van Buren, ME 04785

136 Main Street  
Van Buren, ME 04785

RE: Violations of 26 MRS, Inspection #461101  
Certified Mail: 7015 1520 0001 0962 8935

Dear Jasper Ieronimo,

When the Wage and Hour Division visited your place of business on December 1, 2021 and points thereafter, the following violations of Maine Labor Law were found:

**26 MRS §621-A Timely and Full Payment of Wages** requires that employees be paid in full, on an established day or date, at regular intervals made known to the employee. The intervals may not exceed 16 days and must include all wages earned to within 8 days of the payment date.

In this case, the employer failed to pay employee [REDACTED] for 133 hours worked between 09/26/2021 and 10/29/2021. The established pay dates were on or about 10/08/2021, 10/22/2021, and 11/05/2021. As of the date of this letter, the wages still remain unpaid.

**26 MRS §622 Records** requires that employers keep a true record showing the date and amount paid to each employee. Every employer shall keep a daily record of the time worked by each such employee. Records required to be kept by this section must be accessible to any representative of the department at any reasonable hour.

In this case, the employer failed to provide access to the time records and payroll records in accordance with this statute. Employee [REDACTED] worked 133 hours between 09/26/2021 and 10/29/2021 which encompasses at least three separate pay cycles. The employer should have produced at least 3 separate payroll records and at least 14 separate daily time records.

**26 MRS §629 Unfair Agreements** prohibits an employer from requiring or allowing an employee to work without monetary compensation or from having an agreement with the employee that a part of the employee's compensation be returned to the employer except for the payment of a debt as defined.

In this case, the employer required or allowed [REDACTED] to work 133 hours between 09/26/2021 and 10/29/2021 over three separate pay cycles without monetary compensation.

**26 MRS §626-A PENALTIES** - Whoever violates any of the provisions of sections 621-A to 623 or section 626, 628, 628-A, 629 or 629-B is subject to a forfeiture of not less than \$100 nor more than \$500 for each violation. Each employee is counted as a separate violation, each pay cycle.

- 3 violations of §621-A x \$100 = \$300
- 17 violations of §622 x \$100 = \$1,700
- 3 violations of §629 x \$100 = \$300

**26 MRS §664 Minimum Wage** Except as otherwise provided in this subchapter, an employer may not employ any employee at a rate less than the rates required by this section.

In this case, [REDACTED] states he was hired at \$13.50 per hour. He was not paid for 133 hours worked between 09/26/2021 and 10/29/2021 which encompassed three separate pay cycles. [REDACTED] is owed wages in the amount of \$1,795.50.

**26 MRS §671 PENALTY** any employer who violates this subchapter shall, upon conviction thereof, be punished by a fine of not less than \$50 nor more than \$200. In the event of the violation of any of the provisions of this subchapter, the Attorney General may institute injunction proceedings in the Superior Court to enjoin further violation thereof.

- 3 violations of §664 x \$50 = \$150

**26 MRS §774 (7) Record of work hours of minors.** Every employer shall keep a time book or record for every minor employed in any occupation, except household work or the planting, cultivating or harvesting of field crops or other agricultural employment not in direct contact with hazardous machinery or hazardous substances, stating the number of hours worked by each minor on each day of the week. The time book or record must be open at all reasonable hours to the inspection of the director, a deputy of the director or any authorized agent of the bureau. An employer who fails to keep the time book or record required by this subsection or who makes any false entry to the time book or record, refuses to exhibit the time book or record or makes any false statement to the director, a deputy of the director or any authorized agent of the bureau in reply to any question in carrying out this section is liable for a violation of this section and is subject to penalties specified in section 781.

In this case, the employer failed to provide the authorized agent of the bureau access to the time records on [REDACTED] who worked 133 hours between 09/26/2021 to 10/29/2021. The inspector handed the employer, Jasper Ieronimo, a request for records on

12/01/2021 which stated the records needed to be provided by 12/22/2021 at the latest. The records were never provided.

There are minimum of 14 days that the minor must have worked in order to accumulate 133 hours.

**26 MRS §781 PENALTIES** - An employer who employs, permits or suffers any minor to be employed or to work in violation of this article or Title 20-A, section 5054 is subject to the following forfeiture or civil penalty, payable to the State and recoverable in a civil action:

- A. For the first violation or a violation not subject to an enhanced sanction under paragraph B or C, a forfeiture or penalty of not less than \$250 nor more than \$5,000;
  - B. For a 2nd violation occurring within 3 years of a prior adjudication, a forfeiture or penalty of not less than \$500 nor more than \$5,000; or
  - C. For a 3rd and subsequent violation occurring within 3 years of 2 or more prior adjudications, a penalty of not less than \$2,000 nor more than \$10,000.
- 14 Violations of §774(7) x \$250 = \$3,500.00

**The total penalty for the above violation(s) is \$5,950.00.**

**Make checks payable to the “Treasurer, State of Maine”**

The violations identified above will become a final order within fifteen (15) business days from the day it was received unless you request a penalty discussion or file an appeal (see employer options) within the specified time frame listed above.

**Employer options (within 15 business days):**

If you intend to correct all violations identified and wish to work with the Wage & Hour Division to possibly reduce the penalty amount, you may request a “Penalty Discussion”. This discussion will pertain only to the penalty(s) and not the violation(s). All proposed penalties will be stayed until after the penalty discussion.

Or

You may file a formal appeal of any violation or penalty within fifteen (15) days of receipt of this citation. Please be specific as to what violation(s) or penalty you wish to appeal. If a request for a formal appeal is received, the Director will set a time and date for a “hearing”. The Director will serve as the hearing officer or may assign the appeal to the Administrative Hearings Division within the Department of Labor. The hearing will be at the headquarters of the Bureau or at a place mutually agreeable to the parties. All proposed penalties will be stayed until after the formal appeal is heard.

As the employer, you must respond in writing to the Director of the Bureau, at the address above, within fifteen (15) business days of receipt of this report stating what option you intend to choose. If no response is received within that time frame you accept all citations and any

penalties assessed. The citation will become a final order and payment will be due at that time, made payable to **“Treasurer, State of Maine”** and mailed to the address at the top of this citation.

We strongly recommend that any correspondence be sent by certified mail. Failure to correct violations may result in additional penalties for each violation that is not corrected.

If you have questions regarding this citation, you may contact the Bureau of Labor Standards, Wage & Hour Division at (207) 623-7900.

**Dates to remember:**

Respond in writing, to the Director of the Bureau within fifteen (15) business days of receipt of this citation indicating what option you choose.

Respectfully,



Scott Cotnoir, Director  
Wage and Hour Division  
Inspection # 461101