

Break Time for Nursing Mothers:

Maine's [Nursing mothers in the workplace](#) law requires employers to provide unpaid break time, or permit an employee to use paid break time or meal time each day, to express breast milk for their nursing child for up to 3 years following childbirth. Federal law covers the 1st year only.

Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk. Employers may not discriminate in any way against an employee who chooses to express breast milk in the workplace.

Earned Paid Leave:

In 2021, the most progressive paid leave policy in the country went into effect in Maine. '[An Act Authorizing Earned Employee Leave](#)' guarantees earned time off, for whatever reason, for employees who work for a business with more than 10 employees. Employees accrue 1 hour of Earned **Paid** Leave for every 40 hours worked, up to 40 hours in a defined year.

More information and FAQs: www.maine.gov/labor/labor_laws/earnedpaidleave/

State Family Medical Leave:

[Maine's Family Medical Leave](#) laws apply to an employee that has worked for the same employer for at least 12 consecutive months. The employee would be entitled to up to 10 workweeks of job-protected **unpaid** Family Medical Leave in any two years.

However, employers with fewer than 15 employees employed at a permanent work site are exempt. Employers may provide paid leave at their discretion.

Federal Family Medical Leave Act:

The federal Family and Medical Leave Act (FMLA) entitles eligible employees of covered employers to take **unpaid**, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

Federal law (FMLA) applies to businesses with 50 or more employees and provides up to 12 weeks of job-protected leave.

More information: <https://www.dol.gov/agencies/whd/fmla>

Equal Pay Law:

Are you being paid less than an employee of the opposite sex for performing comparable work?

If so, ask yourself the following questions:

- Does the other employee’s job have comparable requirements relating to skill, effort, and responsibility?
- Does the other employee have similar training, education or experience relating to the jobs performed?
- Does your employer prohibit you from talking about your wages with your coworkers?

If you answer “yes” to any of these questions, you may want to file an Equal Pay Complaint.

The Maine Department of Labor has a printable complaint form which you may access here:

https://www.maine.gov/labor/labor_laws/publications/epcomplaintform.pdf

An employer may not use or inquire about the compensation history of a prospective employee from the prospective employee or a current or former employer of the prospective employee, unless an offer of employment that includes all terms of compensation has been negotiated and made to the prospective employee, after which the employer may inquire about or confirm the prospective employee’s compensation history. The law: <https://legislature.maine.gov/statutes/26/title26sec628-A.html>

Questions? Contact the Maine Department of Labor:

207-623-7900 or mdol@maine.gov