



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

July 20, 2022

Bangor Urban Air, LLC  
Attn: Dennis Dube  
1129 Union Street  
Bangor, ME 04401

RE: Violations of 26 MRS. Inspection #463467  
Certified Mail: 7015 1520 0001 0962 9635

Dear Dennis Dube,

When our Inspector visited your place of business on March 9, 2022 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 49 employees on the established pay date of 03/07/2022. Employees were paid on the following day 03/08/2022.

**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.

49 violations of §621-A

**26 MRS §774 (2) Restricted Hours - Minors Under 16 years of Age** A minor under 16 years of age may not be employed as follows:

- A. More than 40 hours in any given week when school is not in session;
- B. More than 18 hours in any week when school is in session;
- C. More than 8 hours in any day when school is not in session;
- D. More than 3 hours in any day when school is in session;
- E. More than 6 consecutive days; or
- F. Between the hours of 7 p.m. and 7 a.m. except during summer vacation, when that minor may not work between the hours of 9 p.m. and 7 a.m.

In this case, the employer allowed the following minors to work in excess of statutory limitations:

- [REDACTED] worked 3.22 hours on 02/16/2022
- [REDACTED] worked 4.18 hours on 03/01/2022
- [REDACTED] worked 4.00 hours on 03/07/2022

**26 MRS §775 Work Permit** requires that an employer obtain an approved Work Permit before allowing a minor under the age of 16 to perform any work.

In this case, the employer allowed the following minors to work without an approved work permit.

- [REDACTED] Worked on 02/16/2022, 02/19/2022, 02/21/2022, 02/22/2022, and 02/26/2022. Her work permit was not approved until 03/16/2022.
- [REDACTED] Worked on 02/23/2022 and 02/27/2022. Her work permit was not approved until 04/06/2022.
- [REDACTED] Worked on 02/26/2022 and 02/27/2022. Her work permit was not approved until 03/24/2022.

**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.

- 3 violations of §774 (2) x \$250 = \$750.00
- 9 violations of §775 x \$250 = \$2,250.00

**The total penalty for the above violation(s) is \$3,000.00.**

**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 # 463476