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WAGE & HOUR DIVISION

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March 8, 2024

Joyce Lin a.k.a. Zhi Lin  
and  
C&L Asian Restaurant Inc. DBA – Green Tea  
11 Bangor Mall Blvd Unit E  
Bangor, ME 04401

RE: Violations of Title 26 MRS. Inspection #486578

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## Background

C&L Asian Restaurant Inc. – doing business as Green Tea – is a restaurant in Bangor. Joyce Lin, a.k.a. Zhi Lin, and C&L Asian Restaurant (collectively “the employers”) employ approximately 19 people. Some of them work in the “front of house” as servers, cashiers, etc. and others work in the “back of house” as chefs, dishwashers, or sushi chefs, among others.

On January 12, 2024, the Wage and Hour Division (“the Division”) - part of the Bureau of Labor Standards (“the Bureau”) in the Maine Department of Labor – sent a team of inspectors to conduct an audit of the employers’ compliance with Maine employment laws. On the day of the inspection the Division interviewed multiple employees as well as the employers. The Division also requested, and the employers provided, a number of records of employee working hours and pay. The Division has since reviewed these records. Between the site visit, the interviews, and the review of records, the Division has identified a very high number of violations, resulting in a total fine of **\$182,191.05**. This is explained in more detail below.

This citation does not concern wages owed to any employee. The Division continues to analyze whether any unpaid wages are owed and will communicate with the employers in due course regarding this matter.

## Violations

When the Division conducts an audit, it generally checks for compliance with most of the employment laws that it administers. The bulk of these are set out in Chapter 7 of Title 26 of the Maine Revised Statutes.<sup>1</sup> Various statutes within Title 26 provide the Bureau of Labor Standards with broad authority to inspect workplaces, records, and to question employers and workers.<sup>2</sup>

### Timely and Full Payment of Wages

Section 621-A, entitled “Timely and Full Payment of Wages”,<sup>3</sup> (materially) states:

**1. Minimum frequency and full payment.** At regular intervals not to exceed 16 days, every employer must pay in full all wages earned by each employee, except members of the family of the employer and salaried employees. Each payment must include all wages earned to within 8 days of the payment date. Payments that fall on a day when the business is regularly closed must be paid no later than the following business day. An employee who is absent from work at a time fixed for payment must be paid as if the employee was not absent. ...

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<sup>1</sup> Title 26, like the rest of the Maine Revised Statutes, is publicly available: <https://legislature.maine.gov/statutes/26/title26ch0sec0.html>.

<sup>2</sup> For example, 26 M.R.S. §§ 42, 43, 622, and 665, among others.

<sup>3</sup> <https://legislature.maine.gov/statutes/26/title26sec621-A.html>

**2. Regular payment required.** Wages must be paid on an established day or date at regular intervals made known to the employee. The interval may not be increased without written notice to the employee at least 30 days in advance of the increase.

In this case, the employers paid numerous employees on a monthly basis – instead of “at regular intervals not to exceed 16 days”. The employees, pay periods, and number of violations are set out in Table 1 below. As can be seen in Table 1, there are a total of 42 violations of this statute.

**Table 1: Timely Payment of Wages Violations**

<b>Employee</b>	<b>Pay Period</b>	<b>Violations</b>
██████	3 separate occasions between 12/22/2022 and 03/26/2023	3
██████	4 separate occasions between 01/13/2023 and 06/12/2023	4
██████	Period ending 08/12/2023	1
██████	period ending 03/12/2023	1
██████	7 separate occasions between 01/13/2023 and 12/12/2023	7
██████	2 separate occasions between 07/13/2023 and 09/13/2023	2
██████	6 separate occasions between 04/13/2023 and 12/12/2023	4
██████	period ending 12/12/2023	1
██████	period ending 02/12/2023	1
██████	4 separate occasions between 02/08/2023 and 07/15/2023	4
██████	4 separate occasions between 06/13/2023 and 12/12/2023	4
██████	4 separate occasions between 01/13/2023 and 12/12/2023	4
██████	3 separate occasions between 06/21/2023 and 09/05/2023.	3
██████	3 separate occasions between 06/13/2023 and 09/12/2023	3
<b>TOTAL</b>		<b>42</b>

**Records**

Section 622 of Title 26<sup>4</sup> (materially) states:

Every employer shall keep a true record showing the date and amount paid to each employee pursuant to section 621-A. 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. ...

Records statutes, such as Section 622, are a critical element of labor standards because records help employers ensure they have met their legal obligations to pay workers what they are owed, and they provide the Division with a source of evidence when evaluating an employer's compliance with other statutes.

The Division counts each day on which an employer fails to “keep a daily record of the time worked by each such employee” as a separate violation. In this case, the Division identified over 1,300 instances in which the employers did not keep such records. These violations are set out in Table 2, below.

**Table 2: Daily Time Record Violations**

<b>Employee</b>	<b>Date(s)</b>	<b>Number of Violations</b>
██████	11 separate days between 11/30/2023 and 12/12/2023	11
██████	78 separate days between 12/27/2022 and 03/26/2023	78
██████	103 separate days between 01/13/2023 and 06/12/2023	103
██████	42 separate days between 07/11/2023 and 08/27/2023	42
██████	53 separate days between 01/16/2023 and 03/21/2023	53
██████	24 separate days between 02/13/2023 and 03/12/2023	24
██████	173 separate days between 01/13/2023 and 12/12/2023	173
██████	56 separate days between 07/13/2023 and 09/13/2023	56
██████	158 separate days between 04/13/2023 and 12/12/2023	158
██████	25 separate days between 11/13/2023 and 12/12/2023	25
██████	15 separate days between 03/28/2023 and 04/13/2023	15

<sup>4</sup> <https://legislature.maine.gov/statutes/26/title26sec622.html>

██████	91 separate days between 01/13/2023 and 05/28/2023	91
██████	3 separate days between 09/09/2023 and 09/12/2023.	3
██████	102 separate days between 02/08/2023 and 07/15/2023	102
██████	106 separate days between 06/13/2023 and 12/12/2023	106
██████	122 separate days between 01/13/2023 and 12/12/2023	122
██████	66 separate days between 06/21/2023 and 09/05/2023	66
██████	87 separate days between 06/13/2023 and 09/12/2023	87
<b>TOTAL</b>		<b>1,315</b>

Additionally, the Division found 63 instances in which the employers failed to “keep a true record showing the date and amount paid to each employee pursuant to section 621-A.” These are set out in Table 3, below.

**Table 3: Pay Records Violations**

<b>Employee</b>	<b>Date(s)</b>	<b>Number of Violations</b>
██████	1 pay date between 11/30/2023 and 12/12/2023	1
██████	3 separate pay dates between 12/27/2023 and 03/26/2023	3
██████	4 separate pay dates between 01/13/2023 and 06/12/2023	4
██████	3 separate pay dates between 07/11/2023 and 08/12/2023	3
██████	5 separate pay dates between 01/16/2023 and 03/21/2023	5
██████	1 pay date between 02/13/2023 and 03/12/2023	1
██████	7 separate pay dates between 01/13/2023 and 12/12/2023	7
██████	3 separate pay dates between 07/13/2023 and 09/13/2023	3
██████	6 separate pay dates between 04/13/2023 and 12/12/2023	6
██████	1 pay date between 11/13/2023 and 12/12/2023	1

██████	1 pay date between 03/28/2023 and 04/13/2023	1
██████	6 separate pay dates between 01/13/2023 and 05/28/2023	6
██████	1 pay date between 09/09/2023 and 09/12/2023	1
██████	4 separate pay dates between 02/28/2023 and 07/15/2023	4
██████	4 separate pay dates between 06/13/2023 and 12/12/2023	4
██████	6 separate pay dates between 01/13/2023 and 12/12/2023	6
██████	3 separate pay dates between 06/21/2023 and 09/05/2023	3
██████	4 separate pay dates between 06/13/2023 and 09/12/2023	4
<b>TOTAL</b>		<b>63</b>

## Earned Paid Leave

Maine’s Earned Paid Leave law provides for employees to accumulate leave, based on the number of hours they work. They may generally use the leave as they wish; it is paid time off. The law is set out at Section 637 of Title 26 and (materially) states:

**2. Earned paid leave.** An employer that employs more than 10 employees in the usual and regular course of business for more than 120 days in any calendar year shall permit each employee to earn paid leave based on the employee's base pay as provided in this section.

**3. Accrual.** An employee is entitled to earn one hour of paid leave from a single employer for every 40 hours worked, up to 40 hours in one year of employment. Accrual of leave begins at the start of employment, but the employer is not required to permit use of the leave before the employee has been employed by that employer for 120 days during a one-year period.

The Division has further fleshed out employers’ legal obligations, and employees’ legal rights, with regard to earned paid leave, through rulemaking: *Chapter 18: Rules Governing Earned Paid Leave*.<sup>5</sup> The Rules state that “[a]n employer shall not deny an employee the right to use paid leave available for use by that employee in accordance with the conditions of this section”<sup>6</sup> and clarify

<sup>5</sup>

<https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.maine.gov%2Fsos%2Fcec%2Frules%2F12%2F170%2F170c018.docx&wdOrigin=BROWSELINK>

<sup>6</sup> Section V(F).

that “[e]ach denial of paid leave for each affected covered employee in violation of 26 MRS §637 and this Rule is a separate violation.”<sup>7</sup> What’s striking about this case, however, is that – at least prior to 2024 – the employers failed to allow the workers to accumulate earned paid leave at all. The Division is not aware of an instance in which an employee requested the use of earned paid leave and was so denied. Rather, such a request never arose because these employees were not allowed to accumulate leave to begin with. The employers have offered no plausible rationale for effectively ignoring this statute in its entirety.

The Division finds that when an employer does not allow an eligible employee to accumulate earned paid leave, that constitutes a denial of access to the leave required by law and therefore constitutes a violation for each employee for each year in which no accrual was allowed.

**Table 4: Earned Paid Leave Violations**

<b>Year</b>	<b>Number of Employees</b>	<b>Total Violations</b>
2021	21	21
2022	21	21
2023	53	53
<b>2021-2023 (TOTAL)</b>		<b>95</b>

## **Pay Statements**

Subchapter 3 of Chapter 7 of Title 26 of the Maine Revised Statutes, concerning minimum wage and paid overtime, requires employers to keep pay records and provide pay statements to employees. This requirement is set out at Section 665<sup>8</sup> and (materially) states:

Every employer. . .shall keep a true and accurate record of the hours worked by each employee and of the wages paid, such records to be preserved by the employer for a period of at least 3 years, and shall furnish to each employee with each payment of wages a statement that clearly shows the date of the pay period, the hours, total earnings and itemized deductions.

In the present case, the employers routinely failed to provide back of house workers with pay statements. Instead, the employers generally handed these employees cash-stuffed envelopes, once per month. Upon accepting the envelopes, the employers had the employees sign a statement acknowledging payment. However, these employees – who spoke very little English – informed the Division that they did not understand what they were signing. The Division reviewed the paperwork the employees signed. The language included the sentence “By signing below, I acknowledge my paycheck accurately reflects wage and overtime” and referred to provisions on

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<sup>7</sup> Section VI(A).

<sup>8</sup> <https://legislature.maine.gov/statutes/26/title26sec665.html>

rest breaks. Upon questioning, the employers admitted that this language did not actually reflect the employees’ working conditions. Further, the total wages often did not correspond to the hours worked. When the Division questioned the employers on this, the employers suggested the difference between hourly wages paid and hours worked accounted for employer-provided lodging and meals. However, the employers admitted to having made no calculation to account for the actual costs the employers incurred on these items. The numbers were seemingly plucked out of thin air.

Although the employers asserted that the employees were provided with handwritten notes on their cash-filled envelopes, the Division was not able to verify this with the employees, and the employers did not provide the Division with any copies. To the extent the employees were provided with any “pay statements”, they did not comply with Section 665. The net effect of this system was that the back of house employees had no way to understand why their employers were paying them the amount they were nor the reasons for deductions made.

Each instance in which an employer fails to provide a valid pay statement counts as a separate violation. The Division identified 63 such violations in the present case, as set out in Table 5 below.

**Table 5: Pay Statement Violations**

<b>Employee</b>	<b>Date(s)</b>	<b>Number of Violations</b>
██████	1 violation period ending 12/12/2023	1
██████	3 separate pay dates between 12/27/2022 and 03/26/2023	3
██████	4 separate pay dates between 01/13/2023 and 06/12/2023	4
██████	3 separate pay dates between 07/13/2023 and 08/27/2023	3
██████	5 separate pay dates between 01/16/2023 and 03/21/2023	5
██████	1 pay date between 02/13/2023 and 03/12/2023	1
██████	7 separate pay dates between 01/13/2023 and 12/12/2023	7
██████	3 separate pay dates between 07/13/2023 and 09/13/2023	3
██████	6 separate pay dates between 04/13/2023 and 12/12/2023	6
██████	1 pay date between 11/13/2023 and 12/12/2023	1
██████	1 pay date between 03/28/2023 and 04/13/2023	1
██████	6 separate pay dates between 01/13/2023 and 05/28/2023	6
██████	1 pay date between 09/09/2023 and 09/12/2023	1



██████	4 separate pay dates between 02/08/2023 and 07/15/2023	4
██████	4 separate pay dates between 06/13/2023 and 12/12/2023	4
████	6 separate pay dates between 01/13/2023 and 12/12/2023	6
████	3 separate pay dates between 06/21/2023 and 09/05/2023	3
██████	4 separate pay dates between 06/13/2023 and 09/12/2023	4
<b>TOTAL</b>		<b>63</b>

## Minors

Article 3 of Subchapter 4 of Chapter 7 of Title 26 M.R.S. sets out laws around the employment of minors, or what is sometimes referred to as “child labor”. There are two sections with which we are concerned for present purposes: Section 774,<sup>9</sup> concerning hours of employment, and Section 775,<sup>10</sup> concerning work permits. The violations all relate to the same 15-year-old employee. When the Division first asked the employee his age, he answered “16”. However, when the Division asked the employee for his birthday, he provided an answer which indicated he was 15. Two former employees also reported the employee as being 15 years old. When interviewed, the employers asserted (without any supporting evidence) that the minor in question had told them he was 16 years of age. It does not appear that the employers examined or even requested any documentation to verify the minor’s age. The employers were aware that the minor in question was not in school because he was working for them during every school day except Mondays.

## Hours of Employment

Section 774,<sup>11</sup> entitled “Hours of employment”, contains a number of substantive subsections. These include limits on the hours 16 and 17 year-olds may work,<sup>12</sup> limits on the hours minors under 16 may work,<sup>13</sup> a prohibition on employing minors under 17 during school hours,<sup>14</sup> and a record-keeping requirement.<sup>15</sup> Rather than reproducing the statute in its entirety here, we take the relevant subsections in turn.

### *Working Hours for Minor Under Age of 16*

<sup>9</sup> <https://legislature.maine.gov/statutes/26/title26sec774.html>

<sup>10</sup> <https://legislature.maine.gov/statutes/26/title26sec775.html>

<sup>11</sup> <https://legislature.maine.gov/statutes/26/title26sec774.html>

<sup>12</sup> 26 M.R.S. § 774(1).

<sup>13</sup> 26 M.R.S. § 774(2).

<sup>14</sup> 26 M.R.S. § 774(3).

<sup>15</sup> 26 M.R.S. § 774(7).

Subsection 2 states:

**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 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 Division identified violations of every element of Subsection 2 above except E (the restaurant is only open six days per week). These violations are set out in Table 6, below.

**Table 6: Working Hours Violations for Minor Under 16**

<b>Statute Subsection</b>	<b>Hours Worked</b>	<b>Date(s)</b>	<b>Number of Violations</b>
2(A): More than 40 hours in any week when school is not in session	54	12/30/2023*	1
2(B): More than 18 hours in any week when school is in session	45	12/16/2023*	4
	54	12/23/2023*	
	54	01/06/2024*	
	37	01/13/2024*	
2(C): More than 8 hours in any day when school is not in session	9	12 separate days between 12/12/2023 and 01/12/2024	12
2(D): More than 3 hours in any day when school is in session	9	16 separate days between 12/12/2023 and 01/12/2024	16
2(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.	Until 9pm	27 separate days between 12/12/2023 and 01/12/2024	27
<b>TOTAL</b>			<b>60</b>

\*Week ending

***Employment During School Hours***

Section 774(3) states:

**3. Employment during hours school in session.** A minor under 17 years of age may not be employed during the hours that the public schools of the town or city in which the minor resides are in session. ...<sup>16</sup>

In the present case, the minor was employed during the restaurant's hours of operation – late morning until late evening – irrespective of whether the Bangor public schools were in session or not. The 15-year-old in question was a full time employee, not a student. The minor worked on 16 separate days between 12/12/2023 and 01/12/2024 in violation of Section 774(3). **There are therefore 16 violations of this statute.**

### ***Record of Minor's Working Hours***

Section 774(7)<sup>17</sup> (materially) states:

**7. Record of work hours of minors.** Every employer shall keep a time book or record for every minor employed in any occupation...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 employers failed to keep a time book or record of the hours worked by the minor on 28 separate days between 12/12/2023 and 01/12/2024. **There are therefore 28 violations of this statute.**

### **Work Permits**

Minors under the age of 16 are required to have a work permit in order to work. As is material here, this is set out in Section 775(1):<sup>18</sup>

**1. Work permit authority.** A minor under 16 years of age may not be employed without a work permit signed by the superintendent of schools of the school administrative unit in which the minor resides and issued to the minor by the bureau. The superintendent may designate a school official to sign a work permit and that official is directly responsible to the superintendent for this activity.

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<sup>16</sup> The statute contains a number of exemptions, all of which are immaterial here.

<sup>17</sup> <https://legislature.maine.gov/statutes/26/title26sec774.html>

<sup>18</sup> <https://legislature.maine.gov/statutes/26/title26sec775.html>

The minor in the present case did not have a work permit. The minor worked on 28 separate days between 12/12/2023 and 01/12/2024. **There are therefore 28 violations of this statute.**

## Summary of Violations

Table 7, below, sets out the total number of violations the Division has found thus far.

**Table 7: Total Violations**

<b>Statute</b>	<b>Number of Violations</b>
26 M.R.S. § 621-A	42
26 M.R.S. § 622 (daily time records)	1,315
26 M.R.S. § 622 (pay records)	63
26 M.R.S. § 637	95
26 M.R.S. § 665	63
26 M.R.S. § 774(2)	60
26 M.R.S. § 774(3)	16
26 M.R.S. § 774(7)	28
26 M.R.S. § 775(1)	28
<b>TOTAL</b>	<b>1,710</b>

## Penalties

When assessing fines, the Division generally relies on Section 53 of Title 26, which (materially) states:

...[T]he director may assess a forfeiture against any employer, officer, agent or other person who violates any provision of chapter 7, subchapters I to IV for each violation of those subchapters. The forfeiture may not exceed \$1,000 or the amount provided in law or rule as a penalty for the specific violation, whichever is less. ... The director shall adopt rules to govern the administration of the civil money forfeiture provisions. The rules must include a right of appeal by the employer and a range of monetary assessments with consideration given to the size of the employer's business, the good faith of the employer, the gravity of the violation and the history of previous violations. ...

The Rules referred to above are entitled: *Chapter 9: Rules Governing Administrative Civil Money Penalties for Labor Law Violations*.<sup>19</sup> Pursuant to these rules, fines start at the minimum penalty or the lowest amount in the penalty range for a particular violation, and then must be increased for

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<sup>19</sup>The rules which are currently in force, and upon which this citation relies, can be found here: <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.maine.gov%2Fsos%2Fcec%2Frules%2F12%2F170%2F170c009.docx&wdOrigin=BROWSELINK>.

the severity of the violation, when the employer has a history of violations, and if the violations are “willful”. The fines decrease, on the other hand, when the employer demonstrates “good faith” or has 100 or fewer employees.

Employer size is the only relevant criterion to the imposition of fines in this case. The employers in this case have between 1 and 20 employees. This means that, pursuant to Section III(B)(2), the penalty amount in all violations will be reduced by 33.3%. Therefore, to calculate the penalty amount the Division imposes for the violations in this case, the Division starts with the minimum penalty provided by the statute in question and then reduces the amount by 33.3%.

### **Timely and Full Payment of Wages; Records**

The violations for timely and full payment of wages (Section 621-A), for daily time records (Section 622), and for pay records (Section 622), are all subject to the same penalty range. This is set out at Section 626-A, which (materially) states: “Whoever violates any of the provisions of...sections 621-A to 623...is subject to a forfeiture of not less than \$100 nor more than \$500 for each violation.”<sup>20</sup>

As \$100 is the lowest amount in the range, the Chapter 9 Rules require us to use this number as our starting point. The \$100 figure is then multiplied by the 1,420 violations under this category, resulting in an initial fine of \$142,000. The 33.3% reduction is then applied, resulting in a **total penalty amount of \$94,714.00 for the violations in this category.**

### **Earned Paid Leave**

The Earned Paid Leave statute, Section 637, does not provide a penalty range. Instead, it simply states: “Penalties for violations of this section are the same as those provided in section 53.”<sup>21</sup> The only reference to the penalty amount in Section 53, as seen above, states: “The forfeiture may not exceed \$1,000 or the amount provided in law or rule as a penalty for the specific violation, whichever is less[,]” so we use \$1,000 as the starting point. We then multiply the 95 violations by \$1,000, resulting in \$95,000. We then reduce by 33.3% to account for employer size, **resulting in a total penalty amount of \$63,365.00 for the violations in this category.**

### **Pay Statements**

The penalty range for pay statement violations is set out at Section 671<sup>22</sup> and (materially) states: “Any employer who violates this subchapter shall, upon conviction thereof, be punished by a fine of not less than \$50 nor more than \$200.” We therefore start with the minimum figure of \$50 per violation. We then multiply this by the 63 violations in this category, resulting in a penalty amount

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<sup>20</sup> <https://legislature.maine.gov/statutes/26/title26sec626-A.html>

<sup>21</sup> 26 M.R.S. § 637(8).

<sup>22</sup> <https://legislature.maine.gov/statutes/26/title26sec671.html>

of \$3,150. After reducing by 33.3% to account for employer size, **the result is a total penalty amount of \$2,101.05 for the violations in this category.**

## **Minors**

The penalties for the statutes relating to the employment of minors are set out (as is relevant to this case) in Section 781(1):<sup>23</sup>

**1. Strict liability.** An employer who employs, permits or suffers any minor to be employed or to work in violation of this article...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[.]

...

We therefore multiply \$250 by the 132 violations under this article, which results in a penalty amount of \$33,000. We then apply the 33.3% reduction due to employer size, **resulting in a total penalty amount of \$22,011.00 in this category.**

## **Appeals and Settlements**

**The total penalty for the above violation(s) is \$182,191.05. Please make checks payable to “Treasurer, State of Maine” and mail to the address at the top of this letter.**

Pursuant to Section 53 of Title 26, you have the right to appeal this citation. The Bureau’s appeals process is set out in Section IV of the Chapter 9 Rules.

If you choose to file an appeal of any violation or penalty, you must do so within fifteen (15) business days of receipt of this notice. The appeal must be submitted in writing to the Deputy Director of the Bureau, at the address listed above. If you file an appeal, be specific as to which violation(s) or penalties you wish to appeal. If a request for a formal appeal is received timely, a hearing will be scheduled. The Deputy Director will assign the appeal to a qualified hearing officer. The hearing will be at the headquarters of the Bureau or at a place mutually agreeable to the parties. The hearing may be held telephonically or by remote video, at the discretion of the hearing officer. All proposed penalties will be stayed until after the formal appeal is heard.

If no response is received within the designated timeframe, you accept all citations and any penalties assessed. The notice will become a final order and payment will be due at that time.

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.

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<sup>23</sup> <https://legislature.maine.gov/statutes/26/title26sec781.html>

You may approach the Bureau to negotiate a settlement to waive the violations or penalties at any time during this process. However, settlement negotiations will not affect the deadline to appeal.

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

Respectfully,

A handwritten signature in blue ink, appearing to read "J. Moyer-Lee", is positioned above the typed name.

Dr. Jason Moyer-Lee, Director  
Bureau of Labor Standards  
Inspection #486578