

Settlement Agreement between the Maine Department of Labor and
Upta Camp Edible Co., LLC, and Scott Ouellette, Owner
Inspection #476403

This Agreement is entered into by and between the Maine Department of Labor, Bureau of Labor Standards and Upta Camp Edible Co., LLC, and Scott Ouellette (Hereinafter called "EMPLOYERS") to address and resolve violations of Title 26 §591-A, § 622 identified during Inspection #476403.

I. RECITALS

Upta Camp Edible Co., LLC, is a corporation in good standing authorized to do business in Maine. Scott Ouellette is the owner, and he is authorized to bind the corporation and enter into this Settlement Agreement.

II. Acknowledgement and Admission of violations

EMPLOYERS acknowledge and admit to the following 185 violations of Title 26 §622 and §591-A identified on the notice of violation dated June 11, 2024, attached to this agreement.

- §622: 142 violations
- §591-A: 43 violations

III. TERMS of SETTLEMENT

A. Compliance Monitoring

For two (2) years following the execution of this Agreement by the Director, the employers shall provide The Maine Department of Labor, hereinafter called "Agency", access to EMPLOYER'S place(s) of business, records necessary to establish compliance with state and federal wage & hour laws and this Agreement and contact information for employees upon request. EMPLOYERS shall grant AGENCY immediate access to records in the event of an on-site visit and within five (5) calendar days in the event of a telephonic or written request for records under this Paragraph.

B. Employer training (given by agency)

Within sixty (60) days of the Director's execution of this Agreement, EMPLOYERS shall contact the AGENCY'S Chief Labor & Safety Inspector, Bartlett Hutchinson, at 207-623-7951 to schedule training. Within six (6) months of the Director's execution of this Agreement, all of EMPLOYER'S management staff shall attend training hosted by the AGENCY. For purposes of this agreement, management includes each individual who supervises or will supervise any of EMPLOYER'S employees. EMPLOYERS shall count training as hours worked for anyone in management that may attend.

C. Notices to be posted

EMPLOYERS shall post and will keep posted in a place accessible to the employer's employees the most current versions of each of the following required labor posters:

- Child Labor
- Minimum Wage
- Regulation of Employment
- Whistle Blower's Protection Act
- Sexual Harassment
- Paid Family and Medical Leave
- Video Display Terminals (if applicable)

These posters can be downloaded for free at <https://www.maine.gov/labor/posters/index.shtml>

D. COMPROMISE OF PENALTIES

EMPLOYERS agree to make procedural changes to ensure compliance with all of Maine's labor laws. EMPLOYERS acknowledge and admit the violations. EMPLOYERS agree to pay **\$45,000** in penalties on the following schedule:

- \$9,000 no later than March 24, 2025;
- \$3,000 on April 1, 2025, and the first of each following month for twelve (12) months, totaling \$36,000

AGENCY agrees to suspend the remaining **\$21, 833.40** in penalties if EMPLOYER complies with the terms of this Agreement for two years from the date of signing this Agreement.

EMPLOYERS acknowledge and understand that by signing this Agreement, in consideration of the suspension in penalties, EMPLOYERS admit to the above violations and withdraws, with prejudice, the pending administrative appeal of these violations and the resulting penalties. EMPLOYERS acknowledge that this Agreement constitutes final bureau action and waives any right to appeal this action, including an 80C appeal. EMPLOYERS acknowledge and understand that this Agreement is a public document.

In the event of any breach of this Agreement, AGENCY may enforce the terms of this Agreement in State of Maine Superior Court. In the event of such action, EMPLOYERS retain the right to dispute whether this Agreement has been breached but waives any right to contest the underlying violations and resulting penalties.

IV. Technical assistance

Offer of technical assistance

AGENCY invites EMPLOYERS to contact Chief Labor & Safety Inspector, Bartlett Hutchinson, at 207-623-7951 for confidential technical assistance.

Signature(s)



John Rioux, Deputy Director
Bureau of Labor Standards
Maine Department of Labor

Date: 2/11/25



Scott Ouellette, Owner
Upta Camp Edible Co., LLC

Date: 2-3-25

