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2019 EQUAL PAY REPORT

The Honorable Shenna Bellows, Senate Chair
The Honorable Michael Sylvester, House Chair
Members of the Joint Committee on Labor and Housing
129th Maine Legislature
100 State House Station
Augusta, ME 04333-0100

Dear Senator Bellows, Representative Sylvester, and Members of the Joint Committee on Labor and Housing:

I herein present to the Committee the Department of Labor’s annual report on Compliance with the Equal Pay Law (26 MRS §628).

Maine’s Equal Pay Law can be traced back to the 94th Maine Legislature and a bill introduced in 1949 by Senator Haskell of Penobscot County. Her revision of the labor statutes prohibited employers from paying male and female workers different “salary or wage rates” for “equal work.” The statute was revised in 1965 and language pertaining to “equal work” was amended to “comparable work.” The legislation further defined comparable work as “jobs which have comparable requirements relating to skill, effort and responsibility.”

In 2018, the Department received one complaint alleging a violation of the equal pay provision of the law. The Wage & Hour Division investigated the complaint but found no evidence of a violation. The female employee alleged that the employer was paying her a lesser wage than her male coworker for comparable work for jobs which have comparable requirements relating to skill, effort and responsibility. The employer has a total of 230 employees in Maine at numerous locations throughout the State. There were 74 employees in the same job classification as the claimant (57 females and 17 males). At the claimant’s location, there were seven employees (five female and two male). The claimant and two other employees (one female, one male) have the same job classification and all three were paid the same rate of pay. The claimant was notified of the results of the investigation and her right to provide any additional information that may support the allegation. She was also notified of her right to pursue a private right of action.

As a compliance assistance tool, the Department provides an optional poster titled “Maine Equal Pay” that highlights an individual’s rights under the Equal Pay Law. Additional information on this law can be found on the Department’s website to include a self-audit tool kit for employers, an equal pay complaint form for employees, and the Department’s rules relating to equal pay. The link to the information on the Department’s website is provided below.

http://www.maine.gov/labor/labor_laws/wagehour.html

Respectfully,

Scott Cotnoir, Director
Wage & Hour Division