Minimum Wage

Under Maine labor laws, any business operating in the state with one employee is automatically covered by state law. This includes all public and private employers regardless of profit or size. Effective January 1, 2024, the minimum wage in Maine is $14.15 per hour.

Municipal Minimum Wage Ordinances
Employers with employees who work in Bangor and/or Portland or any other municipality that passes a local minimum wage ordinance, may be subject to additional regulations and should check with municipal officials.

Service Employee
A service employee is someone who regularly receives more than $179 a month in tips. As of January 1, 2024, employers must pay a direct service wage of at least $7.08 per hour. If the employee’s direct wage combined with earned tips do not average, on a weekly basis, the state required minimum wage, the employer must pay the difference.

Overtime
Unless specifically exempted, employees must receive overtime pay for hours worked in excess of 40 in a workweek at a rate not less than time and one-half their regular rate of pay. Employers have the right to allow or deny overtime, but if overtime is worked, it must be paid in accordance with state requirements. Compensatory or “comp” time cannot be used by private-sector employers, although private-sector employers can allow employees to flex their time within the workweek (but not the pay period if the pay period is longer than a seven day cycle in the workweek).

Exemptions from Overtime
Maine statutes incorporate by reference the salary requirements under the Fair Labor Standards Act (FLSA). The new minimum salary requirement will be $816.35 per week as of January 1, 2024. Salary is only one factor in determining whether a worker is exempt from overtime under federal or state law. The duties of each worker must be considered as part of this analysis. Failure to adhere to both requirements—meeting the duties test and the weekly salary threshold— are violations of state law and potentially federal law depending on the discrepancies in the laws.

Statements to Employees
Every employer shall give to each employee with the payment of wages a statement clearly showing the date of the pay period, hours worked, total earnings and itemized deductions.

Recordkeeping
Employers shall keep, for three years, accurate records of hours worked and wages paid to all employees.

The Department of Labor enforces state wage and hour laws. Employers with questions about the law may call 207-623-7900 or may visit the department’s webpage.

Minimum Wage Guidance
www.maine.gov/labor/labor_laws/minimum_wage_faq.html
legislature.maine.gov/statutes/26/title26sec664.html

Overtime Guidance
www.maine.gov/labor/labor_laws/overtime.html
legislature.maine.gov/statutes/26/title26sec664.html

*Note: Maine employers may also be covered under the federal Fair Labor Standards Act. For more information, contact the U.S. Department of Labor Wage and Hour Office at 603-666-7716.

For more information, contact:
Maine Department of Labor
Bureau of Labor Standards
45 State House Station
Augusta, Maine 04333-0045
Telephone: 207-623-7900
TTY users call Maine Relay 711.
Web site: www.maine.gov/labor/bls
Email: bls.mdol@maine.gov

The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to people with disabilities upon request.
It is illegal for your boss to fire you, threaten you, retaliate against you or treat you differently because:

1. You reported a violation of the law;
2. You are a healthcare worker and you reported a medical error;
3. You reported something that risks someone’s health or safety;
4. You have refused to do something that will endanger your life or someone else’s life and you have asked your employer to correct it; or
5. You have been involved in an investigation or hearing held by the government.

You are protected by this law ONLY if:

1. You tell your boss about the problem and allow a reasonable time for it to be corrected; or
2. You have good reason to believe that your boss will not correct the problem.

To report a violation, unsafe condition or practice or an illegal act in your workplace, contact:
(This information should be filled in by the employer)

For more information or to file a complaint under this law, contact:

The Maine Human Rights Commission
51 State House Station
Augusta, Maine 04333
Tel: 207-624-6290
TTY users call Maine Relay 711
www.Maine.gov/mhrc

The following agencies may provide useful information on workplace safety and labor laws:

U.S. Department of Labor
Wage and Hour Division
P.O. Box 554
Portland, Maine 04112
Tel: 207-780-3344
www.dol.gov

U.S. Department of Labor/OSHA
40 Western Avenue
Augusta, Maine 04330
Tel: 207-626-9160
www.osha.gov

Maine Department of Labor
Bureau of Labor Standards
45 State House Station
Augusta, Maine 04333-0045
Tel: 207-623-7900
TTY users call Maine Relay 711.
Web site: www.maine.gov/labor/bls
Email: bls.mdol@maine.gov

The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to people with disabilities upon request.
Notice to Employees:
State law requires your employer to provide workers’ compensation insurance for its employees. Workers’ compensation insurance provides benefits to employees who are injured at work.

If you are injured at work, NOTIFY YOUR EMPLOYER AT ONCE. You may lose your right to receive benefits unless your employer is notified within 60 days of your injury. Your claim is also subject to a two year statute of limitations. Worker advocates are available at the Workers’ Compensation Board to help injured workers.

It is against the law for employers to misclassify employees as independent contractors for the purposes of avoiding workers’ compensation insurance, unemployment coverage, or other employer paid taxes and withholdings. For more information on laws pertaining to the hiring of independent contractors, visit the Worker Misclassification Task Force website at www.maine.gov/labor/misclass.

If you have any questions about your rights, please contact one of the regional offices.

A l’intention des Employés:
D’après les lois de l’État du Maine, votre employeur est tenu de souscrire à une assurance indemnisant ses employés victimes d’un accident du travail.

Si vous êtes victime d’un accident du travail, PREVENEZ VOTRE EMPLOYEUR IMMÉDIATEMENT. Passé un délai de 60 jours, vous risquez de perdre vos droits à l’indemnisation. Au-delà de deux ans, votre déclaration n’est plus recevable. Pour aider à limiter les dommages d’un accident du travail, le Workers’ Compensation Board met des conseillers juridiques à disposition.

La loi interdit aux employeurs de classifier fallacieusement leurs salariés comme ayant été des contractants privés afin d’échapper à l’assurance compensatrice-employé, aux indemnités de chômage, ou aux autres charges et retenues dus par l’employeur. Pour plus de détails sur la législation relative à l’utilisation des services privés, visitez le site internet du Worker Misclassification Task Force (Unité anti-fraude en matière de classification des salariés) : www.maine.gov/labor/misclass.

Si vous n’êtes pas sûr de vos droits, veuillez contacter l’un des bureaux régionaux.
How are you protected?

- By law, an employer must provide a safe and healthful workplace for employees.
- Periodically, safety and health inspectors from the Maine Department of Labor will show up at your workplace to make sure your employer is following Safety and Health Regulations.
- You have a right to report work-related injuries and illnesses.
- If you think your workplace is unsafe, you or your representative can contact the Maine Department of Labor and request an inspection. You can request that your name be kept confidential.
- Employers, employees and employee representatives may go with the inspector on the inspection of your job site.
- Your employer may be cited and penalized if unsafe or unhealthful conditions are found during an inspection. Citations must be posted at or near the place of the alleged violation.
- Your employer must correct unsafe and unhealthful conditions found during an inspection.
- Employers that repeat safety and health violations or that violate the law on purpose may face fines, civil charges, or criminal charges.
- You cannot be fired or discriminated against for filing a safety and health complaint or reporting a work-related injury or illness. You can file a complaint with the Director of the Bureau of Labor Standards within 30 days of such an alleged violation.

Under a plan approved August 5, 2015, by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the State of Maine is providing job safety and health protection for workers in the public sector throughout the State.

OSHA will monitor the operation of this plan to assure that continued approval is merited. Any person may make a complaint regarding the State administration of this plan directly to the Regional Office of OSHA, JFK Federal Building, Room E-340, Boston, Massachusetts 02203.


For after-hours fatality/catastrophe reporting: 207-592-4501 or email accident.bls@maine.gov.

Who can you contact to ask for an inspection or for safety and health information?

Maine Department of Labor
Bureau of Labor Standards
45 State House Station
Augusta, ME 04333-0045
207-623-7900
TTY users call Maine Relay 711.
Email: mdol@maine.gov
Web site: www.maine.gov/labor/bls
Child Labor Laws

Child Labor Laws of the State of Maine provide protection for people under the age of 18 in both agricultural and nonagricultural jobs. The Maine Department of Labor administers the laws, which all employers must follow. Department representatives inspect workplaces to ensure compliance. Citations and penalties may be issued to employers who do not comply.

This poster describes some important parts of the laws. A copy of the actual laws and formal interpretations may be obtained from the Department of Labor, Bureau of Labor Standards, by calling (207) 623-7900. (The laws are also on the Bureau website.)

This poster is available online at no charge and may be copied: https://www.maine.gov/labor/posters/

14 and 15 year olds may work in most businesses, except in occupations declared hazardous and jeopardize their health, well-being or educational opportunities. 16 and 17 year olds may work in most businesses, however not in hazardous jobs. These provisions also provide limited exemptions. Contact the Bureau of Labor Standards for details.

Work Permits

• All minors under 16 years of age need work permits in order to work.
• Superintendent of schools certify academic standing.
• Minor allowed only one permit during the school year but two during summer vacation.
• Minor cannot work until permit is approved by Bureau of Labor Standards.
• Employer keeps Bureau-approved permit on file.

Recordkeeping

All employers must keep accurate payroll records for workers under 18. Records must show what time the minor began work, total hours worked, and what time the minor finished work each day.

Note: Maine employers may also be covered under the Federal Fair Labor Standards Act. For more information, contact the U.S. Department of Labor Wage and Hour Office at 603-666-7716 or http://youth.dol.gov/.

For more information, contact:
Maine Department of Labor
Bureau of Labor Standards
45 State House Station
Augusta, Maine 04333-0045
Tel: 207-623-7900 or 207-623-7930
TTY users call Maine Relay 711
Website: www.maine.gov/labor/bls
Email: bls.mdol@maine.gov

Work Hours 14 and 15 year olds

• No more than six days in a row.
• Cannot work before 7 a.m.
• Not after 7 p.m. during school year.
• Cannot work after 9 p.m. during summer vacation.

When School Is Not in Session

• No more than 8 hours in any one day (weekend, holiday, vacation or workshop).
• Not more than 40 hours in a week (school must be out entire week).

When School Is in Session

• No more than 6 hours on a school day, including Friday.
• Not more than 18 hours in a week that school is in session one or more days.

Work Hours 16 and 17 year olds (enrolled in school)

• No more than 6 days in a row.
• Cannot work before 7 a.m. on a school day.
• Cannot work before 5 a.m. on a non-school day.
• Cannot work after 10:15 p.m. the night before a school day.
• Can work up to midnight when there is no school the next day.

When School Is Not in Session

• No more than 10 hours in any one day (weekend, holiday, vacation, or workshop).
• No more than 50 hours in a week.

When School Is in Session

• No more than 6 hours on a school day.
• No more than 10 hours on any holiday, vacation, or workshop day.
• On last day of school week, may work up to 8 hours.
• No more than 24 hours in a week, except may work 50 hours any week that approved school calendar is less than three days or during the first and last week of school calendar.

Maine Law (Title 26, M.R.S.A. § 42-B) requires every employer to place this poster in the workplace where workers can easily see it.
At-Will Employment — Under Maine law, an at-will employee may be terminated for any reason not specifically prohibited by law. In most instances, you are an at-will employee unless you are covered by a collective bargaining agreement or other contract that limits termination. If you have questions about at-will employment, contact your human resources department or the Bureau of Labor Standards.
THE MAINE HUMAN RIGHTS ACT PROHIBITS SEX DISCRIMINATION

SEXUAL HARASSMENT ON THE JOB IS ILLEGAL

☒ UNWELCOME SEXUAL ADVANCES
☒ SUGGESTIVE OR LEWD REMARKS
☒ UNWANTED HUGS, TOUCHES, KISSES
☒ REQUESTS FOR SEXUAL FAVORS
☒ RETALIATION FOR COMPLAINING ABOUT SEXUAL HARASSMENT

IF YOU FEEL YOU HAVE BEEN DISCRIMINATED AGAINST, CONTACT:

MAINE HUMAN RIGHTS COMMISSION
51 STATE HOUSE STATION, AUGUSTA, MAINE 04333-0051
PHONE (207) 624-6290 FAX (207) 624-8729 TTY: MAINE RELAY 711
www.maine.gov/mhrc

OR CONTACT YOUR PERSONNEL DEPARTMENT: __________________________

DEPARTMENT / AGENCY CONTACT

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Maine Equal Pay Law

(Maine Law requires that employees be paid the same wages as employees of the opposite sex for work that is of a comparable nature in skill, effort and responsibility.

This poster is provided at no cost by the Maine Department of Labor and may be copied.

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

If so, ask yourself the following questions.

1. Does the other employee’s job have comparable requirements relating to skill, effort, and responsibility?
2. Does the other employee have similar training, education or experience relating to the jobs performed?
3. 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 online at: https://www.maine.gov/labor/labor_laws/publications/epcomplaintform.pdf

Scan here for complaint form.

You may contact us to request that an Equal Pay Complaint Form be sent to you by mail or email.

For more information, contact:
Maine Department of Labor
Bureau of Labor Standards
45 State House Station
Augusta, Maine 04333-0045
Telephone: 207-623-7900 or 207-623-7930
TTY users call Maine Relay 711
email: mdol@maine.gov | www.maine.gov/labor/bls

The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to individuals with disabilities upon request.

rev. 02/22
Full- and Part-Time Workers

How to file a claim for unemployment benefits
All new and reactivated claims for unemployment benefits are filed either online, telephone or by mail. **Do not delay in filing your claim once you are out of work. Claims cannot be backdated.**

When filing, you will need to know your Social Security Number. Also, you should have the names and addresses of all employers for whom you worked, and your dates of employment in the last 18 months.

**To file online:** [www.maine.gov/reemployme](http://www.maine.gov/reemployme)
This is the fastest, easiest way to file.

**To file by phone:** 1-800-593-7660
TTY Users Call Maine Relay 711.

Weekly eligibility requirements
**Earnings during the base period:** The “base period” is a one-year period that includes four calendar quarters. To establish a claim, an individual must have earned two times the annual average weekly wage in Maine in each of two different calendar quarters, and a total of six times the annual, average, weekly wage in Maine in the whole base period. In most cases, the Department of Labor has your wage information on file. If it is not on file, the Department will take steps to obtain it.

**Separation:** If you were laid off from your last job due to a lack of work, no additional investigation is required. If you separated from your last job for reasons other than lack of work, you will be scheduled for a fact-finding interview. A determination will then be made regarding your eligibility for benefits.

**Weekly requirements:** Weekly eligibility requirements include being able to work and being available for work, making an active search for work (unless your work search has been “waived”), not refusing offers of suitable work or referral to suitable job opportunities from the CareerCenters.

**Aliens:** If you are not a U.S. Citizen, your Social Security Number and/or your Alien Permit number will be checked with the United States Citizenship and Immigration Services.

**Unemployment benefits are taxable:** Unemployment benefits are taxable and have to be reported when you file your income tax forms.

**Child support:** If you owe child support that you pay to the Department of Health and Human Services (DHHS), up to fifty percent (50%) of your unemployment check may be withheld and sent to DHHS.

**Benefits for partial unemployment:** An employer shall issue a properly completed partial unemployment claim form to each employee who is customarily employed full-time and who is given less than full-time hours during a week due to lack of work, and who is not separated from that employer.
Maine Labor Laws on Domestic Violence, Sexual Assault, and Stalking

Maine laws protect victims of domestic violence, sexual assault, and stalking in employment.

This poster describes some important parts of the laws. A copy of the actual laws or formal interpretations may be obtained from the Maine Department of Labor by calling (207) 623-7900.

This poster may be copied.

How You Are Protected

Leave for Victims of Domestic Violence, Sexual Assault, or Stalking:

✓ You may take reasonable and necessary leave from employment if you, your child, spouse, or parent is a victim of domestic abuse, sexual assault, or stalking. Title 26, § 850.

✓ Notice of violation(s) must be reported within six months of the occurrence. If you are denied leave, a fine of up to $1,000 for each violation may be assessed against the employer. Additionally, the employer is liable for liquidated damages in an amount equal to three times the amount of total assessed fines. If you are terminated, you may elect either the liquidated damages or reemployment with the employer with back wages.

Unemployment Benefit Eligibility:

✓ If you voluntarily leave work, you may not be disqualified from receiving benefits if your leaving was necessary to protect yourself from domestic abuse, and you made all reasonable efforts to keep your job. Title 26, §1193, §§1(A)4

✓ You may not be disqualified from receiving benefits because of misconduct if your actions were based solely on the need to protect yourself or an immediate family member from domestic violence, and you made all reasonable efforts to keep your job. Title 26, §1043, §§23(B)3

Who You Can Contact for Help

Domestic Violence Hotlines by County:

Androscoggin: 1-800-559-2927
Aroostook: 1-800-439-2323
Cumberland: 1-800-537-6066
Franklin: 1-800-559-2927
Hancock: 1-800-315-5579
Kennebec: 1-877-890-7788
Knox: 1-800-522-3304
Lincoln: 1-800-522-3304
Oxford: 1-800-559-2927
Penobscot: 1-800-863-9909
Piscataquis: 1-888-564-8165
Sagadahoc: 1-800-522-3304
Somerset: 1-877-890-7788
Waldo: 1-800-522-3304
Washington: 1-800-315-5579
York: 1-800-239-7298

Other Resources:

National Domestic Violence Hotline: 1-800-799-7233
TTY: 1-800-787-3224 • www.thehotline.org

Maine Coalition to End Domestic Violence  1-866-834-4357
www.MCEDV.org

Statewide Sexual Assault Crisis Line 1-800-871-7741
TTY 1-888-458-5599

Maine Department of Labor 207-623-7900
TTY users call Maine Relay 711

Maine Coalition to End Domestic Violence 207-430-8334

Aroostook Band of Micmac 207-764-1972
or 1-800-355-1435

Maliseet Advocacy Center 207-532-6401

Passamaquoddy Peaceful Relations 1-877-853-2613

Penobscot Nation Advocacy Center 207-631-4886

United Somali Women of Maine 207-753-0061

09/15