Workers' Compensation

FOR DATES OF INJURY ON AND AFTER JANUARY 1, 2020



WORKERS⁷ COMPENSATION

COMPENSATION **BOARD REGIONAL OFFICES**

Augusta, ME 04333-0156 207-287-2308

BANGOR Bangor, ME 04401 207-941-4550 1-800-400-6856

PORTLAND 1037 Forest Avenue, Suite 11 Portland, ME 04103

CARIBOU

vww.maine.gov/wcl Statewide TTY: 711

面訳サービスをご利用いただけます

workers.

It is against the law for employers to misclassify employees as independent contractors
for the purposes of avoiding workers' compenation insurance, unemployment coverage, or
other employer paid taxes and withholdings.
For more information on laws pertaining to the
timing of independent contractors, visit the
Worker Misclassification Task Force website at
www.main.cov/liba/crimisclass.

اقراد مترجم در دسترس مي باشند. را که بدان صحبت مي کنيد به دگليسي ذکر کنيد تا راجع به امري به ما تلفن مي کنيد، نطقا نام زباتي قطع نکنيد. هنگاميکه براي درخواست کمک يا شما تماس گرفته شود. لطقا روي خط منتظر بماتيد.

s or activities. Maine Workers' Compensation Board, ADA Coordinator, telephone: (888) 801-9087 or TTY: 711.

Sexual Harassment

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

MAINE HUMAN KIGHTS 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 DEPARMENT:__ DEPARTMENT / AGENCY CONTACT

Maine Employment Security Law

Unemployment Insurance

LABOR

This poster is designed to notify individuals of their rights regarding the filing of claims for unemployment benefits. It does not have the force or effect of law. For more



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

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 addre of all employers for whom you worked, and your dates of employment in the last 18 months.

To file online: www.maine.gov/reemployme
This is the fastest, easiest way to file.

To file by phone: 1-800-593-7660

All individuals filing for Unemployment Insurance benefits are required by law to be registered with the Maine JobLink. Visit www.mainecareercenter.gov to access Maine JobLink.

TTY Users Call Maine Relay 711.

We provide language interpreter services in approximately 140 commonly spoken languages. Arrangements will be made to have an interpreter assist you when you call the Unemployment Claims Center.

To claim by mail: In some cases, your employer will the Unemployment Claims Center listed below.

Basic 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

Separation: If you were laid off from your last job due to a separated from your last job for reasons other than 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

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

Number and/or your Alien Permit number will be checked with the United States Citizenship and Immigration

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 the control of t

Regulation of Employment

Regulation of Employment



prior to the change.

Payment of Wages

Organ donation:

Labor Laws of the State of Maine provide protection for people who work in Maine. 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 or 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's web site.)

me of Payment mployees must be paid in full at least every 16 days. Employees ust be notified of any decrease in wages or salary at least one day

Employees who leave a job must be paid in full on the next payday or within two weeks, whichever is earlier. This may also include the payment of accrued vacation pay and/or Earned Paid Leave if established in company policy or in practice.

broken merchandise, bad checks, or bills not paid by customers, nor for special uniforms and certain tools of the trade.

N. rising mothers must be provided with unpaid break time or be permitted to use their paid break or meal time to express milk. The employer must make reasonable efforts to provide a clean room or location, other than a bathroom, where the milk can be expressed.

Family Medical Leave An employee who has worked for the last 12 months at a workplace with 15 or more employees can have leave for up to 10 paid or unpaid weeks in 2 years for:

domestic partner, parent or child if it occurs while the spouse, domestic partner, parent or child if it occurs while the spouse, domestic partner, parent or child is on active duty; Serious health condition or death of a sibling who shares joint

· Birth or adoption of a child or domestic partner's child; Serious health condition of the employee or immediate family member, including domestic partner; domestic partner's child, grandchild, domestic partner's grandchild;

Death or serious health condition of the emplo

living and financial arrangements with the worker

(Federal family medical leave is different, call 866-487-9243 for more

M.R.S.A. § 42-B) require

/laine Law (Title 26

This poster is available online at no charge and may be copied: https://www.maine.gov/labor/posters, Leave for Victims of Violence, Assault, Sexual Assault or Stalking Must be allowed upon request if an employee (or a child, parent or spouse of an employee) is a victim of violence, assault, sexual assault or stalking or any act that would support an order for protection under Title 19-A M.K.S.A., c. 101 and the employee needs the time to

- Prepare for and attend court proceedings; or Receive medical treatment; or
- Obtain necessary services to remedy crisis.

Leave to Care for Family
If the employer's policy provides for paid time off, the employee must
be allowed to use up to 40 hours in a 12-month period to care for an
immediate family member who is ill.

immediate family member who is ill.

Earned Paid Leave (Effective 0.10.1.2021)

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 shap and the propose is employee is on the description of the propose of the propo

Fair Labor Standards Act. For more information, contact the U.S. Department of Labor Wage and Hour Office at 866-487-9243. For more information, contact:

Telephone: 207-623-7900 | TTY users call Maine Relay 711.

.maine.gov/labor/bls | Email: bls.mdol@maine.gov

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.

VDT Law



The Maine Video Display Terminal (VDT) Law gives **LABOR** certain rights to people who use computers for work.



Video Display Terminals MRSA Title 26 §251. Bureau. "Bureau" means the Department of Labor,

- Bureau of Labor Standards. Employ. "Employ" means to employ or permit to
- Employee. "Employee" means any person engaged to work on a steady or regular basis as an operator by an employer located or doing business in the
- Employer. "Employer" means any person, partnership, firm, association or corporation, public or private that uses 2 or more terminals at one
- Onerator. "Operator" means any employee whose primary task is to operate a terminal for more than four consecutive hours, exclusive of breaks, on a daily
- screen data presentation machine, commonly called For full text of the statute visit MRSA Title 26 §251, 252.

6. Terminal. "Terminal" means any electronic video

video display terminals.

If you have questions about working safely at the computer speak to your supervisor or contact the Maine Department of Labor Tel: 1-877-SAFE-345 (1-877-723-3345) eb site: www.maine.gov/labor/bls Email: bls.mdol@maine.gov

Education and training MRSA Title §252

program for all operators as provided in this section. 1. Requirements. An employer's education and

training program must be provided both orally and in writing, except that an employer that uses fewer than 5 terminals at one location may provide the education and training program in writing only The program must include, at a minimum:

- A. Notification of the rights and duties created under this subchapter by posting in a prominent location in the workplace a copy of this subchapter.
- B. An explanation or description of the proper that the operator may take to avoid or minimize symptoms or conditions that may result from extended or improper use

C. Instruction related to the importance of

maintaining proper posture during termina

peration and a description of methods to

- achieve and maintain this posture, including the use of any adjustable work station equipment used by the operator. recommend to employers, for use in education and training programs, occupational safety literature that
- 3. Training schedule. Employers shall provide operators with this education and training program within 30 days of employment and annually

MAINE

LABOR

provides appropriate, current and pertinent data or

Minimum Wage

Minimum Wage Labor Laws of the State of Maine provide protection for



people who work in Maine. 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



ne Law (Title 26 M.R.S.A. § 42-B) requ every employer to place this poster in the workplace wher

Minimum Wage is \$12.75 per hour effective January 1, 2022

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 employ regardless of profit or size. Effective January 1. 2022 the

minimum wage in Maine is \$12.75 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

Service Employee
A service employee is someone who regularly receives more than \$100 a month in tips. As of January 1, 2022, employers must pay a direct wage of at least \$6.38 per hour to service employees. 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.

Over time 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 rates 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

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. Veb site: www.maine.gov/labor/bl Email: bls.mdol@maine.gov **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 \$735.59 per week as of January 1, 2022. 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—will result in violations of be federal or state law or of one jurisdiction or the other 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

laws. Employers with questions about the law may call 207-623-7900 or may visit the department's webpage. www.maine.gov/labor/labor_laws/minimum_wage_faq.htm 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.

Whistleblowers' Protection



Who Report or Refuse to

Commit Illegal Acts obtained from the Department of Labor, Bureau of Labor Standards by calling 207-623-7900. (The laws are also on the



Maine Law (Title 26 M.R.S.A. § 839) requires every employer to place this poster in the workplace where workers can easily see it.

Bureau's web site.)

4. You have refused to do something that will endanger your life or someone else's life and you have asked your

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

2. You are a healthcare worker and you reported a medical error; 3. You reported something that risks someone's health or safety;

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.

(Name)

(Title)

The Maine Human Rights Commission 51 State House Station Augusta, Maine 04333

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

(Location or Phone)

www.Maine.gov/mhrc The following agencies may provide useful information on workplace safety and labor laws:

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

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

45 State House Station Augusta, Maine 04333-0045 Tel: 207-623-7900 TTY users call Maine Relay 711.

Maine Department of Labor

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. Departi 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 websit



Maine Law (Title 26, M.R.S.A. § 42-B) requires every employer to place this poster in the workplace where

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.

All minors under 16 years of age need work permits in

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 app

by Bureau of Labor Standards.

Employer keeps Bureau-approved permit on file

Work Permits

order to work.

Recordkeeping All employers must keep accurate payroll records for workers total hours worked, and what time the minor finished work each

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

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 3 hours on a school day, including Friday. Not more than 18 hours in a week that school is in

Cannot work before 5 a.m. on a non-school day. Cannot work after 10:15 p.m. the night before a school

next day.

holiday, vacation, or workshop). No more than 50 hours in a week

When School Is in Session

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

PAYCHEX

information, call 1-800-593-7660 toll free

wage information on file. If it is not on file, the Department will take steps to obtain it.

Aliens: If you are not a U.S. Citizen, your Social Security

Auxiliary aids and services are available to people with disabilities upon request.

Me. I-1 (rev. 11/2019

aine Law (Title 26

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

Child Labor Laws

Child Labor

workers can easily see it.

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

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.

Can work up to midnight when there is no school the

When School Is Not in Session No more than 10 hours in any one day (weekend,

No more than 6 hours on a school day. No more than 10 hours on any holiday, vacation, or

less than three days or during the first and last week of school calendar.

EMPLOYER NOTE: Must be posted in a conspicuous place for convenient viewing by all employees and applicants

WORKERS' **Notice to Employees:**

LEWISTON Lewiston, ME 04240-5811 207-753-7700 1-800-400-6857

43 Hatch Drive, Suite 110 Caribou, ME 04736-2347 207-498-6428 1-800-400-6855 Visit our website at:

打電站請求幫助時,請用英語說"被音呢斯" (CHINESE)— 我們將為您提供口譯人員。請不 要接斷電話。

Aviso a los Trabajadores:

eficios a los trabai



Whistleblower's Protection Act **Protection of Employees**

This poster describes some important parts of the law. A copy of the actual law or formal interpretations may be

It is illegal for your boss to fire you, threaten you, retaliate against you or treat you differently because: You reported a violation of the law:

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)

> Tel: 207-624-6290 TTY users call Maine Relay 711

> > Web site: www.maine.gov/labor/bls Fmail: bls.mdol@maine.gov

Video Display Terminals