Your Employee Rights Under the Family and Medical Leave Act

What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

Am I eligible to take FMLA leave?

You are an **eligible employee** if **all** of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if **one** of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

How do I request FMLA leave?

Generally, **to request FMLA leave you must**:

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

What does my employer need to do?

If you are eligible for FMLA leave, your **employer must**:

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your **employer must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, your **employer must notify you in writing**:

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more information?

Call **1-866-487-9243** or visit **dol.gov/fmla** to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**

SCAN ME

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

Ref.: 29 CFR §825.300

WH1420 REV 04/23

EMPLOYEE RIGHTS

UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE
$7.25 PER HOUR
BEGINNING JULY 24, 2009

The law requires employers to display this poster where employees can readily see it.

OVERTIME PAY At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

TIP CREDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least $2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least $2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

PUMP AT WORK The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

ENFORCEMENT The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at work requirements.
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some state laws provide greater employee protections; employers must comply with both.
- Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR
1-866-487-9243
www.dol.gov/agencies/whd

Ref.: 29 CFR §516.4 WH1088 REV 03/23

FOR DATES OF INJURY ON AND AFTER JANUARY 1, 2020

WORKERS' COMPENSATION

WORKERS' COMPENSATION BOARD REGIONAL OFFICES

AUGUSTA
442 Civic Center Drive, Suite 225
156 State House Station
Augusta, ME 04333-0156
207-287-2308 • 1-800-400-6854

LEWISTON
36 Mollison Way
Lewiston, ME 04240-5811
207-753-7700 • 1-800-400-6857

BANGOR
396 Griffin Road, Suite 105
Bangor, ME 04401
207-941-4500 • 1-800-400-6856

PORTLAND
1037 Forest Avenue, Suite 11
Portland, ME 04103
207-822-0840 • 1-800-400-6858

CARIBOU
43 Hatch Drive, Suite 110
Caribou, ME 04736-2947
207-498-8428 • 1-800-400-6855

Visit our website at:
www.maine.gov/wcb
Statewide TTY: 711

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. Workers' 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 Employes:

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, PRÉVENEZ 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 les victimes d'un accident du travail, le Workers' Compensation Board met des conseillers juridiques à leur disposition.

La loi interdit aux employeurs de classifier faussement leurs salariés comme étant des contractants privés aux fins d'échapper à l'assurance compensatrice-employé, aux indemnités de chômage, ou aux autres charges et retenues dues par employeur. Pour plus de détails sur la législation relative à l'utilisation des services privés, visitez le site internet de 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.

Aviso a los Trabajadores:

La ley del estado de Maine requiere que su empresario proporcione el seguro de compensaciones para el trabajador a todos los trabajadores. El seguro de compensaciones para el trabajador proporciona beneficios a los trabajadores accidentados en el trabajo.

En caso de sufrir accidente o daño laboral, NOTIFIQUELO INMEDIATAMENTE A SU EMPRESARIO. Podría perder el derecho a recibir compensación a menos que su empresario sea notificado de este accidente o daño en el plazo de 60 días. Así mismo esta reclamación debe hacer referencia a un accidente o daño que no haya ocurrido hace más de dos años. Los defensores del trabajador están disponibles para proporcionar ayuda a los trabajadores accidentados en el Consejo de Administración de Compensaciones para el Trabajador (Workers' Compensation Board).

El hecho de no clasificar a los empleados como contratistas independientes, con el propósito de evitar el seguro por compensación al trabajador, cobertura para desempleados, u otros impuestos pagados y retenidos por el empleador, está en contra de la ley del empleador. Para mayor información acerca de las leyes pertenecientes a la contratación de contratistas independientes, visite el Worker Misclassification Task Force en la página web de www.maine.gov/labor/misclass.

En caso de tener cualquier pregunta sobre sus derechos, favor de dirigirse a una de las oficinas regionales de compensaciones para el trabajador.

Interpreters Available:
When calling for assistance, please say the name of your language in English and an interpreter will be called for you. Please stay on the line.

Tenemos intérpretes a su disposición
Si necesita que le atiendan en español por favor diga "Spanish" y le conectaremos con un intérprete. Por favor manténgase en la línea.

Temos intérpretes à sua disposição
Se precisar de atendimento em Português, por favor diga "Portuguese" e uma intérprete será prontamente chamada. Por favor, aguarde na linha.

Abbiamo interpreti disponibili
Se avete bisogno di assistenza in Italiano, Vi preghiamo di dire "Italian" e un interprete sarà messo a Vostra disposizione. Vi preghiamo di rimanere in linea.

Des interpretes sont à votre disposition
Lorsque vous appelez pour demander de l'aide, prononcez le mot "French" et nous mettrons un interprète à votre disposition. Prière de rester en ligne.

Tiamaraic doniqeysi ku yaxantoo.
Haddii aad u baahdaa taageero, ku hadal af-Soomaaliga oo magacaw "Somali" i-ca kadib waad ku sugnaan doontaa.

Ми маємо перекладачів, доступних на вимогу.
Коли Ви будете телефонувати, назвіть рідну мову українською, і Вас з'єднають з перекладачем. Залишайтеся на лінії.

Chúng tôi có thông dịch viên
Khi gọi điện thoại để được giúp đỡ, vui lòng nói "VIETNAMESE" để chúng tôi có thông dịch viên tiếng việt nói với bạn. Xin quý vị chờ trên đường dây.

ENGLISH
SPANISH
PORTUGUESE
ITALIAN
FRENCH
FRENCH CREOLE
RUSSIAN
UKRAINIAN
CHINESE
JAPANESE
KOREAN
SOMALI
VIETNAMESE
ARABIC
PERSIAN

To the employer: This notice must be posted in a conspicuous place upon your premises accessible to employees. 39-A MRSA §406. The State of Maine does not discriminate on the basis of disability in admission to, access to, or operation of its programs, services or activities.

This poster is available in alternative format. For further assistance, contact the Maine Workers' Compensation Board, ADA Coordinator, telephone: (888) 801-9087 or TTY: 711.

WCB-90 (1/1/2020, revised 3/7/2022)

Paid Family and Medical Leave

MAINE DEPARTMENT OF LABOR
Bureau of Labor Standards

Maine's Paid Family and Medical Leave (PFML) law will provide up to 12 weeks of paid leave for family leave, medical leave, safe leave or leave related to a family member's impending military deployment.

A copy of the actual laws and formal interpretations may be found online at www.maine.gov/paidleave or by calling 207- 623-7900 | TTY users call Maine Relay 711.

Maine Law (Title 26, M.R.S.A. § 42-B and § 850-1) requires every employer to place this poster in the workplace where workers can easily see it.

This poster is available online at no charge and may be copied.

Benefits

- Benefits are available for the duration of your needed leave or 12 weeks, whichever is less.
- Benefit amounts will be determined based on your previous earnings and are capped at Maine's annual statewide average weekly wage.

Reasons for Leave

Family leave: To care for family with serious health condition.

Medical leave: To care for one's own serious medical needs.

Safe leave: To stay safe or to help a family member stay safe after abuse or violence.

Military leave: For emergencies related to a family member's impending military deployment.

Types of Leave

Continuous leave: Leave where you are out of work for days or weeks at a time.

Intermittent leave: Leave where you are still working and you need to take time off but it is not the same every day or every week.

Reduced leave: Leave where you are still working but you are consistently working fewer hours.

Eligibility

- To establish a claim, you must have earned a total of six times the statewide annual average weekly wage in Maine in your base period. The base period is defined as the first four of the last five completed calendar quarters. 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.

Payroll Deductions

- Premiums will be deducted from your pay beginning with the first pay date after January 1, 2025.
- For calendar years 2025 through 2027, the premium rate for you cannot be more than 0.5 percent of wages. For example, an individual who earns $600 per week will contribute no more than $3 per week.

Other Information You Should Know

- Except in a medical emergency, an employer can claim an undue hardship in certain circumstances and request that the leave be scheduled at a mutually-agreeable time.
- Employers must restore you back to your original position or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment if you have been with your employer for at least 120 consecutive days when you started your leave.

Applications for benefits are scheduled to be accepted starting **May 1, 2026**

For more information contact:
Maine Department of Labor
Paid Family and Medical Leave
50 State House Station
Augusta, Maine, 04333-0050
Website: www.maine.gov/paidleave/

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

rev. 10/24

Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

Who is Protected?

- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union

What Organizations are Covered?

- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

What Types of Employment Discrimination are Illegal?

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding
- Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

What Employment Practices can be Challenged as Discriminatory?

All aspects of employment, including:

- Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment
- Pay (unequal wages or compensation)
- Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; or a sincerely-held religious belief, observance or practice
- Benefits
- Job training
- Classification
- Referral
- Obtaining or disclosing genetic information of employees
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding
- Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation

What can You Do if You Believe Discrimination has Occurred?

Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

Submit an inquiry through the EEOC's public portal: *https://publicportal.eeoc.gov/Portal/Login.aspx*
Call 1–800–669–4000 (toll free) 1–800–669–6820 (TTY) 1–844–234–5122 (ASL video phone)
Visit an EEOC field office (information at *www.eeoc.gov/field-office*)
E-Mail *info@eeoc.gov*

Additional information about the EEOC, including information about filing a charge of discrimination, is available at **www.eeoc.gov**.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases.

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin

Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

Asking About, Disclosing, or Discussing Pay

Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

Disability

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

Protected Veteran Status

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

Retaliation

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210
1-800-397-6251 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at *https://ofccphelpdesk.dol.gov/s/*, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at *https://www.dol.gov/agencies/ofccp/contact*.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

Individuals with Disabilities

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

(Revised 6/27/2023)

EMPLOYEE RIGHTS

EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

PROHIBITIONS Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

EXEMPTIONS Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

EXAMINEE RIGHTS Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

ENFORCEMENT The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR
1-866-487-9243
www.dol.gov/agencies/whd

Ref.: 29 CFR §801.6 WH1462 REV 02/22

Regulation of Employment

MAINE DEPARTMENT OF LABOR
Bureau of Labor Standards

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.)

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.

This poster is available online at no charge and may be copied.

Time of Payment
Employees must be paid in full at least every 16 days. Employees must be notified of any decrease in wages or salary at least one day prior to the change.

Payment of Wages
An employee leaving employment, must be paid in full no later than the employee's next established payday. This may also include the payment of accrued vacation pay and/or Earned Paid Leave.

Unfair Agreement
Employers cannot require that an employee pay for losses such as broken merchandise, bad checks, or bills not paid by customers, nor for special uniforms and certain tools of the trade.

Rest Breaks
Most employees must be offered a 30 consecutive minute paid or unpaid rest break after 6 hours of work.

Nursing 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 may be entitled to up to 10 weeks of paid or unpaid leave for a qualifying event.

- 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;
- Organ donation;
- Death or serious health condition of the employee's 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 living and financial arrangements with the worker.

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

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.R.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.

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. 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.

Earned Income Tax Credit
Employees may be eligible for federal and state earned income tax credits. Employees may apply for the tax credits on the employee's income tax return.

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 866-487-9243.

For more information, contact:
Maine Department of Labor
Bureau of Labor Standards
45 State House Station
Augusta, Maine 04333-0045
located at: 45 Commerce Drive
Telephone: 207-623-7900 | TTY users call Maine Relay 711.
Website: www.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.

The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to people with disabilities upon request. rev. 12/23

Ref.: MRSA Title 26 § 668 & 42-B

NOTICE

Mandatory Workplace Communications

Maine 26 MRSA § 600-B

Effective October 25, 2023, employers will no longer be able to require employees to attend employer-sponsored meetings, commonly known as "captive audience meetings." An employer may not discharge, discipline, penalize or take any adverse employment action against an employee:

- Who declines to attend or participate in an employer-sponsored meeting, or any portion of such meeting, that communicates the opinion of the employer about religious or political matters;
- Who declines to receive or listen to a communication regarding the opinion of the employer about religious or political matters; or
- Because the employee makes a good faith report, orally or in writing, of a violation or a suspected violation of this law.

The law does not prohibit an employer from communicating information that is required by law to the extent of the lawful requirements or prohibit an employer from offering meetings or other communications about religious or political matters for which attendance or participation is strictly voluntary.

An aggrieved employee may bring a civil action to enforce the law no later than 90 days after the date of the alleged violation in the Superior Court for the county where the violation is alleged to have occurred or where the principal office of the employer is located.

This is a summary of the Maine 26 MRSA § 600-B. This is not a complete text of the law.

Minimum Wage

MAINE DEPARTMENT OF LABOR
Bureau of Labor Standards

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.

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.

This poster is available online at no charge and may be copied.

Minimum Wage is $14.65 per hour effective January 1, 2025

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, 2025, the minimum wage in Maine is $14.65 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 $185 a month in tips. As of January 1, 2025, employers must pay a direct service wage of at least $7.33 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). As of January 1, 2025 the minimum salary requirement will be $1,128 per week. 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. rev. 09/2024

Ref.: MRSA Title 26 § 42-B

Veterans' Benefits & Services

MAINE DEPARTMENT OF LABOR
Bureau of Labor Standards

Benefits and Services for Maine Veterans can be accessed through the Department of Defense, Veterans and Emergency Management and the Maine Bureau of Veterans' Services.

This poster describes some important benefits and services offered. Free printed posters and requirements may be obtained from the Department of Labor, Bureau of Labor Standards, by calling 207-623-7900 or by visiting the Bureau's website at www.maine.gov/labor/posters.

Maine Law (Title 26, M.R.S.A. § 42-D) requires every employer with more than 50 full-time equivalent employees to place this poster in the workplace where workers can easily see it.

This poster is available online at no charge and may be copied.

The State of Maine provides a wide variety of services for Veterans. This poster provides information for the following benefits and services:

Educational, Workforce & Training Resources

- Maine CareerCenters are located throughout the state and provide educational, training and workforce resources, including veteran-specific referral services through the Maine Military and Community Network and employment support like the Maine Hire-A-Vet Program at www.mainecareercenter.com/mhav/
- Each CareerCenter has a dedicated veteran representative onsite. Find out more at www.mainecareercenter.gov and www.mainecareercenter.gov/employment/veterans.shtml
- Entrepreneurship services from the Small Business Administration are also offered. Find out more at www.maine.gov/veterans/benefits/employment/
- For further educational resources, the Maine Bureau of Veterans' Services has a complete listing of institutions of higher learning in their Maine Veterans' Benefits and Resource Guide at www.maine.gov/veterans/docs/MBVS-Resource-Guide.pdf
- The State of Maine has an employment preference to veterans who apply for State positions. In addition, in accordance with Executive Order 2016-002, if a veteran applies for a State job and is not ultimately hired for that job, it is the policy of the Bureau of Human Resources to provide guidance to that veteran on other State of Maine openings for which that veteran may be qualified to apply. See guidance at www.maine.gov/bhr/state-jobs/veterans-preference-in-job-applications

Eligibility for Unemployment Insurance Benefits

- You may be eligible for unemployment if you separated in the last 18 months.
- If filing in the State of Maine, call 1-800-593-7660 or visit the unemployment website for more information www.maine.gov/unemployment/

Driver's Licenses & Non-Driver Identification Cards

- Veterans may request a military service license designator for their license or ID. Proof of active service or honorable discharge (DD Form 214) is required.
- For more information about the eligibility requirements for the Military Service Designation, contact the Bureau of Motor Vehicles at 207-624-9000.

Crisis Line

The Crisis Line provides 24/7, confidential support for veterans AND their families.

Veterans do not have to be enrolled in VA benefits or health care to access this service.

To access assistance, dial 988, then press 1
For an online chat option, go to www.veteranscrisisline.net ,

Substance Use & Mental Health Treatment

- Veterans seeking assistance for substance use treatment should contact the SUD Intensive Outpatient's (Addictions Services - SUD Program) at 207-623-8411x 4098. For other mental health services, go to: www.va.gov/directory/guide/SUD.asp

Tax Benefits

- Veterans are entitled to certain tax benefits. To find out more, go to www.maine.gov/veterans/benefits/tax-finance-benefits/index.html

Legal Services

- To access legal services for Veterans, go to www.maine.gov/veterans/resources/index.html and choose the Legal/Financial option. Veterans can also select a specific county to search, or can choose to search the entire state for resources.
- The map will provide legal services options, complete with links to the businesses and/or agencies.

Assistance

- Filing a claim with the VA
- Enrolling in VA Healthcare
- Obtaining burial benefits
- Housing/Homelessness assistance
- Recognitions for services
- Educational benefits
- Other State benefits such as providing park passes, hunting and fishing licenses

To Access Services, Contact:
Veterans & Emergency Management
Website: www.maine.gov/dvem/index.html
Maine Bureau of Veterans' Services
Phone: 207-287-7020 | Website: www.maine.gov/veterans/

The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to people with disabilities upon request. rev. 03/24

Ref.: MRSA Title 26 § 42-D

STATE AND FEDERAL LABOR LAW

Child Labor Laws

MAINE DEPARTMENT OF LABOR
Bureau of Labor Standards

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.)

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.

This poster is available online at no charge and may be copied.

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