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Date: (Filing No. H- )

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

HOUSE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 596, L.D. 949, “An Act to Protect Workers from Employer Surveillance”

Amend the amendment in section 1 in sub-c. 1-D in §620 by striking out all of subsection 5 (page 2, lines 4 to 6 in amendment) and inserting the following:

**'5. Notice requirements.** An employer using employer surveillance shall inform prospective employees during the hiring process that the employer engages in employer surveillance and shall provide written notice at least once per calendar year to all current employees that the employer engages in employer surveillance.'

Amend the amendment in section 1 in sub-c. 1-D in §620 by striking out all of subsection 6 (page 2, lines 7 to 9 in amendment).

Amend the amendment in section 1 in sub-c. 1-D in §620 in subsection 7 in the first line (page 2, line 10 in amendment) by striking out the following: "shall" and inserting the following: 'may'

Amend the amendment in section 1 in sub-c. 1-D in §620 by inserting after subsection 8 the following:

**'9. Penalties.** An employer that violates this subchapter is subject to a fine of not less than \$100 and not more than \$500 for each violation. The Department of Labor is responsible for enforcement of this subchapter.'

Amend the amendment in section 1 in §620 by renumbering the subsections to read consecutively.

Amend the amendment by inserting after section 1 the following:

**'Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**LABOR, DEPARTMENT OF  
Regulation and Enforcement 0159**

Initiative: Provides ongoing funds for one half-time Labor and Safety Inspector position and related All Other costs to support the anticipated increase in workload associated with ensuring compliance with the regulations regarding employer surveillance.

**HOUSE AMENDMENT**

	<b>2023-24</b>	<b>2024-25</b>
<b>GENERAL FUND</b>		
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$33,080	\$46,683
All Other	\$5,376	\$7,169
<b>GENERAL FUND TOTAL</b>	<b>\$38,456</b>	<b>\$53,852</b>

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8 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or  
9 section number to read consecutively.

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### SUMMARY

11 This amendment makes the following changes to the provisions governing employer  
12 surveillance.

13 1. It requires an employer using employer surveillance to inform prospective  
14 employees during the hiring process that the employer engages in employer surveillance  
15 and to provide written notice at least once per calendar year to all current employees that  
16 the employer engages in employer surveillance.

17 2. It provides that the Department of Labor may adopt rules to implement the provisions  
18 governing employer surveillance.

19 3. It removes the provision that provides a private right of action.

20 4. It provides that an employer that violates the provisions governing employer  
21 surveillance is subject to a fine of not less than \$100 and not more than \$500 for each  
22 violation. The Department of Labor is responsible for enforcement of the provisions  
23 governing employer surveillance.

24 **SPONSORED BY:** \_\_\_\_\_

25 **(Representative ROEDER, A.)**

26 **TOWN: Bangor**