

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Bring Wage Equity to the Workplace

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §3174-QQ is enacted to read:

§ 3174-QQ. Limitation on receipt of MaineCare funds

Notwithstanding any provision of law to the contrary, an employer employing 50 or more employees that is eligible for and receives MaineCare funds may not pay wages to its highest paid employee that are more than 10 times the wages paid to the lowest paid employee. Any employer who willfully and knowingly violates this section is subject to a fine of not less than \$250 for each violation.

Sec. 2. 26 MRSA §1303, as amended by PL 1997, c. 757, §1, is further amended to read:

§ 1303. Public works; minimum wage and benefits

In the employment of laborers in the construction of public works, including state highways, by the State or by persons contracting for the construction, preference must first be given to citizens of the State who are qualified to perform the work to which the employment relates and, if they can not be obtained in sufficient numbers, then to citizens of the United States. Every contract for public works construction must contain a provision for employing citizens of this State or the United States. The hourly wage and benefit rate paid to laborers employed in the construction of public works, including state highways, may not be less than the fair minimum rate as determined in accordance with section 1308. For employers employing 50 or more employees, the wages of the top earning employee at the workplace may not be more than 10 times that of the lowest paid employee. Any contractor who knowingly and willfully violates this section is subject to a fine of not less than \$250 per employee violation. Each day that any contractor employs a laborer at less than the wage and benefit minimum stipulated in this section constitutes a separate violation of this section.

Sec. 3. 26 MRSA §1312, sub-§1, as amended by PL 2009, c. 452, §2, is further amended to read:

1. Violation by contractor or subcontractor. Except as provided in section 1308, subsection 1A, any contractor or subcontractor who willfully and knowingly violates section 1302A or sections ~~1304~~1303 to 1313 is subject to a ~~forfeiture~~fine of not less than \$250.

Sec. 4. 36 MRSA c. 919-B is enacted to read:

CHAPTER 919-B

LIMITATION

§ 6906. Limitation on receipt of benefit or tax credit

Notwithstanding any provision of law to the contrary, an employer is ineligible for a benefit pursuant to this Part or a tax credit pursuant to chapter 822 unless the wages of the highest paid employee of that employer are no more than 10 times the wages paid to the lowest paid employee of the employer. For purposes of this chapter, "employer" means a person with 50 or more employees, including a governmental entity, such as a county or municipality, and a charitable or educational institution.

SUMMARY

This bill prohibits the payment of wages to the highest paid employee that are 10 times higher than the wages paid to the lowest paid employee at the same workplace if the employer has 50 or more employees and the employer receives a state tax credit, state tax break or state funds or is a contractor for public works construction.