



## Maine Department of Labor Adopts Final Rules for Earned Paid Leave Law

The Maine Department of Labor (MDOL) has adopted the final Rules for Maine's groundbreaking Earned Paid Leave Law, which ensures employees of businesses with more than 10 employees can earn up to 40 hours of annual paid leave starting in January 2021.

It is estimated that the vast majority of Maine workers will be able to accrue and use paid leave under the law, with some estimates totaling 85 percent. Maine is the first state to permit using this leave for reasons outside of illness, as long as employees give their employer reasonable notice.

Gov. Janet Mills signed the Earned Paid Leave Law in May 2019, after working with a diverse group of stakeholders to create a consensus to support Maine workers who lacked paid leave. It received strong bipartisan support in the Legislature and an endorsement from the Maine State Chamber of Commerce. MDOL was directed to lead the law's implementation.

"The unprecedented crisis created by COVID-19 has made paid leave of crucial importance to Maine workers, many of whom have been forced to balance their family's health and their economic security," said Commissioner Laura Fortman. "Maine is a national leader with this law, which will go far to help Maine workers today and will help support our workforce into the future."

The Earned Paid Leave Law applies to employers with more than 10 workers in Maine for 120 days or more in a calendar year, except for seasonal industries as defined in the statute. Employers covered by the law must provide employees with one hour of paid leave for every 40 hours they work, up to a maximum of 40 hours of paid leave per year.

The law, "An Act Authorizing Earned Employee Leave" (26 MRS §637) goes into effect on January 1, 2021. While MDOL itself was charged with adopting the Rules to implement the statute, the MDOL's Bureau of Labor Standards is charged with its enforcement.

MDOL held 10 public listening sessions last fall on the law prior to the formal rulemaking process. It also held a virtual public hearing and received written comments on the draft Rules, responses to which have been posted online at [maine.gov/labor](https://maine.gov/labor).