

Maine Becomes the First State to Mandate Paid Leave for Any Reason

May 30, 2019



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The bill, “[An Act Authorizing Earned Employee Leave](#),” requires private employers that employ 10 or more employees for more than 120 days in a calendar year to provide 1 hour of paid leave for every 40 hours worked, up to a maximum of 40 hours of paid leave per year. The new law will take effect on January 1, 2021.

The law permits eligible employees to use the paid leave for any reason. Employees can start accruing leave on their first day of work but cannot use the leave until after 120 days of employment.

L.D. 369 exempts seasonal businesses, employers of employees covered by a collective bargaining agreement, employers that hire workers for fewer than 120 days, and employers with fewer than 10 employees.

When signing the bill, Governor Mills said the law would cover about 85 percent of Maine’s workforce while exempting more than 40,000 of the state’s 50,792 businesses.

Employers impacted by this change may want to reevaluate their current leave policies to ensure compliance with the new law. When doing so, employers may want to note these key provisions:

Related employment takes earned leave, the employer must pay the employee at the same pay rate the employee received immediately prior to taking earned leave. The employer must also provide “the same benefits and conditions as provided under established policies of the employer pertaining to other types of leave.”
November 17, 2022

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If an employer takes earned paid leave, it should not affect his or her right to receive health benefits and conditions as applicable to similarly situated employees.”
to comply with the law can be liable for up to \$1,000 per violation.

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