



Janet T. Mills
GOVERNOR

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AUGUSTA, MAINE
04333-0001

May 6, 2022

The 130th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 130th Legislature:

By the Authority conferred by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing L.D. 1338, *An Act to Prohibit Employers from Retaliating Against the Use of Earned Paid Leave*.

When Maine's first-in-the-nation requirement for most employers to provide paid time off for their employees became law in 2021, the law was silent on the issue of retaliation. This omission was intentional, so that employers and employees would have an opportunity to experience the new law and potential impacts of the law.

The Maine Department of Labor's (MDOL) January 2022 report indicates that no allegations of retaliation for the use of earned paid leave were reported in 2021. I believe these new requirements of LD 1338 are unnecessary and unwarranted at this time, based on a one-year review of the earned paid leave law.

LD 1338 also requires that MDOL review existing provisions in Title 26, M.R.S., chapter 7 relating to retaliation against employees for the use of rights granted in that chapter. I support that portion of LD 1338; therefore, I am asking MDOL to proceed with that review and to bring forward a department bill that creates a uniform statute for all of chapter 7 for consideration by the 131st Legislature. While no proof of retaliation against employees for the use of earned paid leave exists, I do recognize that retaliation against employees for exercising their rights to use earned paid leave could occur. I feel that the best way to address any potential retaliation is through a comprehensive review of all related provisions in MRSA Title 26 chapter 7.

LD 1338 would burden employers with unnecessary requirements as they continue to overcome the hardships and workforce challenges they have experienced because of the pandemic. This is not the time to impose additional burdens without evidence of improper behavior or a comprehensive review of existing provisions of law.

For the reasons I have detailed in this letter, I return L. D. 1338 unsigned and vetoed, and I strongly urge the Legislature to sustain this veto.

Sincerely,

Janet. T, Mills
Governor



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