

● **WAGE PAYMENT LAWS (EQUAL PAY)**

STATUTORY CITATION: Me. Rev. Stat. Title 26, § 628

GENERAL SUMMARY: Employers in Maine may not discriminate between employees in the same establishment on the basis of sex, by paying wages to any employee in any occupation at a rate less than the rate at which employees of the opposite sex are paid for comparable work, on jobs which have comparable requirements relating to skill, effort and responsibility. Differentials paid pursuant to established seniority systems or merit increase systems, or differences in shift or time of day worked, which do not discriminate on the basis of sex are not within this prohibition.

PROVISIONS APPLICABLE TO AGRICULTURE: The equal pay provision applies implicitly to agricultural employers, and protects agricultural workers, to the same extent as their counterparts outside agriculture.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Bureau of Labor Standards, Maine Department of Labor, Augusta, Maine 04333 (207-623-7900)*. When a worker reports an incident involving unequal pay based on sex, the law requires the Department to investigate the allegations and, if the charges are confirmed, to bring suit against the employer on the worker's behalf to collect or supervise the payment of the judgment. Violators of the equal pay provision are also subject to a forfeiture of up to \$500 for each violation, payment of which the Department may enforce through the same litigation.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None*.

PRIVATE CIVIL ACTION — A worker who is affected by wage-related sex discrimination may elect to take civil action on his or her own, through private legal counsel or a public legal service provider. A judgment in favor of the worker may include, in addition to the unpaid wages due, a reasonable rate of interest, twice the amount of unpaid wages as liquidated damages, court costs, and attorney's fees.