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**DEPARTMENT OF LABOR**  
Regulatory Agenda 2022-2023  
September 29, 2022

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**Rulemaking Liaison:** Isaac Gingras, Workforce Development Program Coordinator, Department of Labor, 54 State House Station, Augusta, ME 04333-0054. Telephone: (207) 530-0069. Email: [Isaac.H.Gingras@Maine.gov](mailto:Isaac.H.Gingras@Maine.gov) .

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AGENCY UMBRELLA-UNIT NUMBER: **12-150**

AGENCY NAME: **Bureau of Rehabilitation Services Blind and Visually Impaired Division**

**CONTACT PERSON:** Brenda Drummond, Division Director, 150 State House Station, Augusta, ME 04333-0150. Tel: (207) 623-7954.

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**EXPECTED 2022-2023 RULE-MAKING ACTIVITY:**

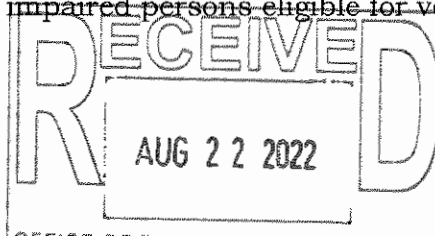
**CHAPTER 101:** Vocational Rehabilitation Services for Individuals who are Blind

STATUTORY AUTHORITY: Title 26 M.R.S., Chapter 19 §1418 A-E

PURPOSE: The rules govern the delivery of vocational rehabilitation services for persons who are blind or visually impaired in achieving an employment outcome. Modifications would reflect changes required as a result of the Workforce Innovation and Opportunity Act and guidance from the Rehabilitation Services Administration.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Blind or visually impaired persons eligible for vocational rehabilitation services.



CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 105: Independent Living Services for Individuals Who Are Blind or Visually Impaired Program Rules**

STATUTORY AUTHORITY: Title 26 M.R.S., Chapter 19 §1414

PURPOSE: The rules govern the delivery of independent living services for persons who are blind or visually impaired to overcome substantial barriers to functioning independently in family or community. Modifications would reflect changes required as a result of the Workforce Innovation and Opportunity Act.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Blind or visually impaired persons eligible for independent living services.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 15: Rules Governing the Business Enterprise Program**

STATUTORY AUTHORITY: Title 26 M.R.S., Chapter 19 §1418 F

PURPOSE: The rules govern the procedures and standards for the licensing of blind persons as vending facility managers by the Division for the Blind and Visually Impaired. Modifications would reflect changes and clarifications related to definitions, training requirements, and participation by managers.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Blind or visually impaired persons eligible for vocational rehabilitation services.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

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AGENCY UMBRELLA-UNIT NUMBER: **12-152**

AGENCY NAME: **Bureau of Rehabilitation Services, Vocational Rehabilitation Division**

CONTACT PERSON: Libby Stone-Sterling, Division Director, 150 State House Station, Augusta, ME 04333-0150. Tel: (207) 623-7943.

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**EXPECTED 2022-2023 RULE-MAKING ACTIVITY:**

**CHAPTER 1: Rules**

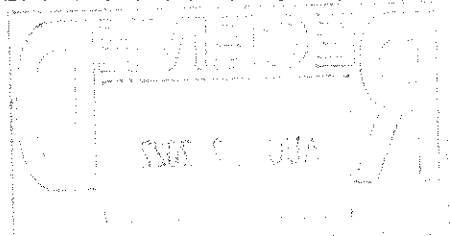
STATUTORY AUTHORITY: Title 26 M.R.S., Chapter 19 §1411 A-E

PURPOSE: The rules govern the delivery of vocational rehabilitation services for persons who have a physical or mental disability in achieving an employment outcome. Modifications would reflect changes required as a result of the Workforce Innovation and Opportunity Act and guidance from the Rehabilitation Services Administration.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Persons with disabilities eligible for vocational rehabilitation services.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated



**CHAPTER 5: Brain Injury Extended Support Program Rules**

STATUTORY AUTHORITY: Title 26 M.R.S., Chapter 19, Subchapter 2, Article 1

PURPOSE: The rules govern the delivery of ongoing support services for persons who have completed the vocational rehabilitation program and are successfully employed. Modifications would clarify the appeals process.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Persons with brain injuries who have completed the vocational rehabilitation services program.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 6: Basic Extended Support Program Rules**

STATUTORY AUTHORITY: Title 26 M.R.S., Chapter 19, Subchapter 2, Article 1

PURPOSE: The rules govern the delivery of ongoing support services for persons who have completed the vocational rehabilitation program and are successfully employed. Modifications would clarify the appeals process.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Persons with disabilities who have completed the vocational rehabilitation services program.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 7: Independent Living Services Program Policy Manual**

STATUTORY AUTHORITY: Title 26 M.R.S., Chapter 19 §1411

PURPOSE: The rules govern the delivery of independent living services for persons to overcome substantial barriers to functioning independently in family or community. Modifications would reflect changes required as a result of the Workforce Innovation and Opportunity Act.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Persons with disabilities eligible for independent living services.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 12 Rules for the Communication Equipment Fund Program for People with Disabilities**

STATUTORY AUTHORITY: Title 26 M.R.S., Chapter 19 §1419

PURPOSE: The rules govern the provision of funds for purchase, lease, upgrading, installation, maintenance and repair of specialized customer telecommunication equipment for persons with disabilities or equipment that provides or assists in providing emergency alert notification to deaf or hard of hearing persons. Modifications would reflect changes in Title 26 M.R.S., Chapter 19 §1419.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Persons with disabilities eligible for independent living services.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

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AGENCY UMBRELLA-UNIT NUMBER: **12-168**

AGENCY NAME: **Department of Labor - General**

**CONTACT PERSON:** Isaac Gingras, 54 State House Station, Augusta, ME 04333-0054. Telephone (207) 626-6232. Email: [Isaac.H.Gingras@Maine.gov](mailto:Isaac.H.Gingras@Maine.gov)

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**EXPECTED 2022-2023 RULEMAKING ACTIVITY:**

**CHAPTER 10:** Rules Governing Job Training Partnership Act Programs (JTPA) Grievance Procedures  
STATUTORY AUTHORITY: Title 26 M.R.S. §2012 and §2015-A (Repealed)  
PURPOSE: This rule has been repealed by operation of law, as the statutory authority has been repealed.  
ANTICIPATED SCHEDULE: September 29, 2023  
AFFECTED PARTIES: None  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 11:** Maine Enterprise Option Program  
STATUTORY AUTHORITY: Title 26 M.R.S. §1197  
PURPOSE: To make rule revisions that may be needed to clarify procedures and requirements under the Maine Enterprise Option (MEO) program.  
ANTICIPATED SCHEDULE: By September 30, 2023.  
AFFECTED PARTIES: Any person who is participating in the MEO Program.  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated.

**CHAPTER 50:** Non-Discrimination Policy and Grievance Procedure  
STATUTORY AUTHORITY: Title 5 M.R.S. §4551  
PURPOSE: To outline the nondiscrimination policy as well as the process of filing a grievance with the State Accessibility Coordinator.  
ANTICIPATED SCHEDULE: By September 30, 2023.  
AFFECTED PARTIES: Persons with a disability.  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated.

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AGENCY UMBRELLA-UNIT NUMBER: **12-170**  
AGENCY NAME: **Bureau of Labor Standards**

**AGENCY RULEMAKING LIAISON:** Isaac H. Gingras, 54 State House Station, Augusta, ME 04333-0054. Telephone (207) 626-6232. Email: [Isaac.H.Gingras@Maine.gov](mailto:Isaac.H.Gingras@Maine.gov)

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**EXPECTED 2022-2023 RULEMAKING ACTIVITY:**

**CHAPTER 3:** Rules Governing Administration of the Maine Wage Assurance Fund  
STATUTORY AUTHORITY: Title 26 M.R.S. §632  
PURPOSE: The rules ensure consistent and fair administration of the Maine Wage Assurance Fund, 26 M.R.S., Section 632, which was established by the Legislature to make payment of up to two weeks of earned wages owed an employee by an insolvent employer unable to make payment.  
ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Maine employers.  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated  
CONTACT PERSON: Scott Cotnoir, 45 State House Station, Augusta, ME 04333-0150,  
(207) 623-7925, [Scott.R.Cotnoir@Maine.gov](mailto:Scott.R.Cotnoir@Maine.gov) .

**CHAPTER 6:** Rules Governing Sanitary Conditions on Certain Railroad Property

STATUTORY AUTHORITY: Title 26 M.R.S. §§ 351-354  
PURPOSE: The purpose of these rules is to provide reasonable sanitation standards in areas of railroad employment not covered by Federal or other State agencies.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Maine employers and employees.  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated  
CONTACT PERSON: Steve Greeley, 45 State House Station, Augusta, ME 04333-0150,  
(207) 623-7916, [Steven.L.Greeley@maine.gov](mailto:Steven.L.Greeley@maine.gov) .

**CHAPTER 7:** Rules Relating to Substance Abuse Testing

STATUTORY AUTHORITY: Title 26 M.R.S. §§ 681-690  
PURPOSE: The rules outline certain responsibilities for employers who choose to implement a workplace substance abuse testing program. Proposed changes intend to simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Maine employers and employees.  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated  
CONTACT PERSON: Steve Greeley, 45 State House Station, Augusta, ME 04333-0150,  
(207) 623-7916, [Steven.L.Greeley@Maine.gov](mailto:Steven.L.Greeley@Maine.gov) .

**CHAPTER 8:** Workplace Health and Safety Program for Employers with Modification Rate of 2 or More

STATUTORY AUTHORITY: Title 39 M.R.S. § 401(5).  
PURPOSE: These rules establish standards for occupational health and safety programs required of employers with a workers' compensation insurance modification rate of two or more, pursuant to Title 39 M.R.S. Section 21-A, Subsection 4 as enacted by 1991 Public Law Chapter 615, Section A-22. Effective January 1, 1993, the authority for these rules will be transferred to Title 39-A Section 401, Subsection 5, as provided in 1991 Public Law Chapter 885.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Maine employers and employees.  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated  
CONTACT PERSON: Steve Greeley, 45 State House Station, Augusta, ME 04333-0150,  
(207) 623-7916, [Steven.L.Greeley@Maine.gov](mailto:Steven.L.Greeley@Maine.gov) .

**CHAPTER 9:** Rules Governing Administrative Civil Money Penalties for Labor Law Violations

STATUTORY AUTHORITY: Title 26 M.R.S. Chapter 7 and Chapter 15  
PURPOSE: The purpose of this chapter is to provide procedural guidance regarding the assessment of administrative civil money penalties for labor law violations. Proposed changes intend to simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Maine employers and employees.  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated  
CONTACT PERSON: Scott Cotnoir, 45 State House Station, Augusta, ME 04333-0150,  
(207) 623-7925, [Scott.R.Cotnoir@Maine.gov](mailto:Scott.R.Cotnoir@Maine.gov) .

**CHAPTER 10:** Rules Governing Employment Leave for Victims of Violence  
STATUTORY AUTHORITY: Title 26 M.R.S. §850  
PURPOSE: Defines terms in the law and clarifies the applicable work and legal situations. Proposed changes intend to simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Workers affected by violence and their employers.  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated  
CONTACT PERSON: Scott Cotnoir, 45 State House Station, Augusta, ME 04333-0150,  
(207) 623-7925, [Scott.R.Cotnoir@Maine.gov](mailto:Scott.R.Cotnoir@Maine.gov) .

**CHAPTER 11:** Rules Governing Hazardous Occupations for Minors under the Age of Eighteen in Non-Agricultural Employment  
STATUTORY AUTHORITY: Title 26 M.R.S. §§ 771-786  
PURPOSE: Establishes a comprehensive list of occupations found to be hazardous and, therefore, unsuitable for the employment of minors. Proposed changes intended to simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Maine employers and employees.  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated  
CONTACT PERSON: Scott Cotnoir, 45 State House Station, Augusta, ME 04333-0150,  
(207) 623-7925, [Scott.R.Cotnoir@Maine.gov](mailto:Scott.R.Cotnoir@Maine.gov) .

**CHAPTER 12:** Rules Relating to Equal Pay  
STATUTORY AUTHORITY: Title 26 M.R.S. §628 and 628-A  
PURPOSE: The purpose of these rules is to clarify employee protections ensuring an employer not discriminate between employees within the same establishment based on gender by paying wages to any employee in any occupation at a rate less than the rate paid to an employee of the opposite gender for comparable work on jobs with comparable requirements related to skill, effort, and responsibility. Proposed changes intend to make additions necessary to ensure consistency with new statutory prohibition about compensation history of prospective employees.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Maine employers and employees.  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated  
CONTACT PERSON: Scott Cotnoir, 45 State House Station, Augusta, ME 04333-0150,  
(207) 623-7925, [Scott.R.Cotnoir@Maine.gov](mailto:Scott.R.Cotnoir@Maine.gov) .

**CHAPTER 13:** Rules Governing the Establishment and Use of Fair Minimum Wage Rates on State Construction Projects  
STATUTORY AUTHORITY: Title 26 M.R.S. §§ 1304 - 1315

PURPOSE: Proposed changes intend to simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Maine employers and employees.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Scott Cotnoir, 45 State House Station, Augusta, ME 04333-0150, (207) 623-7925, [Scott.R.Cotnoir@Maine.gov](mailto:Scott.R.Cotnoir@Maine.gov).

**CHAPTER 15:** Rules Related to Severance Pay

STATUTORY AUTHORITY: Title 26 M.R.S. §625-b

PURPOSE: Establishes specific procedures and guidelines for eligibility for and payment of severance pay upon termination or relocation of a major employer. Proposed changes intended to simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By December 31, 2023

AFFECTED PARTIES: Employers of 100 or more workers and their employees.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Scott Cotnoir, 45 State House Station, Augusta, ME 04333-0150, (207) 623-7925, [Scott.R.Cotnoir@maine.gov](mailto:Scott.R.Cotnoir@maine.gov).

**CHAPTER 16:** Rules Governing Definitions for Executive, Administrative, and Professional Exemptions from Minimum Wage and Overtime

STATUTORY AUTHORITY: Title 26 M.R.S. §663(K)

PURPOSE: Proposed changes intend to simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By December 31, 2023

AFFECTED PARTIES: Employers and employees.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Scott Cotnoir, 45 State House Station, Augusta, ME 04333-0150, (207) 623-7925, [Scott.R.Cotnoir@Maine.gov](mailto:Scott.R.Cotnoir@Maine.gov).

**CHAPTER 17:** Rules Regarding Proof of Ownership by Employers Employing Foreign Laborers to Operate Logging Equipment

STATUTORY AUTHORITY: Title 26 M.R.S. §872

PURPOSE: Proposed changes intended to simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By December 31, 2023

AFFECTED PARTIES: Maine employers and employees.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Scott Cotnoir, 45 State House Station, Augusta, ME 04333-0150, (207) 623-7925, [Scott.R.Cotnoir@Maine.gov](mailto:Scott.R.Cotnoir@Maine.gov).

**Chapter 18:** Rules Regarding Earned Paid Time Off

STATUTORY AUTHORITY: Title 26 M.R.S. §637

PURPOSE: Establish rules regarding earned paid time off.

ANTICIPATED SCHEDULE: September 30, 2023

AFFECTED PARTIES: Employers with 11 or more employees and workers in those businesses.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Scott Cotnoir, 45 State House Station, Augusta, ME 04333-0150, (207) 623-7925, [Scott.R.Cotnoir@Maine.gov](mailto:Scott.R.Cotnoir@Maine.gov) .

**Chapter 19: Rules Regarding Apprenticeship in Energy Facility Construction**

STATUTORY AUTHORITY: Title 26 M.R.S. §3501-3502

PURPOSE: Establish procedures for review of apprentices on certain projects.

ANTICIPATED SCHEDULE: September 30, 2023

AFFECTED PARTIES: Employers creating a Generation facility that has an installed capacity of 2 megawatts or more, other than a facility located on the customer side of an electric meter.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Scott Cotnoir, 45 State House Station, Augusta, ME 04333-0150, (207) 623-7925, [Scott.R.Cotnoir@Maine.gov](mailto:Scott.R.Cotnoir@Maine.gov) .

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**NEW RULE – Chapter XX: Rules Relating to Assessment of Interest and Penalties for Non-payment under the Safety Education and Training Fund (SETF) (Proposed)**

STATUTORY AUTHORITY: Title 26 M.R.S. §61

PURPOSE: To establish procedures to determine when, how and against whom penalties and interest will be assessed for non-payment of bills under the SETF.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: The Workers' Compensation insurance carriers and self-insureds and any employer who receives services from the SETF.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Steve Greeley, 45 State House Station, Augusta, ME 04333-0150, (207) 623-7916, [Steven.L.Greeley@Maine.gov](mailto:Steven.L.Greeley@Maine.gov) .

**NEW RULE – Chapter XX: Rules Regarding Employment Practices (Proposed)**

STATUTORY AUTHORITY: Title 26 M.R.S. §42

PURPOSE: Establishes procedures and standards for the application of the minimum wage, overtime and other employment practices.

ANTICIPATED SCHEDULE: By December 31, 2023

AFFECTED PARTIES: Employers and employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Scott Cotnoir, 45 State House Station, Augusta, ME 04333-0150, (207) 623-7925, [Scott.R.Cotnoir@Maine.gov](mailto:Scott.R.Cotnoir@Maine.gov) .

**NEW RULE – Chapter XX: Rules Governing the Confidentiality of Data & Information Collected by the Bureau (Proposed)**

STATUTORY AUTHORITY: Title 26 M.R.S. §42

PURPOSE: Establish procedures and standards for the publication and release of information covered by the confidentiality law (26 M.R.S. §3).

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Bureau staff

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated



CONTACT PERSON: Steve Greeley, 45 State House Station, Augusta, ME 04333-0150, (207) 623-7916, [Steven.L.Greeley@Maine.gov](mailto:Steven.L.Greeley@Maine.gov) .

**NEW RULE – Chapter XX:** Rules Regarding Access to Leave under the Care for Families Act (Proposed)

STATUTORY AUTHORITY: Title 26 M.R.S. §636

PURPOSE: Establish procedures for the submission and investigations of complaints.

ANTICIPATED SCHEDULE: September 30, 2023

AFFECTED PARTIES: Employers offering paid leave and their employees.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Scott Cotnoir, 45 State House Station, Augusta, ME 04333-0150, (207) 623-7925, [Scott.R.Cotnoir@Maine.gov](mailto:Scott.R.Cotnoir@Maine.gov) .

**NEW RULE – Chapter XX:** Rules Regarding Wage Theft (Proposed)

STATUTORY AUTHORITY: Title 26 M.R.S. §639

PURPOSE: Establish procedures for the submission and investigations of complaints.

ANTICIPATED SCHEDULE: September 30, 2023

AFFECTED PARTIES: Employers.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Scott Cotnoir, 45 State House Station, Augusta, ME 04333-0150, (207) 623-7925, [Scott.R.Cotnoir@Maine.gov](mailto:Scott.R.Cotnoir@Maine.gov) .

**NEW RULE – Chapter XX:** Rules Regarding Record Keeping Requirements

STATUTORY AUTHORITY: Title 26 M.R.S. §665

PURPOSE: Establish procedures for keeping accurate and true records of the hours worked by each employee and of the wages paid.

ANTICIPATED SCHEDULE: September 30, 2023

AFFECTED PARTIES: Employers.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Scott Cotnoir, 45 State House Station, Augusta, ME 04333-0150, (207) 623-7925, [Scott.R.Cotnoir@Maine.gov](mailto:Scott.R.Cotnoir@Maine.gov) .

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AGENCY UMBRELLA-UNIT NUMBER: **12-172**

AGENCY NAME: **Bureau of Unemployment Compensation<sup>1</sup>**

**CONTACT PERSON: Laura Boyett, Director, Bureau of Unemployment Compensation, Maine Department of Labor, 54 State House Station Augusta, ME 04333-0054 [Laura.Boyett@maine.gov](mailto:Laura.Boyett@maine.gov)**

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**EXPECTED 2022-2023 RULE-MAKING ACTIVITY:**

**CHAPTER 1:** Definitions

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<sup>1</sup> Pursuant to P.L. 456 (L.D. 1564), rule-making authority has been moved from the Unemployment Insurance Commission to the Bureau of Unemployment Compensation.

STATUTORY AUTHORITY: Title 26 M.R.S. §1082

PURPOSE: To revise or adopt definitions to help clarify statutory requirements pertaining to the administration of the Unemployment Insurance Program and/or to ensure consistency between rules and statutory revisions or additions.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Maine employers and employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 2:** Employer Notices, Records, Contributions and Reimbursement Payments and Reports

STATUTORY AUTHORITY: Title 26 M.R.S. §§ 1043 (19), 1082, 1221

PURPOSE: To revise or update the rule as needed to ensure consistency with existing statutory requirements, and to implement new standards pertaining to SUTA dumping.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Maine employers and employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 3:** Unemployment Benefits, Intrastate

STATUTORY AUTHORITY: Title 26 M.R.S. §1192

PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Maine employers and employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 4:** Unemployment Benefits, Interstate

STATUTORY AUTHORITY: Title 26 M.R.S. §1082

PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Maine employers and employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 5:** Rule of Practice Governing Adjudicatory Proceedings

STATUTORY AUTHORITY: Title 26 M.R.S. §§ 1082, 1194 and 1226

PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Maine employers and employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated.

**CHAPTER 6:** Seasonal Industry Program

STATUTORY AUTHORITY: Title 26 M.R.S. §1251

PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Maine employers and employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 7:** Advisory Rulings

STATUTORY AUTHORITY: Title 26 M.R.S. §1082

PURPOSE: To update guidelines as needed to ensure consistent application of current statutes.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Maine employers and employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 8: Payments for Dependents**

STATUTORY AUTHORITY: Title 26 M.R.S. §1191(6)

PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Maine employers and employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 9: Able and Available Requirements**

STATUTORY AUTHORITY: Title 26 M.R.S. §§ 1082(2) and 1192(3)

PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Maine employers and employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 10: Work Search Requirements**

STATUTORY AUTHORITY: Title 26 M.R.S. §§ 1082(2) and 1192(3)

PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Maine employers and employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 11: Deputy Determinations**

STATUTORY AUTHORITY: Title 26 M.R.S. §§ 1082, 1192 and 1194

PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By August 31, 2023

AFFECTED PARTIES: Maine employers and employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 12: Unemployment Compensation for Former Federal Civilian Employees (UCFE)**

STATUTORY AUTHORITY: Title 26 M.R.S. §1082(2)

PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Maine employers and employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 13: Unemployment Compensation for Ex-Service Members (UCX)**

STATUTORY AUTHORITY: Title 26 M.R.S. §1082(2)

PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Maine employers and employees  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 14: Educational Institutional Employees**

STATUTORY AUTHORITY: Title 26 M.R.S. §1082(2)  
PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Maine employers and employees  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 15: Benefit Payments to Athletes**

STATUTORY AUTHORITY: Title 26 M.R.S. §1082(2)  
PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Maine employers and employees  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 16: Benefit Payments to Aliens**

STATUTORY AUTHORITY: Title 26 M.R.S. §1082(2)  
PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Maine employers and employees  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 17: Voluntary Leaving**

STATUTORY AUTHORITY: Title 26 M.R.S. §§ 1082, 1192 and 1194  
PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Maine employers and employees  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 18: Discharge**

STATUTORY AUTHORITY: Title 26 M.R.S. §1082  
PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Maine employers and employees  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 19: Other Remuneration**

STATUTORY AUTHORITY: Title 26 M.R.S. §1082(2)

PURPOSE: To provide and/or revise definitions for other remuneration and to clarify the procedure for allocating other remuneration to particular periods, and to update guidelines as needed to ensure consistent application of current and or revised statutes.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Maine employers and employees  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 20: Unemployment Fraud or Misrepresentation by Claimants**

STATUTORY AUTHORITY: Title 26 M.R.S. §1082(2)  
PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Maine employers and employees  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 21: Pension Payments**

STATUTORY AUTHORITY: Title 26 M.R.S. §1082(2)  
PURPOSE: To revise the rule to be consistent with legislation passed eliminating the benefit offset for Social Security and similar pension payments.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Maine employers and employees  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 22: Extended Benefits**

STATUTORY AUTHORITY: Title 26 M.R.S. §1082(2)  
PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Maine employers and employees  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 23: Dislocated Worker Benefits**

STATUTORY AUTHORITY: Title 26 M.R.S. §1196  
PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Maine employers and employees  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 24: Approved Training**

STATUTORY AUTHORITY: Title 26 M.R.S. §§ 1082 and 1192  
PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.  
ANTICIPATED SCHEDULE: By August 31, 2023  
AFFECTED PARTIES: Maine employers and employees  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 25: Employee Leasing Companies**

STATUTORY AUTHORITY: Title 26 M.R.S. §1082(2)

PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Maine employers and employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**CHAPTER 26: Waivers**

STATUTORY AUTHORITY: Title 26 M.R.S. §1082(2)

PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Maine employers and employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

**NEW RULE -- CHAPTER XX: Work-Share Rules**

STATUTORY AUTHORITY: 26 M.R.S. §1198

PURPOSE: To implement rules outlining procedures and requirements for the Maine Work-Share Program.

ANTICIPATED SCHEDULE: By December 31, 2023.

AFFECTED PARTIES: Maine employers who apply for the program and employees of those employers.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

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AGENCY UMBRELLA-UNIT NUMBER: **12-179**

AGENCY NAME: **Occupational Safety and Health Board**

**AGENCY RULEMAKING LIAISON:** Isaac H. Gingras, 54 State House Station, Augusta, ME 04333-0054. Telephone (207) 626-6232. Email: [Isaac.H.Gingras@Maine.gov](mailto:Isaac.H.Gingras@Maine.gov) .

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**EXPECTED 2022-2023 RULEMAKING ACTIVITY:**

**CHAPTER 1: Procedural Rule**

STATUTORY AUTHORITY: Title 26 M.R.S. Chapter 6 §565

PURPOSE: These rules describe the Occupational Safety & Health Board Procedural Rules for notices, hearings, records, subpoena powers, decisions, officers and rulings.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Non-federal public employers and their employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Steve Greeley, 45 State House Station, Augusta, ME 04333-0150, (207) 623-7916, [Steven.L.Greeley@Maine.gov](mailto:Steven.L.Greeley@Maine.gov).

**CHAPTER 2: Occupational Safety and Health Standards for General Employment in the Public Sector**

STATUTORY AUTHORITY: Title 26 M.R.S. §565

PURPOSE: Establishes procedures and standards to ensure safe and healthful working conditions for public employees (adopt by reference the latest Federal standards).  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Non-federal public employers and their employees  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated  
CONTACT PERSON: Steven Greeley, 45 State House Station, Augusta, ME 04333-0045, (207) 623-7916, [Steven.L.Greeley@Maine.gov](mailto:Steven.L.Greeley@Maine.gov).

**CHAPTER 3:** Occupational Safety and Health Standards for Construction  
Employment in the Public Sector

STATUTORY AUTHORITY: Title 26 M.R.S. §565  
PURPOSE: Establishes procedures and standards to ensure safe and healthful working conditions for public employees (adopt by reference the latest Federal standards).  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Non-federal public employers and their employees  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated  
CONTACT PERSON: Steven Greeley, 45 State House Station, Augusta, ME 04333-0045, (207) 623-7916, [Steven.L.Greeley@Maine.gov](mailto:Steven.L.Greeley@Maine.gov).

**CHAPTER 4:** Occupational Safety and Health Standards for Firefighting in the Public Sector

STATUTORY AUTHORITY: Title 26 M.R.S. §§ 2101-2107  
PURPOSE: Establishes procedures and standards to ensure safe and healthful working conditions for firefighters in the public sector.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Non-federal public employers and their employees  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated  
CONTACT PERSON: Steven Greeley, 45 State House Station, Augusta, ME 04333-0045, (207) 623-7916, [Steven.L.Greeley@Maine.gov](mailto:Steven.L.Greeley@Maine.gov).

**CHAPTER 5:** Occupational Safety and Health Standards for Public Safety Diving

STATUTORY AUTHORITY: Title 26 M.R.S. §565  
PURPOSE: These rules establish standards and procedures to protect public safety divers from the hazards of diving.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Non-federal public employers and their employees  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated  
CONTACT PERSON: Steven Greeley, 45 State House Station, Augusta, ME 04333-0045, (207) 623-7916, [Steven.L.Greeley@Maine.gov](mailto:Steven.L.Greeley@Maine.gov).

**CHAPTER 6:** Recording Occupational Injuries and Illnesses in the Public Sector

STATUTORY AUTHORITY: Title 26 M.R.S. §565  
PURPOSE: Establishes rules for the recording of occupational injuries and illnesses by public sector employers. These rules closely conform to the standards set by the U.S. Department of Labor, which apply to private sector employers, by using the Federal forms and general procedures.  
ANTICIPATED SCHEDULE: By September 30, 2023  
AFFECTED PARTIES: Non-federal public employers and their employees  
CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Steven Greeley, 45 State House Station, Augusta, ME 04333-0045, (207) 623-7916, [Steven.L.Greeley@Maine.gov](mailto:Steven.L.Greeley@Maine.gov).

**CHAPTER 7:** Minimum Driver Training Requirements for Fire Apparatus

STATUTORY AUTHORITY: Title 26 M.R.S. §2107

PURPOSE: These rules identify the minimum job performance requirements for career and volunteer fire fighters who drive fire apparatus in order to reduce accidents, injuries and loss of fire equipment.

ANTICIPATED SCHEDULE: By September 30, 2023

AFFECTED PARTIES: Non-federal public employers and their employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Steven Greeley, 45 State House Station, Augusta, ME 04333-0045, (207) 623-7916, [Steven.L.Greeley@Maine.gov](mailto:Steven.L.Greeley@Maine.gov).

**CHAPTER 8:** Occupational Safety and Health Standards for Whistleblower/Discrimination in the Public Sector

STATUTORY AUTHORITY: Title 26 M.R.S. §565

PURPOSE: Establishes procedures and standards to prohibit discrimination against public employee(s) reporting unsafe and unhealthful working conditions. (adopt by reference the latest Federal standards).

ANTICIPATED SCHEDULE: By September 29, 2023

AFFECTED PARTIES: Non-federal public employers and their employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Steven Greeley, 45 State House Station, Augusta, ME 04333-0045, (207) 623-7916, [Steven.L.Greeley@Maine.gov](mailto:Steven.L.Greeley@Maine.gov).

**CHAPTER 9:** Occupational Safety and Health Standards for Issuing Variances in the Public Sector

STATUTORY AUTHORITY: Title 26 M.R.S. §565

PURPOSE: Establishes procedures and standards for application, review and issuance of variance(s) that ensure safe and healthful working conditions for public employees (adopt by reference the latest Federal standards).

ANTICIPATED SCHEDULE: September 29, 2023

AFFECTED PARTIES: Non-federal public employers and their employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Steven Greeley, 45 State House Station, Augusta, ME 04333-0045, (207) 623-7916, [Steven.L.Greeley@Maine.gov](mailto:Steven.L.Greeley@Maine.gov).

**CHAPTER 10:** Occupational Safety and Health Standards for Consultation Guidelines in the Public Sector

STATUTORY AUTHORITY: Title 26 M.R.S. §565

PURPOSE: Establishes procedures and standards outlining consultation guidelines for public employers/employees. (adopt by reference the latest Federal standards).

ANTICIPATED SCHEDULE: By September 29, 2023

AFFECTED PARTIES: Non-federal public employers and their employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Steven Greeley, 45 State House Station, Augusta, ME 04333-0045, (207) 623-7916, [Steven.L.Greeley@Maine.gov](mailto:Steven.L.Greeley@Maine.gov).



AGENCY UMBRELLA-UNIT NUMBER: **12-180**  
AGENCY NAME: **Maine Labor Relations Board**

**CONTACT PERSON:** Henry Fouts, Board Counsel, 90 State House Station, Augusta, ME 04333-0090. Tel: (207) 287-2015.

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**EXPECTED 2022-2023 RULE-MAKING ACTIVITY:**

CHAPTER 10: General Rules

STATUTORY AUTHORITY: Title 26 M.R.S., Chapter 9-A, §968

PURPOSE: The rules define certain terms used throughout the rules of the Maine Labor Relations Board and contain other rules of general application. Modifications would simplify the Board's rules by reducing the need to cross reference to other rule chapters and would amend or clarify the requirements for service of prohibited practice complaints.

ANTICIPATED SCHEDULE: By June 30, 2023

AFFECTED PARTIES: Employers, employees, employee organizations or bargaining agents as defined in the Municipal Public Employees Labor Relations Law, 26 M.R.S. §962, the State Employees Labor Relations Act, 26 M.R.S. §979-C, the University of Maine System Labor Relations Act, 26 M.R.S. §1027 or the Judicial Employees Labor Relations Act, 26 M.R.S. §1284.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CHAPTER 11: Bargaining Unit Composition and Representation Matters

STATUTORY AUTHORITY: Title 26 M.R.S., Chapter 9-A, §968

PURPOSE: The rules establish procedures concerning petitions to create, modify, or merge bargaining units, petitions to hold bargaining agent elections, hearings on unit composition issues, bargaining agent certification and decertification and appeals on representation matters. Modifications would simplify the Board's rules by reducing the need to cross-reference.

ANTICIPATED SCHEDULE: By June 30, 2023

AFFECTED PARTIES: Employers, employees, employee organizations or bargaining agents as defined in the Municipal Public Employees Labor Relations Law, 26 M.R.S. §962, the State Employees Labor Relations Act, 26 M.R.S. §979-C, the University of Maine System Labor Relations Act, 26 M.R.S. §1027 or the Judicial Employees Labor Relations Act, 26 M.R.S. §1284.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CHAPTER 12: Prohibited Practice Complaints; Interpretive Rulings

STATUTORY AUTHORITY: Title 26 M.R.S., Chapter 9-A, §968

PURPOSE: The rules govern the filing of prohibited practice complaints, responding to a complaint, the prehearing conference, the adjudicatory hearing and the issuance of decisions and orders by the Board. They also govern requests for interpretive rulings from the Board. Proposed changes would amend or clarify the requirements for service of prohibited practice complaints, amend the requirements regarding hard copies of documentary evidence, amend the process for decisions on whether to defer proceedings to the parties' contract grievance process, simplify the Board's rules by reducing the need to cross-reference and make other miscellaneous non-substantive changes for clarity.

ANTICIPATED SCHEDULE: By June 30, 2023

AFFECTED PARTIES: Employers, employees, employee organizations or bargaining agents as defined in the Municipal Public Employees Labor Relations Law, 26 M.R.S. §962, the State Employees Labor Relations Act, 26 M.R.S. §979-C, the University of Maine System Labor Relations Act, 26 M.R.S. §1027 or the Judicial Employees Labor Relations Act, 26 M.R.S. §1284.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CHAPTER 13: Resolution of Contract Negotiation Disputes

STATUTORY AUTHORITY: Title 26 M.R.S., Chapter 9-A, §968

PURPOSE: The rules establish procedures governing mediation, fact-finding and arbitration. Modifications would amend the rule regarding cancellation of fact-finding hearings.

ANTICIPATED SCHEDULE: By June 30, 2023

AFFECTED PARTIES: Employers, employees, employee organizations or bargaining agents as defined in the Municipal Public Employees Labor Relations Law, 26 M.R.S. §962, the State Employees Labor Relations Act, 26 M.R.S. §979-C, the University of Maine System Labor Relations Act, 26 M.R.S. §1027 or the Judicial Employees Labor Relations Act, 26 M.R.S. §1284.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

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AGENCY UMBRELLA UNIT: **12-181**

AGENCY NAME: **Maine Standing Committee on Apprenticeship**

**AGENCY RULE-MAKING LIAISON:** Isaac H. Gingras, 54 State House Station, Augusta, ME 04333-0054. Telephone (207) 626-6232. Email: [Isaac.H.Gingras@Maine.gov](mailto:Isaac.H.Gingras@Maine.gov)

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**EXPECTED 2022-2023 RULE-MAKING ACTIVITY:**

**CHAPTER 1:** Rules Relating to Labor Standards for Registration of Apprenticeship Programs

STATUTORY AUTHORITY: Title 26 M.R.S. §3201

PURPOSE: To revise or update existing rule language as may be needed and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By October 31, 2023

AFFECTED PARTIES: Workers, job seekers, employers, non-profit agencies

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Joan Dolan, 55 State House Station, Augusta, ME 04333, (207) 623-7987, [Joan.m.Dolan@Maine.gov](mailto:Joan.m.Dolan@Maine.gov).

**CHAPTER 2:** Rules Relating to Labor Standards for Equal Opportunity for Employment of Women and Minorities in Registered Apprenticeship Programs in the State of Maine

STATUTORY AUTHORITY: Title 26 M.R.S. §3205

PURPOSE: To revise or update existing rule language as may be needed and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By October 31, 2023

AFFECTED PARTIES: Workers, job seekers, employers, non-profit agencies

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Melissa Harvey, 55 State House Station, Augusta, ME 04333, (207) 623-7987, [Melissa.Harvey@Maine.gov](mailto:Melissa.Harvey@Maine.gov).

**CHAPTER 3:** Rules Relating to Labor Standards for Registration of Pre-Apprenticeship Programs

STATUTORY AUTHORITY: Title 26 M.R.S. §3201

PURPOSE: To revise or update existing rule language as may be needed and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By October 31, 2023

AFFECTED PARTIES: Workers, job seekers, employers, local workforce investment boards, non-profit agencies

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Joan Dolan, 55 State House Station, Augusta, ME 04333, (207) 623-7987, [Joan.m.Dolan@Maine.gov](mailto:Joan.m.Dolan@Maine.gov).

**CHAPTER X:** Rules Relating to Pre-Apprenticeship Programs

STATUTORY AUTHORITY: Title 26 M.R.S. §3201

PURPOSE: To revise or update existing rule language as may be needed and make revisions or additions necessary to ensure consistency with current statutory requirements.

ANTICIPATED SCHEDULE: By October 31, 2023

AFFECTED PARTIES: Workers, job seekers, employers, local workforce investment boards, non-profit agencies

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Joan Dolan, 55 State House Station, Augusta, ME 04333, (207) 623-7987, [Joan.m.Dolan@Maine.gov](mailto:Joan.m.Dolan@Maine.gov).

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AGENCY UMBRELLA UNIT: **12-186**

AGENCY NAME: **State Board of Arbitration and Conciliation**

**CONTACT PERSON:** Neil Daly, Executive Director, State Board of Arbitration and Conciliation, 90 State House Station, Augusta, ME 04333. Telephone: (207) 287 2015. Fax: (207) 287-4416. TTY or TDD: (207) 287-4330.

Email: [Neil.Daly@Maine.gov](mailto:Neil.Daly@Maine.gov).

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**EXPECTED 2022-2023 RULEMAKING ACTIVITY:**

CHAPTER 1: General Rules

STATUTORY AUTHORITY: Title 26 M.R.S. §931

PURPOSE: The rules define certain terms used throughout the rules of the State Board of Arbitration and Conciliation and contain other rules of general application. Modifications would facilitate electronic communication by moving to an e-file system and by allowing service of documents by electronic means. Changes would also include miscellaneous non-substantive changes for clarity.

ANTICIPATED SCHEDULE: By June 30, 2023

AFFECTED PARTIES: Parties who have agreed to utilize the Board's services as a board of inquiry or a board of conciliation in the private sector, as a fact-finding panel in the public sector, or as a board of arbitration in either the public or private sector.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CHAPTER 3: Logging Dispute Resolution Board

STATUTORY AUTHORITY: Title 26 M.R.S., §931

PURPOSE: The rules govern the procedures of the Logging Dispute Resolution Board ("Board"), as established in chapter 47 of Title 26 of the Maine Revised Statutes ("the Act"). The Board may hear and decide disputes between a forest products harvester and forest landowner related to wage violations, payout amounts, contract violations or disputes related to hiring, in accordance with the Act and these rules.

ANTICIPATED SCHEDULE: By June 30, 2023

AFFECTED PARTIES: Forest products harvesters and forest landowners, as defined by 26 M.R.S. §3701.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

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AGENCY UMBRELLA UNIT: **12-597**

AGENCY NAME: **Bureau of Employment Services**

**AGENCY RULE-MAKING LIAISON:** Isaac H. Gingras, 54 State House Station, Augusta, ME 04333-0054. Telephone (207) 626-6232. Email:

[Isaac.H.Gingras@Maine.gov](mailto:Isaac.H.Gingras@Maine.gov)

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**EXPECTED 2022-2023 RULE-MAKING ACTIVITY:**

**CHAPTER 1:** Rules Governing Implementation of the Trade Adjustment Assistance Program

STATUTORY AUTHORITY: Title 26 M.R.S. §2051

PURPOSE: To update the state TAA rules to match the recent changes to the *Federal Trade Adjustment Assistance Act* (TAA). The TAA program is federally funded providing wage subsidy, training, job search and relocation assistance to customers covered under approved petitions.

ANTICIPATED SCHEDULE: By August 31, 2023

AFFECTED PARTIES: TAA eligible customers and CareerCenter staff

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Judy Pelletier, 55 State House Station, Augusta, ME 04333, , [judith.a.pelletier@maine.gov](mailto:judith.a.pelletier@maine.gov).

**CHAPTER 2:** Rules Governing the Competitive Skills Scholarship Program

STATUTORY AUTHORITY: Title 26 M.R.S. §2033

PURPOSE: To simplify and clarify existing rule language and make revisions or additions necessary to ensure consistency with current statutory requirements. The Competitive Skills Scholarship Program is intended to provide individuals with access to education, training, and support leading to skilled, well-compensated jobs with anticipated high employment demand, to improve the economic well-being of the participants in the program and to provide employers with a skilled labor force.

ANTICIPATED SCHEDULE: By October 31, 2023

AFFECTED PARTIES: Workers, job seekers, employers, local workforce investment boards, non-profit agencies

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Lisa Haskell, 55 State House Station, Augusta, ME 04333, [Lisa.A.Haskell@maine.gov](mailto:Lisa.A.Haskell@maine.gov).

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## **NEW UNIT**

AGENCY UMBRELLA UNIT: **12-XXX**

AGENCY NAME: **State Workforce Board**

**AGENCY RULE-MAKING LIAISON:** Isaac H. Gingras, 54 State House Station, Augusta, ME 04333-0054. Telephone (207) 626-6232. Email: [Isaac.H.Gingras@Maine.gov](mailto:Isaac.H.Gingras@Maine.gov).

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

## **EXPECTED 2022-2023 RULE-MAKING ACTIVITY:**

**NEW RULE – Chapter XX:** Rules Regarding the *Workforce Innovation and Opportunity Act* (Proposed)

STATUTORY AUTHORITY: Title 26 M.R.S. §2006

PURPOSE: Make adjustments to the rules regarding the *Workforce Innovation and Opportunity Act* to align with Maine's current involvement in the program.

ANTICIPATED SCHEDULE: By December 31, 2023

AFFECTED PARTIES: Employers and employees

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CONTACT PERSON: Isaac H. Gingras, 120 State House Station, Augusta, ME 04333, [Isaac.h.gingras@maine.gov](mailto:Isaac.h.gingras@maine.gov).