

§621-A. Timely and full payment of wages

1. Minimum frequency and full payment. At regular intervals not to exceed 16 days, every employer must pay in full all wages earned by each employee, except members of the family of the employer and salaried employees. Each payment must include all wages earned to within 8 days of the payment date. Payments that fall on a day when the business is regularly closed must be paid no later than the following business day. An employee who is absent from work at a time fixed for payment must be paid as if the employee was not absent. For purposes of this subsection, "members of the family of the employer" and "salaried employees" have the same meanings as described in section 663, subsection 3, paragraphs J and K, respectively.

[PL 2023, c. 124, §1 (AMD).]

2. Regular payment required. Wages must be paid on an established day or date at regular intervals made known to the employee. The interval may not be increased without written notice to the employee at least 30 days in advance of the increase.

[PL 2017, c. 219, §9 (AMD).]

3. Compensatory time agreements. Notwithstanding subsections 1 and 2, public agency employers and employees may enter into compensatory time overtime agreements in accordance with the federal Fair Labor Standards Act, 29 United States Code, Section 207(o). These agreements are governed solely by federal law. For purposes of this subsection, "public agency" has the same meaning as in 29 United States Code, Section 203(x).

[PL 1999, c. 790, Pt. P, §1 (NEW); PL 1999, c. 790, Pt. P, §3 (AFF).]

4. School personnel. Employees of a school administrative unit or a school in an unorganized territory operating under Title 20-A, chapter 119 who work the school year schedule may, upon written agreement between the employees and the school administrative unit or school in an unorganized territory, be paid for their work during the school year over 12 months or a shorter period, as provided in the written agreement. For purposes of this subsection, "written agreement" includes but is not limited to a collective bargaining agreement. A school administrative unit or school in an unorganized territory shall provide a wage payment option to school personnel who are paid on an hourly basis that allows those employees to be paid for their work during the school year over 12 months or a shorter period.

[PL 2021, c. 699, §1 (AMD); PL 2021, c. 699, §2 (AFF).]

5. Change in rate of pay. Payment of wages or salary must be made at the rate previously established by the employer, except that the employer may decrease the rate of pay, effective the next working day, if the employer gives notice to all affected employees prior to the change. When an employer has temporarily increased an employee's wage rate to comply with the prevailing wage requirements of chapter 15; the federal Davis-Bacon Act, 40 United States Code, Section 276a et seq.; or other applicable federal or state law, an employer need not provide advance notice prior to returning the employee to the employee's regular wage rate, as long as the employer is in compliance with all posting and notice provisions of the applicable law. Changes of rates of pay made under a collective bargaining agreement are exempt from this requirement.

[PL 2023, c. 124, §2 (AMD).]

6. Volunteer firefighters. Notwithstanding subsection 1, a municipal fire department may make payments owed to a volunteer firefighter at regular intervals not to exceed 6 months. For purposes of this subsection, "municipal fire department" has the same meaning as in Title 30-A, section 3151, subsection 1 and "volunteer firefighter" has the same meaning as in Title 30-A, section 3151, subsection 4.

[PL 2005, c. 126, §1 (NEW).]

7. Direct deposit of wages. An employer may not charge a fee for the payment of wages by means of direct deposit. For purposes of this section, "direct deposit" means the transfer of wages through

electronic funds transfer directly into an employee's account in an accredited financial institution designated by the employee.

[PL 2021, c. 158, §1 (NEW).]

SECTION HISTORY

PL 1999, c. 465, §2 (NEW). PL 1999, c. 790, §P1 (AMD). PL 1999, c. 790, §P3 (AFF). PL 2001, c. 156, §1 (AMD). PL 2005, c. 18, §1 (AMD). PL 2005, c. 103, §1 (AMD). PL 2005, c. 126, §1 (AMD). PL 2017, c. 219, §§8, 9 (AMD). PL 2019, c. 193, §1 (AMD). PL 2021, c. 158, §1 (AMD). PL 2021, c. 699, §1 (AMD). PL 2021, c. 699, §2 (AFF). PL 2023, c. 124, §§1, 2 (AMD).

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