



DEPARTMENT OF LABOR
BUREAU OF LABOR STANDARDS
45 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0045

LAURA A. FORTMAN
COMMISSIONER

JANET T. MILLS
GOVERNOR

WAGE & HOUR DIVISION

MICHAEL ROLAND
DIRECTOR

February 22, 2021

Just Me, Inc.
Attn: Sheila Seidl
126 Harriman Road
Swanville, ME 04915

RE: Violations of 26 MRS, Inspection #452426
Certified Mail: 7015 1520 0001 0962 8232

Dear Sheila Seidl,

When our Inspector, Steven Spencer, contacted your place of business on November 30, 2020 and again on January 6, 2021, the following violations of Maine Labor Law were found:

26 MRS §621-A Timely and Full Payment of Wages requires that employees be paid in full, on an established day or date, at regular intervals made known to the employee. The intervals may not exceed 16 days and must include all wages earned to within 8 days of the payment date.

In this case, the employer failed to pay employee [REDACTED] for work performed on 11/7/2020. The employer indicated in an email that [REDACTED] was not originally scheduled for that day. The employer was aware that [REDACTED] worked, and the time was not paid.

[REDACTED] worked from 12/3/2020 to 12/5/2020 and was not paid on the established pay date of 12/11/2020. The employer issued a check to [REDACTED] on 1/11/2021, but when the claimant deposited the check, it was returned due to insufficient funds.

The employer did not respond to requests for information regarding the bounced check. The wages remain unpaid as of the date of this letter.

The employer was cited for a prior violation of this statute on 12/29/20 and was informed at that time that continued noncompliance would result in penalties being assessed (row id 450364).

26 MRS §626-A PENALTIES Whoever violates any of the provisions of sections 621-A to 623 or section 626, 628, 629 or 629-B is subject to a forfeiture of not less than \$100 nor more than \$500 for each violation. Each employee is counted as a separate violation, each pay cycle.

- *2 violations of §621-A*

26 MRS §665 (2) Pay Statement requires that employers provide to the employee with each payment of wages a statement which clearly shows the date of the pay period, hours worked, total earnings and itemized deductions.

In this case, the pay statement provided for the payment of wages to [REDACTED] for her wages earned from 12/3/2020 to 12/5/2020 indicates it is for the period 12/6/2020 to 12/12/2020. This is not an accurate record.

In this case, employee [REDACTED] was sent a payment for the period ending 11/7/2020 and was not provided a pay statement with that payment. Pay statements must be provided to each employee with each payment of wages and the information provided must be true and accurate.

26 MRS §671 PENALTIES - Any employer who violates this subchapter shall, upon conviction thereof, be punished by a fine of not less than \$50 nor more than \$200. In the event of the violation of any of the provisions of this subchapter, the Attorney General may institute injunction proceedings in the Superior Court to enjoin further violation thereof.

- 2 violations of §665

The total penalty for the above violation(s) is \$600.00.

Make checks payable to the “Treasurer, State of Maine”

The violations identified above will become a final order within fifteen (15) business days from the day it was received unless you request a penalty discussion or file an appeal (see employer options) within the specified time frame listed above.

Employer options (within 15 business days):

If you intend to correct all violations identified and wish to work with the Wage & Hour Division to possibly reduce the penalty amount, you may request a “Penalty Discussion”. This discussion will pertain only to the penalty(s) and not the violation(s). All proposed penalties will be stayed until after the penalty discussion.

Or

You may file a formal appeal of any violation or penalty within fifteen (15) days of receipt of this citation. Please be specific as to what violation(s) or penalty you wish to appeal. If a request for a formal appeal is received, the Director will set a time and date for a “hearing”. The Director will serve as the hearing officer or may assign the appeal to the Administrative Hearings Division within the Department of Labor. The hearing will be at the headquarters of the Bureau or at a place mutually agreeable to the parties. All proposed penalties will be stayed until after the formal appeal is heard.

As the employer, you must respond in writing to the Director of the Bureau, at the address above, within fifteen (15) business days of receipt of this report stating what option you intend to choose. If no response is received within that time frame you accept all citations and any penalties assessed. The citation will become a final order and payment will be due at that time, made payable to **“Treasurer, State of Maine” and mailed to the address at the top of this citation.**

We strongly recommend that any correspondence be sent by certified mail. Failure to correct violations may result in additional penalties for each violation that is not corrected.

If you have questions regarding this citation, you may contact the Bureau of Labor Standards, Wage & Hour Division at (207) 623-7900.

Dates to remember:

Respond in writing, to the Director of the Bureau within fifteen (15) business days of receipt of this citation indicating what option you choose.

Respectfully,



Scott Cotnoir, Director
Wage and Hour Division
Inspection # 452426