



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 201

H.P. 164

House of Representatives, January 22, 2019

An Act To Protect Jobs in the State by Requiring Advance Notice of Closure of Call Centers

Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DUNPHY of Old Town.
Cosponsored by Senator BELLOWS of Kennebec and
Representatives: COLLINGS of Portland, CUDDY of Winterport, DOORE of Augusta,
HANDY of Lewiston, HICKMAN of Winthrop, MASTRACCIO of Sanford, SYLVESTER of
Portland, WARREN of Hallowell.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 26 MRSA c. 43** is enacted to read:

3 **CHAPTER 43**

4 **CALL CENTER RETENTION**

5 **§3501. Definitions**

6 As used in this chapter, unless the context otherwise indicates, the following terms
7 have the following meanings.

8 **1. Agency.** "Agency" means an executive branch agency of the State.

9 **2. Call center.** "Call center" means a business enterprise that employs, for the
10 purpose of customer service or back office operations:

11 A. Fifty or more employees, excluding part-time employees; or

12 B. Fifty or more employees who in the aggregate work at least 1,500 hours per week,
13 excluding overtime hours.

14 **3. Commissioner.** "Commissioner" means the Commissioner of Labor.

15 **4. Employer.** "Employer" means a person, partnership, firm, association or
16 corporation, public or private, that operates a call center.

17 **5. Part-time employee.** "Part-time employee" means an employee who works an
18 average of less than 20 hours per week or who has been employed for less than 6 months
19 during the 12 months preceding the date on which notice is required pursuant to section
20 3502, subsection 1.

21 **§3502. Notice requirement; list of employers**

22 **1. Notice requirement.** An employer who intends to relocate a call center, or one or
23 more facilities or operating units within a call center handling at least 30% of the call
24 center's total call volume for the previous 12 months, from the State to a foreign country
25 shall notify the commissioner at least 120 days before the relocation.

26 **2. List.** The commissioner shall compile a semiannual list of all employers that
27 relocate a call center or one or more facilities or operating units within a call center as
28 described in subsection 1. The commissioner shall distribute the list to all agencies under
29 the jurisdiction of the commissioner.

30 **3. Penalty.** An employer who fails to notify the commissioner of the relocation of a
31 call center at least 120 days before the relocation may be assessed a fine of \$10,000 for
32 each day the employer fails to notify the commissioner, except that the commissioner
33 may reduce the amount for just cause shown.

1 The bill requires the Commissioner of Labor to create a list of employers who have
2 relocated a call center, or a facility or operating unit handling at least 30% of call volume
3 within a call center, from the State to a foreign country. An employer appearing on the
4 list is ineligible for a state grant, loan or tax benefit for 5 years and is required to pay back
5 the unamortized value of a state grant, loan or tax benefit previously issued to the
6 employer. The bill requires that call center work for executive branch agencies of the
7 State be performed in the State.