

## §1401-B. Commissioner

The Commissioner of Labor is entitled to receive a fixed weekly salary in accordance with Title 2, section 6, and must be paid from the administrative funds of the Bureau of Employment Services, the Bureau of Unemployment Compensation, the Bureau of Labor Standards, the Bureau of Rehabilitation Services and from other program administrative funds that the commissioner is authorized by statute or Executive Order to administer. The commissioner may establish an Office of the Commissioner, consisting of such personnel as determined necessary to carry out the duties and responsibilities of the commissioner, and paid from administrative funds from programs that the commissioner is authorized to administer. [PL 1995, c. 560, Pt. G, §15 (NEW).]

**1. Duties.** The commissioner has the following duties.

A. The commissioner shall prepare a budget for the department. [PL 1995, c. 560, Pt. G, §15 (NEW).]

B. The commissioner shall appoint to serve at the commissioner's pleasure:

- (1) Deputy Commissioner;
- (2) Director of Legislative Affairs;
- (3) Director of Operations;
- (4) Director of Communications;
- (5) Director, Bureau of Labor Standards;
- (6) Director, Bureau of Employment Services; and
- (7) Director, Bureau of Rehabilitation Services. [PL 2013, c. 467, §5 (RPR).]

The commissioner may appoint, subject to the Civil Service Law, such other personnel as may be necessary to carry out the functions of the department. The commissioner may transfer personnel within the department to ensure the efficient utilization of department personnel. The commissioner may require reports and take other actions necessary to carry out the functions of the department. [PL 2013, c. 467, §5 (AMD).]

**2. Purchase.** The commissioner shall coordinate the purchase and use of all department equipment. [PL 1995, c. 560, Pt. G, §15 (NEW).]

**3. Review.** The commissioner shall review the functions and operations of the department to ensure that overlapping functions and operations are brought to the attention of the Governor and the Legislature. [PL 1995, c. 560, Pt. G, §15 (NEW).]

**4. Data collection.** The commissioner shall conduct a survey of manufacturing and nonmanufacturing industries throughout the State once every 2 years to determine hourly occupational wage rates by gender. [PL 1995, c. 560, Pt. G, §15 (NEW).]

**5. Dispute resolution services.** The commissioner may provide, by agreement with other agencies, dispute resolution services, including, but not limited to, adjudicatory proceedings, mediation and other alternative dispute resolution techniques. [PL 1995, c. 560, Pt. G, §15 (NEW).]

**6. Monitor employee leasing industry.** The commissioner shall coordinate the efforts of the State to ensure that the employee leasing industry is developing in a manner that provides the greatest benefit to Maine employers while minimizing the financial risk to those employers and to the leased employees. The commissioner shall meet at least annually with representatives of the Bureau of Insurance, the

Bureau of Revenue Services, the Department of Economic and Community Development, the Workers' Compensation Board and the Bureau of Labor Standards within the Department of Labor. This group shall develop written material for employers and new businesses that are considering using an employee leasing firm. The material must provide guidance for employers on what questions to ask to minimize their own financial risk and that of their employees. The material must also include instructions on how to obtain public information on employee leasing companies, such as information required for registration purposes. The commissioner shall meet with the state officials listed in this subsection on at least an annual basis to review the status of the employee leasing industry and update the written materials as needed.

[PL 1997, c. 393, Pt. A, §30 (NEW); PL 1997, c. 526, §14 (AMD).]

#### SECTION HISTORY

PL 1995, c. 560, §G15 (NEW). PL 1997, c. 393, §A30 (AMD). PL 1997, c. 526, §14 (AMD). PL 2005, c. 3, §O2 (AMD). PL 2007, c. 1, Pt. D, §4 (AMD). PL 2011, c. 655, Pt. D, §10 (AMD). PL 2011, c. 655, Pt. D, §11 (AFF). PL 2011, c. 655, Pt. SS, §2 (AMD). PL 2013, c. 467, §5 (AMD).

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