



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.