



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

March 11, 2021

Coop's Place
Attn. Lisa & Kendall Cooper
64 Bethel RD
West Paris, ME 04289

RE: Violations of 26 MRS, Inspection #452861
Certified Mail: 70151520000109628270

Dear Lisa & Kendall Cooper,

When our inspector, Elaine Brackett, contacted you on numerous occasions between November 3, 2020 and February 20, 2021 to inspect your payroll records and time records, the following violations of Maine Labor Law were found:

26 MRS §622 Records requires that employers keep a true record showing the date and amount paid to each employee. Every employer shall keep a daily record of the time worked by each such employee. Records required to be kept by this section must be accessible to any representative of the department at any reasonable hour.

In this case, inspector Brackett made numerous requests between 11/03/20 and 12/15/20 to the employer to provide the most recent three month's payroll records and time records. The employer received a certified letter from inspector Brackett on 02/20/21 making a final request for the employer to provide the payroll records and time records for October 2020 through February 2021 and to provide the records by 03/03/21 at the latest or monetary penalties may be assessed. As of 03/11/21 the employer has not provided the records in accordance with this statute.

2020 quarterly reports filed by the employer indicate she had four separate employees in the last two quarters of 2020.

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.

- 4 violations

**The total penalty for the above violation(s) is \$400.00.
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 # 452861