

Maine: WPA Covers Unionized Workplaces

Effective July 20, 2022, as clarified by enacted legislation, the state's Whistleblowers' Protection Act (WPA) is enforceable even when a collective bargaining agreement (CBA) exists. Under current law, located at 26 Me. Rev. Stat. Ann. § 837, enforcement of the WPA is restricted when it "impairs the rights of a person under any [CBA]," which was interpreted by the [Maine Supreme Court](#) as a bar to enforcement of the WPA when a CBA was in place. That law, and its impact on the WPA, will be deleted in July.

([HP 1399](#) signed by governor April 12, 2022)

Maine: Employers Required to Pay Out Unused, Accrued Vacation When Employment Ends

Effective June 29, 2022, employers with 11 or more employees must pay out all unused, paid vacation that has accrued under their vacation policy:

- On and after January 1, 2023; and
- When the employee stops working for them.

However, if the employee's work is governed by a collective bargaining agreement (CBA) that addresses vacation payout at the end of employment, then the CBA takes precedence.

([HB 160](#) signed by governor April 7, 2022)

Maine: CROWN Act Protects Against Employment Discrimination Based on Hair Texture or Style

Effective July 20, 2022, the Maine's Human Rights Act's (MHRA) definition of race will expand to protect against discrimination based on race and traits associated with it, such as hair texture, Afro hairstyles, and protective hairstyles, which include braids, twists, and locks.

The MHRA prohibits employment discrimination based on protected class. Protected classes include: race, color, ancestry, national origin, sex, sexual orientation (which includes gender identity and expression), physical or mental disability, religion, age, and other categories in certain contexts.

([SP 237](#) signed by governor April 20, 2022)