

Settlement Agreement between the Maine Department of Labor and Professional Home Care Specialists, LLC

This Agreement is entered into by and between the Maine Department of Labor, Bureau of Labor Standards and Professional Home Care Specialists, LLC to address and resolve violations of Title 26 set forth in the attached notice of violation dated March 8, 2021, Inspection # 446113.

RECITALS

Professional Home Care Specialists, LLC is a corporation in good standing authorized to do business in Maine. Lisa Michaud is the primary shareholder and President, and she is authorized to bind the corporation and enter into this Settlement Agreement.

TERMS

Compliance Monitoring

For two (2) years following the execution of this Agreement by the Director, Professional Home Care Specialists, LLC, hereinafter called "Employer", shall provide The Maine Department of Labor, hereinafter called "Agency", access to EMPLOYER'S place(s) of business, records necessary to establish compliance with state and federal wage & hour laws and this Agreement and contact information for employees upon request. EMPLOYER shall submit records to AGENCY within five (5) days of a request for records under this Paragraph.

Internal complaint and investigatory procedure

EMPLOYER agrees that within sixty (60) days of the full execution of this Agreement, EMPLOYER shall create and implement procedures, subject to the AGENCY'S approval,

- A. for employees to complain to EMPLOYER regarding violations of this Agreement or violations of any of the laws enforced by AGENCY; and
- B. for the investigation and resolution of any complaints regarding such alleged violations.

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EMPLOYER agrees to maintain a written log of all formal or informal complaints by employees or their representatives that shall include a written record of at least the following information:

- A. name of the complainant;
- B. nature of the complaint;
- C. person to whom the complaint was made;
- D. date of complaint,
- E. nature of the investigation into the complaint;
- F. resolution of the complaint;
- G. date of the resolution of the complaint; and
- H. date the resolution was communicated to the complainant.

EMPLOYER agrees to maintain these records for a period of at least three (3) years after the Agreement is executed by the Director and to produce such documents to the AGENCY on the first day of each calendar quarter until June 1, 2023.

Employer training (given by agency)

Within ninety (90) days of the Director's execution of this Agreement, EMPLOYER shall contact the AGENCY'S Chief Labor & Safety Inspector, Bartlett Hutchinson, at 207-623-7951 to schedule Wage & Hour Compliance training.

Within Nine (9) months of the Director's execution of this Agreement, EMPLOYER shall attend training hosted by the AGENCY. Employer may wish to have management attend the training also. Management includes each individual who supervises or will supervise any of EMPLOYER'S employees in Maine. EMPLOYER shall count training as hours worked for anyone in management that may attend.

Acknowledgement and Admission of violations

Employer acknowledges and admits to the violations of 26 M.R.S. §§ 621-A identified in the notice of violation dated March 8, 2021, attached to this agreement.

Payment of all outstanding wages owed

Employer agrees to pay all outstanding wages owed within one week of the execution of this agreement and agrees to send this office proof within one week of the execution of this agreement that all wages have been paid.

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Technical assistance

Offer of technical assistance

AGENCY invites EMPLOYER to contact Chief Labor & Safety Inspector, Bartlett Hutchinson, at 207-623-7951 for confidential technical assistance.

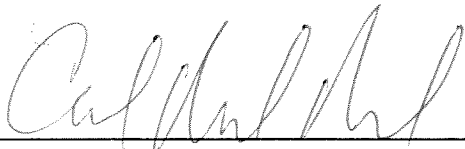
COMPROMISE OF PENALTIES

EMPLOYER agrees to pay \$592.50 and AGENCY agrees to suspend \$11,257.50 of the penalty if Employer complies with the terms of this Agreement and has no additional violations of 26 MRS sections 621-A for two years from the date of the Agreement.

By entering into this Settlement Agreement, Employer waives its right to appeal the findings of the violations set forth in the attached notice of violation.

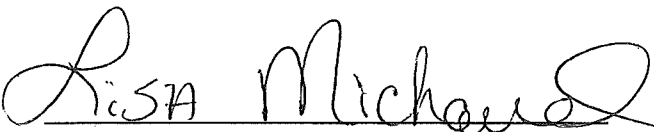
In the event of any breach of this Settlement Agreement, Agency may enforce the entire amount of the penalties set forth in the attached notice of violation, along with penalties for any additional violations subsequent to the date of this Agreement in State of Maine Superior Court.

Signature(s)



Michael Roland, Bureau Director

Date: 5/3/21



Lisa Michaud, Owner/President

Date: 4/9/21