

Keep your employees (and business) healthy

With the arrival of autumn comes the beginning of the sniffles, the sneezes and the “sick season.” If you are an employer, now is the time to do what you can to help prevent your employees from becoming sick and, if they do, to prevent them spreading the “yuck” to others.



DEB NEUMAN
BACK TO BUSINESS

Here are some tips to improve the health of your workplace, which ultimately leads to a healthier bottom line for your business.

Communicate your sick time policies and culture

Remind your employees about your sick time or sick leave policy and discuss your sick “culture.” Does your workplace encourage and support people who stay home when they are sick or are workers made to feel guilty for calling in sick?

If you want employees to stay home, make it very clear that is the expectation. Don’t encourage a culture of coming to work when they are sick and just “sucking it up.”

Make it possible for employees to stay home when they are sick by developing a strategy to ensure their jobs can get done without them.

Encourage a work-from-home option if their job is one that can be performed from home and only if they are not too sick to do some work.

Provide stay healthy ‘tools’

Arm your workplace with the tools needed to help your employees stay healthy. Distribute boxes of tissues, plenty of soap for handwashing, and disinfectant wipes for desks and workspaces.

Encourage a healthy workplace year-round

Employees who are healthy to begin with are less likely to become sick and recover faster if they do.

You can create a healthy workplace by providing healthy snacks, lots of water and encouraging exercise. This is especially important when workers are sitting a lot. Too much sitting isn’t good for anyone’s health or productivity, so get people moving.

Instead of meeting with an employee in the conference room, take a walk outside or around the building.

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Maine law firm files suit against Volkswagen

More than 1,000 cars in state have deceptive software

BY DARREN FISHELL
BDN STAFF

PORTLAND — Attorneys from Portland-based law firm Verrill Dana have filed a class-action lawsuit in U.S. District Court in Maine against car maker Volkswagen, estimating that more than 1,000 of its cars with deceptive emissions software are registered in the state.

The lawsuit comes as plaintiffs in other states have filed similar lawsuits in federal court. The world’s best-selling carmaker also could face lawsuits from investors and auto dealers in connection with the emissions system scandal.

The U.S. Environmental Protection Agency found that several of the automaker’s diesel-engine cars had software that duped emissions testing systems and emitted as much as 40 times the legal limit of carbon dioxide once on the road.

The lawsuit in Maine was filed on behalf of two plaintiffs, Sean Mahoney of Falmouth and Ayres Stockley of Cumberland. It is the first filed in Maine against Volkswagen.

The suit seeks class certification for all affected Maine car owners, restitution and attorney fees for allegations, including three counts of violating Maine consumer protection law, a count of fraudulent concealment and breach of contract.

The lawsuit estimates there are “well in excess” of 1,000 affected vehicles in the state.

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What to do when your paycheck doesn’t come



TROY R. BENNETT | BDN

Isabella McCollett (from left), Shannon O’Brien and Alexandra Rodriguez stand in front of the now defunct Pockets sandwich shop in Portland. The trio say the owner shuttered the business and skipped town owing them and other workers thousands in unpaid wages.

BY DARREN FISHELL
BDN STAFF

Few people should expect that come payday the pay won’t come.

Several young employees of Pockets, a shuttered Old Port sandwich shop, said they questioned their boss when it happened to them. They were met with pleas, reassurances, excuses and threats, they said. They responded by consulting attorneys, workers advocates and others for help.

Maine Department of Labor spokeswoman Julie Rabinowitz said workers should immediately file a complaint with the DOL’s wage and hour division, at 623-7900, especially if met with reasons for late pay that fall short of providing a clear answer about when pay will arrive and why it was delayed.

“The employer has until midnight on the scheduled payday to pay a person,” Rabinowitz wrote in an email. “After that, it is a missed payroll.”

State law requires the department not to disclose the identity of the complainant of wage and hour violations,

Workers have the right to timely wages.

Rabinowitz wrote, so employees are not required to confront a boss when filing a complaint with the state.

That process will become a little bit more complicated when Portland’s new minimum wage law takes effect in January, because the city will have to investigate wage violation complaints up to the new \$10.10 hourly wage. The same would be true for other municipalities, including Bangor, if they approve a local minimum wage higher than the state’s \$7.50 per hour.

Portland’s new ordinance allows employees doing work within city limits to file complaints with the city manager’s office, which has authority to review payroll records that the ordinance requires employees keep for at least three years after an employee has left.

Andy Schmidt, the labor attorney working with several Pockets employees, said he



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DrewChristopher Joy, executive director of the Southern Maine Workers’ Center, talks about trying to help former employees of Pockets sandwich shop on Monday in Portland. Joy wants to help them recover lost wages owed them after the proprietor abruptly shuttered the business.

thinks the new law could result in some confusion, but a call from an attorney or a state official typically resolves wage or hour violations.

“The vast majority of business people are trying to follow the law,” Schmidt said.

That appears not to be the case for the former employees of Pockets sandwich shop

owner Dennis Caris. They estimate he owes \$12,000 in unpaid wages, money they had counted on for rent and basic necessities. Many of the employees said they took action, confronting their boss either separately or as a group and consulting an attorney and a workers’ advocacy group.

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Canada warns US on mill electricity ruling

REUTERS

WASHINGTON — U.S. trade officials would set a dangerous precedent if they confirm a ruling that a private contract to provide a Canadian paper mill with cheap electricity was a government subsidy, a U.S. trade hearing on paper imports was told on Thursday.

In a preliminary decision, the U.S. Department of Commerce set anti-subsidy duties on paper from Canada’s Port Hawkesbury Paper after a complaint by U.S.-based Madison Paper Industries of Maine, owned by Finland’s UPM-Kymmene Corp., and Verso Corp. of Ohio.

Gilles Gauthier, a senior official at the Canadian embassy in Washington, told a Commerce hearing the ruling would allow

foreign companies to retaliate against U.S. companies which also do deals to secure cheap power.

The Department of Commerce is scheduled to announce its final determination on anti-subsidy duties on or about Oct. 14

“If not corrected, this will create a dangerous precedent,” he said.

The U.S. companies argued that Nova Scotia Power, owned by Canadian energy company Emera Inc., provided electricity too cheaply to Port Hawkesbury on the orders of the regulator.

Lawyers for the mill said elec-

tricity pricing accounted for more than 70 percent of the duties, preliminarily set at 20.33 percent. The duties aim to compensate for the amount of unfair government support received by foreign companies.

Lawyer Gary Horlick, representing Port Hawkesbury, said the implications of the ruling could extend to company share listings and mergers, which also need regulatory approval.

“It would be ... a radical move by the department. You’re saying that private contracts between private parties, which require approval by regulatory bodies, are subsidies,” he said.

But lawyers representing the Coalition for Fair Paper Imports said the power company provided the cheap electricity

because it was directed to by the Nova Scotia Utility and Review Board.

“The consequences of the board’s actions were that PHP received electricity at a subsidized rate,” Brian McGill, from law firm King & Spalding, told the hearing.

The case covers imports of glossy supercalendered paper from Canada, used to produce such materials as magazines, catalogs, corporate brochures, flyers and directories, which Commerce values at an estimated \$868.4 million in 2014.

The Department of Commerce is scheduled to announce its final determination on anti-subsidy duties on or about Oct. 14. The U.S. International Trade Commission must also rule in favor of the U.S. companies.

CNN to livestream Democratic debate in virtual reality

BY JANKO ROETTIGERS
REUTERS

LOS ANGELES — CNN is going up close and personal for the Democratic Debate on Oct. 13: The news network will stream the debate live in virtual reality, thanks to a cooperation with VR livestreaming company NextVR.

Owners of a Samsung Gear VR headset will be able to pick their own point of view during the debate, and for example focus on candidates while they are not speaking to find one of those unguarded moments that gets lost on the traditional telecast.

The livestream follows a little

experiment CNN and NextVR did during the latest Republican debate: NextVR captured the debate at the Ronald Reagan library earlier this month in 360-degree VR video, and then made it available for download through the NextVR app on GearVR.

It’s unlikely that a lot of viewers are going to tune in for the

debate live stream next month, as not many people have bought a VR headset yet. However, audiences for these kinds of live streams could grow as headsets become more affordable and widely available. On Thursday, Samsung announced that it will start selling a consumer-ready version of GearVR for \$99 this fall.