

PORTLAND CITY MINIMUM WAGE



CITY OF PORTLAND
Effective January 1, 2025

Minimum Wage in the City of Portland is \$15.50 per hour

Section 33.8(a) of the Portland City Code requires every Portland employer to post a noticeinforming employees of the City's current minimum wage rates in a conspicuous place.

This poster is available online at no charge:
www.portlandmaine.gov/minimumwage

In accordance with Section 33.7(b)(iii) of the City Code, minimum wage is \$15.50 per houreffective January 1, 2025

Service Employees A service employee is someone who regularly receives more than \$185 a month in tips. As of January 1, 2025, employers must pay service employees a direct wage of at least \$7.75 perhour. If the employee's direct wage combined with earned tips does not average, on a weeklybasis, \$15.50 per hour, the employer must pay the difference.

Record Keeping Employers shall maintain payroll records showing hours worked daily by and the wages paidto all employees. These records shall be retained for at least three (3) years after an employeehas left employment.

Paycheck Notice Every employer shall provide with the first paycheck issued to an employee a notice advisingthe employee of the current City of Portland minimum wage, as established by Section 33.7(b)of City Code.

Complaint Process The Office of the Portland City Manager is responsible for enforcement of the provisions ofPortland's Minimum Wage Ordinance. For additional information or to file a complaint,contact citymanager@portlandmaine.gov.

Applicability of State Law In addition to Portland's Minimum Wage Ordinance, Portland employers must comply withall labor laws of the State of Maine, as detailed in Title 26 of the Maine Revised Statutes. Thisincludes, but is not limited to, overtime pay eligibility and notice to employees.

portlandmaine.gov/MinimumWage

Order 105-16/17
Passage as an Emergency: 9-0 on 12/19/2016

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL
AMENDMENT TO PORTLAND CITY CODE
CHAPTER 33 (MINIMUM WAGE)

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

Effective 12/19/2016

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, MAINE
IN CITY COUNCIL ASSEMBLED AS FOLLOWS:

1. That Section 33-2, 33-7 of the Portland City Code is hereby amended to read as follows:

Chapter 33 MINIMUM WAGE

Art. I. Purpose, §33.1

Art. II. Definitions, §33.2 – 33-6

Art. III. Minimum Wage, 33-7

Art. IV. Notice, Posting and Records, 33-8

Art. V. Enforcement and Violations, 33-9

Art. VI. Relationship To Other Requirements, 33-10

Art. VII. Severability Clause, 33-11

Art. VIII. Effective Date, 33-12

ARTICLE I

Sec. 33.1. Purpose.

WHEREAS, the City of Portland is a home-rule unit of government under the Maine Constitution and 30-A M.R.S. §3001 and, as such, may exercise any power and perform any function in order to protect health, safety and welfare of the citizens of the City; and

WHEREAS, promoting the welfare of the City's citizens, its most important asset, and those who work within the City's borders is an endeavor that plainly meets this criterion; and

WHEREAS, after years of inaction by the United States Congress, it is time for municipalities and states to lift families out of poverty and stimulate the economy by raising the minimum wage; and

WHEREAS, Mayor Michael Brennan created a working group, which included community, labor and business leaders, and tasked them with reviewing the minimum wage issue within the City of Portland; and

WHEREAS, the cost of living in Portland has increased making life here cost, as a percentage of income, as much as is paid by residents of Chicago, Illinois, Sacramento, California and other major United States cities where the minimum wage is much higher; and

WHEREAS, an estimated 20,000 workers in the State of Maine work for minimum wage, and a substantial number of them are among the City of Portland's more than 65,000 wage and salary earners; and

WHEREAS, The Massachusetts Institute of Technology has calculated that, for a single adult to support him- or herself in Portland at the current minimum wage, he or she would need to work over 50 hours a week; and

WHEREAS, more than 50 percent of Portland public school students are eligible for free lunch, meaning their families have incomes at between 100 percent and 185 percent of the Federal poverty level, which is higher than what a single parent with one child in school would earn with a full-time minimum wage job; and

WHEREAS, rising housing costs, including an increase in the median home price from \$125,200 in 2000 to \$238,400 in 2012, are pushing low wage workers out of the City; and

WHEREAS, the Fair Market Rent in the Portland Area for a two-bedroom apartment is \$1,012, and a full-time worker job would have to earn at least \$19.46 per hour to afford that rent;

WHEREAS, phasing in the wage increase over time will allow businesses to adjust and result in reasonable annual increases in expenses;

WHEREAS, based on the work of the working group (the materials and report of which are incorporated herein by reference) and the aforementioned facts, Mayor Brennan proposed that the minimum wage be increased within the City of Portland;

NOW THEREFORE, to promote the health, safety and welfare of its citizens and pursuant to and consistent with 26 M.R.S. §664, the City Council of the City of Portland, Maine hereby establishes the following minimum wage ordinance applicable to all Employers and Employees within the City of Portland:

ARTICLE II

Sec. 33.2. Definitions.

Unless the context otherwise indicates, the following words shall have the following meanings.

City: City of Portland.

City limits: the physical boundaries of the City.

Consumer Price Index – All Urban Consumers (“CPI-U”) means the national, annual average of the Consumer Price Index for all urban consumers as reported by the United States Bureau of Labor Statistics, with the Series identification number of CUUR0000SA0.

Employer: Any individual, group of individuals, partnership, association, corporation, business trust, or any other entity or group of persons or entities who employs or exercises control over the wages, hours, or working conditions of any Employee and who has a place of business within the City limits. “Employer” shall include but not be limited to the City of Portland.

Employee: Any person who performs work for an Employer for monetary compensation within the municipal limits of the City. Employee shall include persons who perform work for an employer on a full-time, part-time, seasonal or temporary basis. Employee shall not include any person who is exempted from the definition of Employee under 26 M.R.S. §663(3) of Chapter 7, Employment Practices.

Minimum wage: The minimum hourly rate of monetary compensation that an Employer shall legally pay an Employee for work within the City. State Minimum Wage: The minimum hourly wage established by 26 M.R.S. § 664.

Service Employee: Any Employee engaged in an occupation in which he or she customarily and regularly receives more than \$30.00 a month or more in tips.

Tip: A sum presented by a customer in recognition of services performed by one or more Service Employees, including a charge automatically included in the customer's bill. “Tip” does not include a service charge added to a customer's bill in a banquet or private club setting by agreement between the customer and the Employer.

Sec. 33.5 – 33-6 Reserved.

Article III.

Section 33.7. Minimum Wage.

(a) *Minimum wage payment required:* Except as provided herein, Employers shall pay all Employees no less than the Minimum Wage established by this ordinance for each hour worked within the City Limits.

(b) *Minimum Wage rate:*

(i) Beginning on January 1, 2016, the regular Minimum Wage for all Employees, including, but not limited to, Service Employees, shall be raised to \$10.10 per hour;

(ii) Beginning on January 1, 2017, the regular Minimum Wage for all Employees, including, but not limited to, Service Employees, shall be raised to \$10.68 per hour; and

(iii) Beginning on every first day of July following January 1, 2018, and every first day of July thereafter, the Minimum Wage for all Employees, including, but not limited to, Service Employees, shall be increased according to the Consumer Price Index – All Urban Consumers (CPIU) percentage increase from the prior year, unless the Minimum Wage equals the State Minimum Wage as set forth below. If there is no increase, the Minimum Wage will be unchanged. The percentage increase in the annual CPI-U for the previous calendar year from the annual CPI-U for the calendar year preceding that shall be the percentage by which the Minimum Wage is increased on the first day of July 2018 and every July 1 thereafter.

(iv) If the State Minimum Wage established by 26 M.R.S. § 664 is equal to or greater than the Minimum Wage established herein, the Minimum Wage for all Employees, including, but not limited to, Service Employees, shall be raised to equal the State Minimum Wage.

(c) *Tip Credit:*

(i) An Employer may consider tips as part of the wages of a Service Employee toward satisfaction of the Minimum Wage established by this ordinance, in accordance with 26 M.R.S. §664(2) and until such time as the tip credit is eliminated under state law. Such a tip credit shall be no greater than the amount necessary to reduce the direct wages paid to a Service Employee to an amount equal to the minimum direct wages required to be paid to Service Employees pursuant to 26 M.R.S. §664(2). Minimum direct wages pursuant to 26 M.R.S. §664(2) is the amount required by state law to be paid to a Service Employee after an Employer reduces the state minimum wage by the maximum allowable tip credit as provided in 26 M.R.S. §664(2).

(ii) An Employer who elects to use the tip credit, until it is eliminated under state law, must inform the affected employee in advance and must be able to show that the employee receives at least the Minimum Wage established by this ordinance when direct wages and the tip credit are combined. Upon a satisfactory showing by the employee or the employee's representative that the actual tips received were less than the tip credit, the employer shall increase the direct wages by the difference.

(iii) The tips received by a Service Employee become the property of the employee and may not be shared with the employer. Tips that are automatically included in the customer's bill or that are charged to a credit card must be treated like tips given to the Service Employee. A tip that is charged to a credit card must be paid by the employer to the employee by the next regular payday and may not be held while the employer is awaiting reimbursement from a credit card company.

(iv) This section may not be construed to prohibit an employer from establishing a valid tip pooling arrangement among service employees that is consistent with the federal Fair Labor Standards Act and regulations made pursuant to that Act.

(v) The meaning of the language used in this section shall be interpreted consistently with the interpretation of the language of 26 M.R.S. §663 and 26 M.R.S. §664.

(d) *Overtime.*

(i) The Minimum Wage set out in this ordinance is subject to the overtime compensation provisions in 26 M.R.S. §664(3).

(e) *Collective Bargaining Agreements.*

(i) Nothing in this ordinance shall be deemed to interfere with, impede, or in any way diminish the right of all Employees including, but not limited to, Service Employees to bargain collectively with their Employers in order to establish wages or other conditions of work in excess of the applicable minimum standards of this ordinance.

(f) *Retaliation Prohibited.*

(i) It shall be unlawful for any Employer to discriminate in any manner or take any adverse action against any Employee including, but not limited to a Service Employee in retaliation for exercising any right under this ordinance.

ARTICLE IV.

Sec. 33.8. Notice, Posting and Records.

(a) Notice to Employees. Every employer shall post in a conspicuous place at any workplace or job site where any Employee works, a notice informing Employees of the City's current Minimum Wage rates, as well as a copy of this ordinance.

(b) Records. Employers shall maintain payroll records showing hours worked daily by and the wages paid to all Employees, including, but not limited to, Service Employees. Employers shall retain such payroll records pertaining to all Employees for a period of at least three (3) years after an Employee has left employment.

(c) Access. The City shall have access to any and all Employer payroll records subject to this ordinance during business hours to investigate whether or not an Employer has violated any of the provisions of this chapter.

(d) Paycheck Notice. Every Employer shall provide with the first paycheck issued to an Employee, including a Service Employee, a notice advising the Employee of the current Minimum Wage under this ordinance and of the Employee's rights under this ordinance.

ARTICLE V.

Sec. 33.9. Enforcement and Violations.

(a) *Enforcement.*

(i) The City Manager or his/her designee shall enforce the provisions of this ordinance.

(ii) The City Manager is authorized to adopt rules and regulations for the proper administration and enforcement of this ordinance.

(b) *Complaint Process.*

(i) Any Employee, including, but not limited to, a Service Employee, receiving less than the Minimum Wage he or she is required to receive under this ordinance may file a written complaint with the City Manager's office.

(ii) The City Manager or his or her designee may investigate and issue a response to the complaint within fifteen (15) work days following the receipt of a complaint. The City Manager's or his or her designee's response to the complaint shall be final.

(iii) If the City Manager finds that a violation of this chapter has occurred, he or she may order any and all appropriate relief including, but not limited to, the payment of any back wages withheld and/or the payment of not less than \$100.00 as a penalty for each day that a violation of this chapter has occurred. A violation of this Ordinance may also be considered a civil violation subject to the general penalty provisions of section 1-15 of this Code.

(c) *Private Cause of Action.*

(i) Any Employee, including, but not limited to, a Service Employee, the City or any person aggrieved by a violation of this ordinance may bring an action in a Court of competent jurisdiction against the Employer for any and all violations of this ordinance, including, but not limited to, wages owed under this ordinance. Upon a judgment being rendered in favor of any employee(s), in any action brought pursuant to this ordinance, such judgment shall include, in addition to the wages adjudged to be due and any penalties assessed, any and all costs of suit including, but not limited to, reasonable attorney's fees.

ARTICLE VI.

Sec. 33.10. Relationship To Other Requirements. This ordinance provides for payment of Minimum Wage rates within the City and shall not be construed to preempt or otherwise limit or affect the applicability of any other law, regulation, requirement or policy, including any that provides for payment of higher wages and/or benefits. Nothing contained in this ordinance prohibits an employer from paying more than the Minimum Wage rates established herein.

ARTICLE VII.

Sec. 33.11. Severability Clause.

If any section, paragraph, sentence, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court, such decision shall not affect the validity of the remaining provisions of this ordinance.

ARTICLE VIII.

Sec. 33.12. Effective Date.

BE IT FURTHER ORDAINED that these amendments are enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to make the amendment effective immediately and allow the changes to the minimum wage ordinance to be in place prior to the enactment of the State Minimum Wage Law on January 1, 2017.



CIUDAD DE PORTLAND
A partir del 1 de enero de 2025

Salario mínimo en la ciudad de Portland es \$15.50 por hora.

La Sección 33.8(a) del Código de la Ciudad de Portland requiere que todos los empleadores de Portland publiquen un aviso informando a los empleados de las tasas actuales de salario mínimo de la Ciudad en un lugar visible.

Este póster está disponible en línea sin costo alguno:
www.portlandmaine.gov/minimumwage

De acuerdo con la Sección 33.7 (b) (iii) del Código de la Ciudad, el salario mínimo es de \$ 15.50 por hora a partir del 1 de enero de 2025

Empleados de servicio Un empleado de servicio es alguien que recibe regularmente más de \$185 al mes en propinas. A partir del 1 de enero de 2025, los empleadores deben pagar a los empleados de servicios un salario directo de al menos \$7.75 por hora. Si el salario directo del empleado combinado con las propinas ganadas no promedia, semanalmente, \$15.50 por hora, el empleador debe pagar la diferencia.

Mantenimiento de registros Los empleadores deberán mantener registros de nómina que muestren las horas trabajadas diariamente y los salarios pagados a todos los empleados. Estos registros se conservarán durante al menos tres (3) años después de que un empleado haya dejado su empleo.

Aviso de cheque de pago Cada empleador deberá proporcionar con el primer cheque de pago emitido a un empleado un aviso informando al empleado sobre el salario mínimo actual de la Ciudad de Portland, según lo establecido por la Sección 33.7 (b) del Código de la Ciudad.

Proceso de queja La Oficina del Administrador de la Ciudad de Portland es responsable de hacer cumplir las disposiciones de la Ordenanza de Salario Mínimo de Portland. Para obtener información adicional o para presentar una queja, comuníquese con citymanager.portlandmaine.gov.

Aplicabilidad de la ley estatal Además de la Ordenanza de Salario Mínimo de Portland, los empleadores de Portland deben cumplir con todas las leyes laborales del Estado de Maine, como se detalla en el Título 26 de los Estatutos Revisados de Maine. Esto incluye, entre otros, la elegibilidad para el pago de horas extras y la notificación a los empleados.

portlandmaine.gov/MinimumWage

Orden 105-16/17
Pasaje como emergencia: 9-0 el 12/19/2016

ETHAN K. STRIMLING (ALCALDE)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

CIUDAD DE PORTLAND
EN EL AYUNTAMIENTO

ENMIENDA AL CÓDIGO DE LA CIUDAD DE PORTLAND
CAPÍTULO 33 (SALARIO MÍNIMO)

Efectivo el 12/19/2016

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

EL AYUNTAMIENTO DE LA CIUDAD DE PORTLAND, MAINE
EN REUNIÓN DEL AYUNTAMIENTO ORDENA LO SIGUIENTE:

1. Que las Secciones 33-2, 33-7 del Código de la Ciudad de Portland se modifiquen para que se digan lo siguiente:

Capítulo 33 SALARIO MÍNIMO

Art. I. Propósito, §33.1

Art. II Definiciones, §33.2 - 33-6

Art. III. Salario mínimo, 33-7

Art. IV. Aviso, publicación y registros, 33-8

Art. V. Ejecución y violaciones, 33-9

Art. VI. Relación con otros requisitos, 33-10

Art. VII. Cláusula de divisibilidad, 33-11

Art. VIII Fecha de vigencia, 33-12

ARTÍCULO I

Sec. 33.1. Propósito.

POR CUANTO, la Ciudad de Portland es una unidad de gobierno autónomo bajo la Constitución de Maine y 30-A M.R.S. §3001 y, como tal, puede ejercer cualquier poder y realizar cualquier función para proteger la salud, la seguridad y el bienestar de los ciudadanos de la ciudad; y **POR CUANTO**, promover el bienestar de los ciudadanos de la Ciudad, su activo más importante, y aquellos que trabajan dentro de las fronteras de la Ciudad, es un esfuerzo que claramente cumple con este criterio; y **POR CUANTO**, después de años de inacción por parte del Congreso de los Estados Unidos, es hora de que los municipios y los estados saquen a las familias de la pobreza y estimulen la economía aumentando el salario mínimo.

POR CUANTO, el alcalde Michael Brennan creó un grupo de trabajo, que incluía líderes comunitarios, laborales y empresariales, y les encargó revisar el tema del salario mínimo dentro de la ciudad de Portland; y **POR CUANTO**, el costo de vida en Portland ha aumentado haciendo que la vida aquí cueste, como un porcentaje del ingreso, tanto como lo que pagan los residentes de Chicago, Illinois, Sacramento, California y otras ciudades importantes de los Estados Unidos donde el salario mínimo es mucho más alto; y

POR CUANTO, se estima que 20,000 trabajadores en el estado de Maine trabajan por un salario mínimo, y un número sustancial de ellos se encuentran entre los más de 65,000 asalariados de la Ciudad de Portland; y

POR CUANTO, el Instituto de Tecnología de Massachusetts ha calculado que, para que un solo adulto se mantenga en Portland con el salario mínimo actual, necesitaría trabajar más de 50 horas a la semana; y **POR CUANTO**, más del 50 por ciento de los estudiantes de las escuelas públicas de Portland son elegibles para el almuerzo gratuito, lo que significa que sus familias tienen ingresos entre el 100 por ciento y el 185 por ciento del nivel federal de pobreza, que es más alto de lo que ganaría un padre soltero, cada un hijo en la escuela con un trabajo de salario mínimo a tiempo completo; y

POR CUANTO, el aumento de los costos de la vivienda, incluido un aumento en el precio promedio de la vivienda de \$125,200 en 2000 a \$238,400 en 2012, están empujando a los trabajadores de bajos salarios fuera de la ciudad; y

POR CUANTO, el alquiler justo en el mercado del área de Portland para un apartamento de dos habitaciones es de \$1,012, y un trabajador a tiempo completo tendría que ganar al menos \$19.46 por hora para pagar el alquiler;

POR CUANTO, la introducción gradual del aumento salarial a lo largo del tiempo permitirá a las empresas adaptarse y generar aumentos anuales razonables en los gastos;

POR CUANTO, basado en el trabajo del grupo de trabajo (cuyos materiales e informes se incorporan aquí como referencia) y los hechos antes mencionados, el alcalde Brennan propuso que se aumente el salario mínimo dentro de la ciudad de Portland;

AHOR, POR LO TANTO, para promover la salud, la seguridad y el bienestar de sus ciudadanos y de conformidad con 26 M.R.S. §664, el Ayuntamiento de la Ciudad de Portland, Maine establece la siguiente ordenanza de salario mínimo aplicable a todos los Empleadores y Empleados dentro de la Ciudad de Portland:

ARTÍCULO II

Sec. 33.2. Definiciones.

A menos que el contexto indique lo contrario, las siguientes palabras tendrán los siguientes significados.

Ciudad: Ciudad de Portland.

Límites de la ciudad: los límites físicos de la ciudad.

Índice de precios al consumidor para todos los consumidores urbanos (“CPI-U”) significa el promedio nacional anual del Índice de precios al consumidor para todos los consumidores urbanos según lo informado por la Oficina de Estadísticas Laborales de los Estados Unidos, con el número de identificación de serie CUUR0000SA0.

Empleador: cualquier individuo, grupo de individuos, sociedad, asociación, corporación, fideicomiso comercial o cualquier otra entidad o grupo de personas o entidades que emplee o ejerza control sobre los salarios, los horarios o las condiciones de trabajo de cualquier empleado y que tenga un lugar de negocios dentro de los límites de la ciudad.

“Empleador” incluirá, entre otros, la Ciudad de Portland.

Empleado: cualquier persona que realice un trabajo para un empleador para obtener una compensación monetaria dentro de los límites municipales de la ciudad. El empleado incluirá personas que realizan trabajo para un empleador a tiempo completo, a tiempo parcial, estacional o temporal. El empleado no incluirá a ninguna persona que esté exenta de la definición de empleado bajo 26 M.R.S. §663 (3) del Capítulo 7, Prácticas de empleo.

Salario mínimo: la tarifa por horas mínima de compensación monetaria que un Empleador deberá pagar legalmente a un Empleado por trabajar dentro de la Ciudad.

Salario mínimo estatal: El salario mínimo por hora establecido por 26 M.R.S. § 664.

Empleado de servicio: cualquier empleado que se dedique a una ocupación en la cual él o ella reciba habitual y regularmente más de \$30.00 al mes o más en propinas.

Propina: Una suma otorgada por un cliente en reconocimiento de los servicios prestados por uno o más Empleados de servicio, incluyendo un cargo incluido automáticamente en la factura del cliente. “Propina” no incluye un cargo por servicio agregado a la factura de un cliente en un banquete o en un club privado por acuerdo entre el cliente y el Empleador.

Sec. 33.5 - 33-6 Reservado.

Artículo III.

Sección 33.7. Salario mínimo.

(a) *Se requiere el pago del salario mínimo:* a excepción de lo dispuesto en este documento, los empleadores deberán pagar a todos los empleados no menos del salario mínimo establecido por esta ordenanza por cada hora trabajada dentro de los límites de la ciudad.

(b) *Tarifa de salario mínimo:*

(i) A partir del 1 de enero de 2016, el salario mínimo regular para todos los empleados, incluyendo, entre otros, los Empleados de servicio, se elevará a \$10.10 por hora;

(ii) A partir del 1 de enero de 2017, el salario mínimo regular para todos los empleados, incluyendo, entre otros, los Empleados de servicio, se elevará a \$10.68 por hora; y

(iii) A partir del primer día de cada mes de julio después del 1 de enero de 2018, y cada primer día de julio a partir de entonces, el salario mínimo para todos los empleados, incluyendo, entre otros, los Empleados de servicio, se incrementará de acuerdo con el porcentaje de aumento del Índice de Precios al Consumidor para todos los Consumidores Urbanos (CPI-U) respecto al año anterior, a menos que el salario mínimo sea igual al salario mínimo estatal como se establece a continuación. Si no hay aumento, el salario mínimo no se modificará. El aumento porcentual en el CPI-U anual para el año calendario anterior del CPI-U anual para el año calendario anterior será el porcentaje por el cual se aumenta el salario mínimo el primer día de julio de 2018 y cada 1 de julio en adelante.

(iv) Si el Salario Mínimo del Estado establecido por 26 M.R.S. § 664 es igual o mayor que el Salario Mínimo establecido en este documento, el Salario Mínimo para todos los Empleados, incluyendo, entre otros, los Empleados de servicio, se elevará para igualar al Salario Mínimo Estatal.

(c) *Crédito por propinas:*

(i) Un Empleador puede considerar las propinas como parte del salario de un Empleado de servicio para cumplir con el Salario Mínimo establecido por esta ordenanza, de conformidad con 26 M.R.S. §664 (2) y hasta el momento en que el crédito por propinas se elimine según la ley estatal. Tal crédito por propinas no deberá ser mayor que la cantidad necesaria para reducir los salarios directos pagados a un Empleado de servicio a un monto igual al salario mínimo directo requerido para pagar a los Empleados de servicio de conformidad con 26 M.R.S. §664 (2). El salario mínimo directo de conformidad con 26 M.R.S. §664 (2) es el monto que según la ley estatal se debe pagar a un Empleado de servicio después de que un Empleador reduzca el salario mínimo estatal por el crédito por propinas máximo permitido según lo dispuesto en 26 M.R.S. §664 (2).