

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 210

7 H.P. 176

House of Representatives, January 29, 1985

8 Reference to the Committee on Labor suggested and ordered printed.

9 EDWIN H. PERT, Clerk

10 Presented by Representative Beaulieu of Portland.

11  
12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-FIVE  
16

17 AN ACT to Increase Fairness to Workers'  
18 Compensation Claimants.  
19

20 Be it enacted by the People of the State of Maine as  
21 follows:

22 39 MRSA §111, as enacted by PL 1971, c. 190, is  
23 repealed and the following enacted in its place:

24 §111. Discrimination; remedies

25 1. Discrimination. No employer who is subject  
26 to this Act may discharge, have discharged or in any  
27 manner discriminate against any employee because the  
28 employee has testified or asserted a claim under this  
29 Act.

30 2. Remedies. Any employee who is discharged or  
31 discriminated against because he has testified or as-  
32 serted a claim under this Act may either:



1 restoration of any employee benefits to which he  
2 would have been entitled if he had not been discrimi-  
3 nated against. The court may also award punitive  
4 damages against the employer.

5 Secondly, the bill continues the present practice  
6 of allowing the worker injured by retaliatory dis-  
7 crimination or discharge to petition the Workers'  
8 Compensation Commission for a hearing, but the relief  
9 available to him is expanded. The commissioner who  
10 hears the case could now award the same relief as the  
11 Superior Court, except that court costs and punitive  
12 damages are not available.

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