

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
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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23 repealed and the following enacted in its place: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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