

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 905

H.P. 663

House of Representatives, March 23, 1989

Reference to the Committee on Labor suggested and ordered printed.

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative RUHLIN of Brewer.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

**An Act to Require a 90-day Delay in the Hiring of Replacement
Workers during a Labor Dispute.**



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

3 26 MRSA c. 7, sub-c. VII-A is enacted to read:

5 SUBCHAPTER VII-A

7 HIRING OF REPLACEMENT WORKERS DURING A LABOR DISPUTE

9 §857. Delay

11 No employer may employ any person to perform the tasks
13 normally done by an employee who is unavailable due to a strike,
lockout or other labor dispute until 90 days after the labor
15 dispute commences.

17 **STATEMENT OF FACT**

19 This bill restricts an employer's ability to immediately
21 replace employees who are unavailable due to the existence of a
23 labor dispute with that employer. The availability of immediate
25 replacement workers discourages serious bargaining by the
27 employer and contributes to the adversarial atmosphere that
29 accompanies strikes and lockouts. This bill is intended to
reduce the potential for violence during labor disputes and to
encourage their quick resolution by ensuring that the employees
will not be replaced for at least 90 days after the labor dispute
begins.