MAINE STATE LEGISLATURE

The following document is provided by the

LAW AND LEGISLATIVE DIGITAL LIBRARY

at the Maine State Law and Legislative Reference Library

http://legislature.maine.gov/lawlib

Reproduced from scanned originals with text recognition applied

(searchable text may contain some errors and/or omissions)

114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document **No. 1947**

S.P. 743 In Senate, December 14, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Secretary of the Senate on December 14, 1989. Referred to the Committee on Labor and 1,600 ordered printed pursuant to Joint Rule 14.

JOY J. O'BRIEN
Secretary of the Senate

Presented by President PRAY of Penobscot.

Cosponsored by Representative CLARK of Millinocket, Representative MICHAUD of East Millinocket and Senator ESTY of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act Related to Overcompensation.

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

26 MRSA §635 is enacted to read:

§635. Overcompensation by employer

If an employer erroneously compensates an employee more than the amount to which the employee is entitled, the employer must negotiate with the employee the method by which the employee is to repay the overcompensated amount. The employer may not reject, without good cause, the employee's preferred method of repayment, if that method is reasonable.

If an employer fails to negotiate with the employee as provided in this section, the employer forfeits any right or claim to the overcompensated amount.

STATEMENT OF FACT

This bill allows any employee that has been overcompensated because of an employer's error to participate in deciding how the money is to be returned.