

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1018

S.P. 309

In Senate, February 13, 1997

**An Act to Strengthen the Sanctions for Failure to Respond to an
Employee's Request for Reason for Termination of Employment.**

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator CLEVELAND of Androscoggin.
Cosponsored by Senators: CATHCART of Penobscot, TREAT of Kennebec, Representatives:
BOLDUC of Auburn, HATCH of Skowhegan, LEMAIRE of Lewiston, SAMSON of Jay.

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

4 **Sec. 1. 26 MRSA §630**, as amended by PL 1979, c. 175, is further amended to read:

6 **§630. Written statement of reason for termination of employment**

8
10 An employer shall, upon written request of the affected employee, give that employee the written reasons for the termination of his that person's employment. An employer who fails to satisfy this request within 15 days of receiving it may be ~~subject to a forfeiture of not less than \$50 nor more than \$500~~ ordered to pay liquidated damages to the employee of \$50 for each day the violation continues. An employee may bring an action in the District Court or the Superior Court to recover the liquidated damages provided to the employee by this section and for such other equitable relief, including an injunction, as the court may consider to be necessary and proper. The employer may also be required to reimburse the employee for the costs of suit, including a reasonable attorney's fee. This section does not apply to public employees in proceedings governed by Title 1, section 405.

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26 **SUMMARY**

28 This bill makes the following changes to the section of law that requires an employer to give an employee written reasons for the termination of that employee's employment.

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32 1. It makes liquidated damages provided for a violation of the section payable to the employee.

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36 2. It provides that an employee may bring an action in the District Court or the Superior Court to recover the liquidated damages provided to the employee and for such other equitable relief, including an injunction, as the court may consider to be necessary and proper.

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42 3. It authorizes the court to order an employer to reimburse the employee for costs of suit including a reasonable attorney's fee.