

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 electronic originals
(may include minor formatting differences from printed original)



132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1400

H.P. 922

House of Representatives, April 1, 2025

**An Act to Exempt Certain Public School Districts and Their
Employees from the Paid Family and Medical Leave Benefits
Program**

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script, reading "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CARLOW of Buxton.

Cosponsored by Representatives: HAGGAN of Hampden, MORRIS of Turner.

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

Sec. 1. 26 MRSA §850-F, sub-§8-A is enacted to read:

8-A. School districts exemption. A school district that meets the requirements of section 850-S is not required to remit premiums to the fund under this section.

Sec. 2. 26 MRSA §850-S is enacted to read:

§850-S. Substitution of benefits provided by school districts

An employer that is a school district meets its obligations under this subchapter if:

1. Substantially equivalent benefits. The school district provided family leave and medical leave benefits substantially equivalent to those provided under this subchapter pursuant to a collective bargaining agreement in effect on January 1, 2025; and

2. Continually maintains benefits. The school district continually maintains paid family leave and medical leave benefits for employees substantially equivalent to those provided under this subchapter pursuant to a collective bargaining agreement or other contractual agreement, including benefits for sick leave and family sick leave, that accrue annually to at least 12 weeks of leave.

Sec. 3. Department of Labor to refund contributions made by school districts. The Department of Labor shall refund contributions made to the department pursuant to the Maine Revised Statutes, Title 26, section 850-F made by a school district that meets the requirements of Title 26, section 850-S. A school district employer that deducted a portion of the premium to the employee as part of the employee's wage shall remit that portion of the premium to the employee as part of the employee's wage.

Sec. 4. Retroactivity. This Act applies retroactively to October 25, 2023.

SUMMARY

This bill provides that a school district is exempt from the paid family and medical leave benefits program if the school district:

1. Provided family leave and medical leave benefits substantially equivalent to those provided in the paid family and medical leave benefits program pursuant to a collective bargaining agreement in effect on January 1, 2025; and

2. Continually maintains substantially equivalent paid family leave and medical leave benefits for employees pursuant to a collective bargaining agreement or other contractual agreement, including benefits for sick leave and family sick leave, that accrue annually to at least 12 weeks of leave.

It also requires the Department of Labor to refund contributions made to the department by a school district before the school district was exempt from the paid family and medical leave benefits program. It requires a school district employer that deducted a portion of the premium to the employee as part of the employee's wage to remit that portion of the premium to the employee as part of the employee's wage.