

MAINE STATE LEGISLATURE

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STATE OF MAINE
132ND LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

JOINT STANDING COMMITTEE ON LABOR

August 2025

STAFF:

STEVEN LANGLIN, LEGISLATIVE ANALYST
SOPHIA PADDON, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/opla>

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hourly rate of pay and the total pay for the shift for which the employee was scheduled. An employer that makes a documented good faith effort to notify an employee not to report to work is not liable to pay wages. If the employee reports to work after the employer's attempt to notify the employee has been unsuccessful or if the employer is prevented from making notification for any reason, the employee must perform whatever duties are assigned by the employer at the time the employee reports to work. The provision does not apply when an employee is not required to work due to adverse weather conditions, a natural disaster, a civil emergency, an illness or medical condition of the employee or a workplace injury of the employee. The law applies to employers who employ at least 10 employees in the usual and regular course of business for more than 120 days in a calendar year and does not apply to certain employers of seasonal employees.

LD 706 An Act Regarding the Laws Relating to Unemployment Insurance

ENACTED LAW SUMMARY

Public Law 2025, chapter 235 amends the Unemployment Security Law in the following ways.

The law amends the definition of “unemployment fraud” to include instances when an individual solicits someone else to file a fraudulent claim on the individual's behalf. The provision governing grounds for disqualifying an individual from benefits is also amended to include soliciting another person to make false statements or material omissions on behalf of the individual. That provision is also amended to escalate the progression of penalties in cases when a claim has been filed using illegally obtained identification information such that the first offense is treated as a third offense, which requires the highest penalty.

The law amends provisions governing overpayments made to individuals by the Bureau of Unemployment Compensation in the Department of Labor. The law provides that the state minimum wage must be used to calculate the maximum amount of weekly unemployment compensation benefits that may be withheld from an individual who was overpaid by the bureau as the result of the individual's nondisclosure or misrepresentation. This change increases the limitations on the amount of wages that may be withheld. The law provides that benefit overpayments recouped by reducing weekly benefits must be applied only to the principal amount owed. The law also changes the appeal time frames for overpayment decisions to provide the same appeal time frames as non-overpayment decisions.

The law recodifies the section of law that governs eligibility for unemployment compensation benefits. The law also makes substantive changes to that section, including narrowing the parameters defining an individual's availability for work to include work that aligns with the customary hours and commute of the individual before becoming unemployed; requiring that for certain training programs to qualify as approved training programs, those programs must conform with rules adopted by the Commissioner of Labor; amending the time frame during which an individual is excused from the work search requirements during a period of layoff from the individual's employer and removing the requirement that the individual stay in contact with the employer during that period; and modifying the definition of “good cause” as it applies to an

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individual's failure to comply with certain provisions governing the individual's eligibility for unemployment compensation benefits.

The law amends the provision of law governing the bureau's process for determining unemployment compensation benefit eligibility by creating several new exceptions from that process. A claim is excepted from that process when an individual fails to perform a work search and is not under a work search waiver; fails to adequately respond to a request for identity verification; or is unemployed due to a stoppage of work.

The law also provides that the bureau may not withhold payment for claimants receiving benefits due to the claimant's failure to adequately respond to a written request for documentation to verify the claimant's identity unless the bureau has credible evidence that substantiates a reasonable basis for establishing an issue of potential fraud and withholding payment. If there is evidence, the bureau must issue timely notice to the claimant informing the claimant that benefit payments are withheld and instructions to the claimant on how the claimant may satisfy identity verification requirements and where to submit that documentation. The notice must include a reasonable time frame and the consequences for failing to provide that documentation. The bureau must allow individuals a reasonable time frame to submit documents that comply with an identity verification request. The bureau must also provide a list of acceptable documents and allow multiple methods to submit documents for identity verification. If the claimant fails to comply with the request for documents in the time frame provided by the bureau or if the documents are insufficient or determined to be fraudulent, the bureau must render a timely decision denying further benefits.

The law reorganizes provisions related to extended benefits for dislocated workers to conform with modern drafting standards. The law also changes those provisions to require that a dislocated worker must be in training approved by a staff member of the bureau who has been designated by the commissioner, in accordance with rules adopted by the commissioner.

It eliminates the self-employment assistance program and cross-references to that program. The law also corrects and updates other cross-references.

Finally, the law makes additional changes including changing the employer charging methodology for employee leasing companies to report and pay contributions under the client company, using the client company's contribution rate and changing the time frame for bureau staff background checks from every 10 years to every five years. The law provides that the changes made to the provision of law governing employee leasing company reports and contributions begin January 1, 2026. The law also makes a technical change in Title 32 referencing employee leasing companies.

LD 848 An Act Regarding the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program

ENACTED LAW SUMMARY

Public Law 2025, chapter 147 directs the Department of Administrative and Financial Services, Office of Employee Health and Wellness to include in its required biennial report to the joint