

MAINE STATE LEGISLATURE

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October 23, 1945

To John C. Burnham, Administrative Assistant, SHC

I have your memo of October 22nd returning my memo of October 8th, relating to the employee receiving compensation as the result of an accident under the Workmen's Compensation Act, and also sick leave at the same time. Since my memo of October 8th in answer to yours of October 4th, I have had a conference with Mr. Hayes of the Personnel Board, and inasmuch as the Personnel Board has made it a rule that in the event the employee is paid or awarded weekly compensation under the provisions of the act, the amount that might otherwise be allowed such employee under the provisions of the rule of the Personnel Board shall be reduced by the amount so paid or awarded under the Workmen's Compensation Act, I am of the opinion that it is purely an administrative matter, and if you desire to allow an employee sick leave in addition to the \$21 per week up to \$48 per week until such time as his two weeks' sick leave has been exhausted, it is permissible under this rule. However, in no event, I am informed by Mr. Hayes, shall the employee receive any sick leave when such employee is really ill, once he has exhausted same by using it in case of an accident, under the Workmen's Compensation Act. So, in such a case as the example you give of the engineer in your memo of October 4, 1945, this can be worked out, provided it does not interfere with the administration of the Workmen's Compensation Act, which pays compensation based only on an accident, and not on sickness.

Ralph W. Farris
Attorney General

RWF:c