

MAINE STATE LEGISLATURE

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no

March 14, 1952

To Marion E. Martin, Commissioner of Labor and Industry
Re: Women's Pay

We have your memo of March 5, 1952, relative to the interpretation of Section 9 of Chapter 290 of the Public Laws of 1949, amending Section 24 of Chapter 25 of the Revised Statutes of 1944.

Section 24-A of Chapter 290 (Section 9) reads as follows:

"Application of §§ 22-26. The provisions of sections 22 to 26, inclusive, shall not apply to any female working in an executive, administrative, professional or supervisory capacity, or to any female employed as personal office assistant to any person working in an executive, administrative, professional or supervisory capacity, or to any female employed in offices of common carriers which are subject to the federal railway labor act or to any female who receives remuneration on an annual salary basis of more than \$1,560."

The above quoted section clearly sets out four distinct classifications which are exempt from the applications of preceding sections 22-26 of Chapter 25 of the Revised Statutes. While Section 24 of Chapter 25, R. S. 1944, before the above mentioned amendment, clearly stated that "females receiving remuneration in the amount of \$1200" was merely a further restriction with respect to the preceding classification, the wording of Section 24-A as clearly sets up females receiving more than \$1560 on an annual salary basis as a distinct fourth classification.

With respect to the opinion of Ralph W. Farris, dated June 7, 1942, relative to the interpretation of the phrase, "who receives remuneration on an annual basis," it is our belief that the opinion there set out is a correct interpretation and ought not at this time to be reconsidered. It is the insertion of the three words "to any female" and not the change of the word "or" to "and" which leads us to this conclusion.

James G. Frost
Assistant Attorney General

jgf/c