

MAINE STATE LEGISLATURE

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*State Employees \$10 week wage
1977 Pay Increase
Intermittent Employees \$10 week wage*

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DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA, MAINE 04333

August 11, 1977

Honorable Gerald E. Talbot
132 Glenwood Avenue
Portland, Maine 04103

Dear Representative Talbot:

This responds to your request for advice as to whether the \$10 a week salary increase provided by P.L. 1977, Chapter 579, Section I, applies to employees who are characterized as intermittent employees of certain State agencies. For the purposes of this opinion, an intermittent employee shall be considered to be an employee who, while not having permanent employee status, works a regular work week at a specific agency and works either for a specific time period or when the workload of the agency demands use of extra employees. Employees who work in a specific and limited time period are also, sometimes, characterized as "Project Employees."

Reviewing the provisions of Section I, P.L. 1977, Chapter 579, and also reviewing the provisions of P. & S.L. 1975, Chapter 147, Part D, we see no reason why intermittent or project employees, at least those who are employed by the State as of July 1, 1977, would not qualify for the \$10 a week salary increase* in a like manner as most regular State employees. It is our understanding that generally the salaries of intermittent and project employees are set according to the salary schedules adopted by P. & S.L. 1975, Chapter 147, Part D, Section 3. As these salary levels were increased by \$10 a week by the provisions of P.L. 1977, Chapter 579,

* or appropriate portion of \$10 a week if they work on a less than full time basis.

Section I, the effect of these adjustments would be to increase the salaries of intermittent and project employees in the same manner as the salaries of regular employees were increased.

In rendering this opinion that intermittent or project employees are, as a general matter, entitled to the \$10 a week salary increase, we should caution that there may be some special circumstances with certain employees, which cannot be addressed in this opinion, which might make application of the \$10 a week salary increase differ. Such special circumstances could be that the particular employee in question

1. is "red lined," that is, at a salary above the salary designated as range G in that employees particular designated grade, or
2. is supported by a special or dedicated revenue account which lacks adequate funds to pay the full \$10 a week raise.

I hope this information is helpful.

Sincerely,



DONALD G. ALEXANDER
Deputy Attorney General

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