

# 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 scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

ONE HUNDRED AND FIRST LEGISLATURE

---

---

Legislative Document

No. 1259

---

---

H. P. 872

House of Representatives, February 12, 1963

Referred to Committee on Labor. Sent up for concurrence and 1,500 ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Brown of Fairfield.

---

---

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-THREE

---

---

AN ACT Relating to Partial Unemployment Benefits and Experience Rating  
Record Under Employment Security Law.

---

---

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

**Sec. 1. R. S., c. 29, § 13, sub-§ III, repealed and replaced.** Subsection III of section 13 of chapter 29 of the Revised Statutes, as last repealed and replaced by section 2 of chapter 361 of the public laws of 1961, is repealed and the following enacted in place thereof:

**'III. Weekly benefit for partial unemployment.** On and after April 1, 1963, each eligible individual who is partially unemployed in any week shall be paid with respect to such week a partial benefit in an amount equal to his weekly benefit amount less that part of his earnings paid or payable to him with respect to such week which is in excess of \$7 plus any fraction of a dollar except that any amounts received from the Federal Government by members of the National Guard and Organized Reserve, including base pay and allowances, shall not be deemed wages for the purpose of this subsection.'

**Sec. 2. R. S., c. 29, § 15, sub-§ I, amended.** Subsection I of section 15 of chapter 29 of the Revised Statutes, as last amended by section 4 of chapter 361 of the public laws of 1961, is further amended to read as follows:

**'I. Leaves work; separation.** ~~For the period of unemployment subsequent to his having retired~~ **For having retired**, or having left his regular employment ~~voluntarily~~ without good cause attributable to such employment, or with respect to a female claimant who has ~~voluntarily~~ left work to marry, or to perform the customary duties of a housewife, or to leave the locale to live with her husband, or to a claimant who has ~~voluntarily~~ removed himself from

the labor market where presently employed to an area where employment opportunity is less frequent, if so found by the commission, and disqualification shall continue until claimant has earned 15 times his weekly benefit amount **while working at least 4 full weeks in other employment.** ~~In no event shall disqualification for voluntarily leaving regular employment be avoided by periods of other employment unless such other employment shall have continued for 4 full weeks.~~ A separation shall not be considered to be without good cause when it is due to illness or disability of the claimant and the claimant took all reasonable precautions to protect his employment status by having promptly notified his employer as to the reasons for his absence and by promptly requesting reemployment when he is again able to resume employment;

**Sec. 3. R. S., c. 29, § 15, sub-§ II, amended.** Subsection II of section 15 of chapter 29 of the Revised Statutes, as last amended by section 5 of chapter 361 of the public laws of 1961, is further amended to read as follows:

**‘II. Discharge for misconduct.** ~~For the period of unemployment subsequent to his~~ For having been discharged for misconduct connected with his work, if so found by the commission, and disqualification shall continue until claimant has earned 20 times his weekly benefit amount, **while working at least 8 full weeks in other employment.** The term misconduct shall include but not be limited to repeated absenteeism, **other than absenteeism due to bona fide illness of the claimant,** or tardiness after notice or warning, insubordination without provocation by the employer or his agent and disregard of the employer’s interest, rules or regulations.’

**Sec. 4. R. S., c. 29, § 15, sub-§ III, amended.** The first paragraph of subsection III of section 15 of chapter 29 of the Revised Statutes, as last amended by section 6 of chapter 361 of the public laws of 1961, is further amended to read as follows:

‘If he has refused to accept an offer of suitable work for which he is reasonably fitted, **in accordance with section 14, subsection III,** or has refused to accept a referral to a suitable job opportunity when directed to do so by a local employment office of this State or another state ~~or if an employer is unable to contact a former employee at last known or given address, for purpose of recall to employment;~~ or the individual fails to respond to a call in card requesting him to report to the local office for the purpose of a referral to a suitable job, and the disqualification shall continue until claimant has earned 15 times his weekly benefit amount **while working at least 4 full weeks in other employment.** For the purpose of this subsection, lack of transportation shall not be a valid excuse for refusal **to accept work** provided the work offered is suitable.’

**Sec. 5. R. S., c. 29, § 17, sub-§ III, ¶ A, sub-¶ 2, amended.** Subparagraph 2 of paragraph A of subsection III of section 17 of chapter 29 of the Revised Statutes is amended to read as follows:

‘2. Claimant has refused to accept reemployment in suitable work when offered by a previous employer, without good cause attributable to such

employer or if an employer is unable to contact a former employee at last known or given address and such employer has notified the local office of the commission ; or'