

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1206

H. P. 896

House of Representatives, February 11, 1965

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

JEROME G. PLANTE, Clerk

Presented by Mr. Truman of Biddeford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Providing for a Fair Employment Practice Act.

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

R. S., T. 26, c. 7, sub-c. VII, additional. Chapter 7 of Title 26 of the Revised Statutes is amended by adding a new subchapter VII, to read as follows:

‘SUBCHAPTER VII

FAIR EMPLOYMENT PRACTICE ACT

§ 851. Right to freedom from discrimination in employment

The opportunity for an individual to employment for which he is qualified without discrimination because of race, color, religious creed, ancestry, age or national origin is hereby recognized as and declared to be a civil right which shall be enforceable only as set forth in this subchapter.

§ 852. Unlawful employment practices

It shall be an unlawful employment practice, unless based upon a bona fide occupational qualification, or except where based upon applicable security regulations established by the United States or the State of Maine, for any employer because of the race, color, religious creed, ancestry, age or national origin of any individual to refuse to hire or employ, or to bar or to discharge from employment such individuals, or to otherwise discriminate against such individual with respect to compensation, hire, tenure, terms, conditions or privileges of employment, if the individual is the best able and most competent to perform the services required. This section shall not apply to:

1. Termination. Termination of employment because of the terms or conditions of any bona fide retirement or pension plan;

2. Retirement plan. Operation of the terms or conditions of any bona fide retirement or pension plan which have the effect of a minimum service requirement;

3. Insurance plan. Operation of the terms or conditions of any bona fide group or employee insurance plan.

§ 853. Procedure

Any individual claiming to be aggrieved by an alleged unlawful employment practice may make, sign and file with the Commissioner of Labor and Industry a verified complaint, in writing, which shall state the name and address of the person, employer, labor organization or employment agency alleged and which shall set forth the particulars thereof and contain such other information as may be required by the commissioner. The commissioner upon his own initiative or the Attorney General may, in like manner, make, sign and file such complaint.

§ 854. Penalty

Any person, persons, firm, association or corporation, or officer, agent or representative of such corporation, who violates or permits to be violated any of the provisions of this subchapter, upon conviction thereof, shall be punished by a fine of not less than \$100 nor more than \$250 for each and every violation.'