

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1634

H. P. 1310

House of Representatives, April 14, 1977

On Motion of Mr. Talbot of Portland referred to the Committee on Human Resources. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Davies of Orono.

Cosponsor: Mr. Brenerman of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Prohibit the Practice of a Mandatory Retirement Age.

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

26 MRSA § 594 is enacted to read:

§ 594. Mandatory retirement age prohibited

No employer shall require that, as a condition of employment, an employee shall retire at or before a certain specified age. An employer may establish standards of job performance and criteria for termination of employment. Such standards and criteria shall be age neutral, shall be consistent for all employees in the same or similar job classification and shall be applied equally to all employees regardless of age.

STATEMENT OF FACT

Under present employment practices, an individual employee may be retired because of age, regardless of his abilities to continue to perform his job. This bill prohibits the practice of mandatory retirement in private employment and stipulates that, to terminate any employee, an employer must prove by age neutral standards the employee's inability to perform his job.