

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 484

H. P. 376

House of Representatives, February 9, 1979

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

EDWIN H. PERT, Clerk

Presented by Mr. Baker of Portland.

Cosponsor: Mr. Churchill of Orland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Concerning the Voluntary Quit Provisions of the Employment Security Law.

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

Sec. 1. 26 MRSA § 1193, sub-§ 1, ¶ A, as repealed and replaced by PL 1977, c. 472, §§ 1 and 1-A is repealed and the following enacted in its place:

A. For the week in which he left his regular employment voluntarily without good cause attributable to that employment, 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 for 10 weeks immediately following the week or until claimant has earned 4 times his weekly benefit amount, whichever occurs first; provided no disqualification shall be imposed if the individual establishes that he left employment in good faith and accepted new employment on a permanent full-time basis and he became separated from the new employment for good cause attributable to employment with the new employing unit. Leaving work shall not be considered voluntary without good cause when it is caused by the illness or disability of the claimant or of his immediate family 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; nor shall leaving work be considered voluntary without good cause if the leaving was necessary for the claimant to accompany, follow or join his spouse in a new place of residence and he can clearly show upon arrival at the new place of residence an attachment to the new labor market and is in all respects able, available and actively seeking suitable work; provided further that no claimant shall be disqualified as a result of the loss of transportation either to or from work, where the claimant has taken all reasonable steps to procure an alternative means of transportation.

Sec. 2. 26 MRSA § 1193, sub-§ 2, as repealed and replaced by PL 1977, c. 472, § 2, is repealed and the following enacted in its place:

2. **Discharge for misconduct.** For the week in which he has been discharged for misconduct connected with his work, if so found by the commission, and disqualification shall continue for 10 weeks immediately following the week or until claimant has earned 4 times his weekly benefit amount, whichever occurs first.

STATEMENT OF FACT

The purpose of this bill is:

1. To establish a 10-week penalty waiting period for claimants who have voluntarily quit or who have been discharged for misconduct; and
2. To provide that loss of transportation shall not constitute voluntary quitting.