

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1309

H. P. 1059

House of Representatives, March 19, 1979

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

EDWIN H. PERT, Clerk

Presented by Mr. Baker of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

**AN ACT to Set a Penalty for Employers Who Prevent Employees from Organizing
an Employee Organization.**

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

26 MRSA § 911-A is enacted to read:

§ 911-A. Civil penalties

An employer may not fire an employee in violating that employee's rights to full freedom of association, self organization or designation of representation as described in section 911. Violation of this section shall be a civil offense and shall result in the employer:

- 1. Back Wages. Paying the employee all back wages, with 6% interest, and benefits that would be due him if he had not been fired;**
- 2. Damages. Paying the employee \$500 in damages for his being illegally fired; and**
- 3. Reinstatement. Reinstating the employee to the same position he held when fired, with no loss of seniority rights or other employee rights and benefits.**

STATEMENT OF FACT

The purpose of this bill is to make it a civil offense to fire an employee for trying to start or form an employee's organization. The employer not only will have to reinstate the employee, give him his back pay, restore all rights and benefits, but also pay him \$500 in damages.