

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-313)
110TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 879, L.D. 1048, Bill, "AN ACT to Provide for an Offset for Holiday Pay under the Employment Security Law."

Amend the bill by striking out everything after the enacting clause and inserting in its place the following:

'Sec. 1. 26 MRSA §1191, sub-§2, as last amended by PL 1971, c. 538, §21, is further amended by adding at the end 2 new sentences to read:

Benefits are not payable under this subsection for any days for which the claimant receives or is entitled to receive holiday pay. ~~this provision does not apply to holiday pay provided as a fringe benefit through a collective bargaining agreement.~~

Sec. 2. 26 MRSA §1191, sub-§3, as last amended by PL 1979, c. 515, §12, is further amended by adding, after the first sentence, 2 new sentences to read:

Benefits are not payable under this subsection for any days for which the claimant receives or is entitled to receive holiday pay. ~~this provision does not apply to holiday pay provided as a fringe benefit through a collective bargaining agreement.~~

Statement of Fact

The amendment strikes a compromise between the arguments that, on the one hand, holiday pay is a fringe benefit not properly subject to deduction, and, on the other, that holiday pay should be completely offset by an equivalent reduction in unemployment benefits. The language used here would allow for a pro rata deduction, except where holiday pay is a fringe benefit provided through a collective bargaining agreement.

Reported by the Committee on Labor.
Reproduced and distributed under the direction of the Clerk
of the House.

5/6/81

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