

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 330

7 H.P. 270

House of Representatives, January 31, 1983

8 Reference to the Committee on Labor, sent up for concurrence and
9 ordered printed.

10 EDWIN H. PERT, Clerk

11 Presented by Representative Kelleher of Bangor.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Protect Unemployed Workers
18 from Excessive Delays in Eligibility
19 Determination in the Unemployment Compensation
20 Program.
21

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

24 26 MRSA §1194, sub-§11, ¶B-1 is enacted to read:

25 B-1. All benefit determinations shall be made
26 promptly in accordance with section 1192, subsec-
27 tion 2 and, in no event, may the department fail
28 to notify the claimant of its determination
29 within 30 days of the date he made his first
30 claim for benefits. Failure to meet this 30-day
31 time standard, except where there is documented
32 noncooperation on the part of the claimant, shall
33 lead to the immediate and automatic granting of
34 his claim for benefits which shall be continued

1 only until such time as the applicant receives
2 actual notice of the denial of his eligibility
3 for benefits. Any benefits received by the
4 claimant during this interim period to which he
5 is found not entitled after a determination is
6 finally made shall not constitute an overpayment.
7

8 STATEMENT OF FACT

9 Both federal and state law place great emphasis
10 on paying unemployment compensation benefits as
11 expeditiously as possible; however, there is pres-
12 ently no relief available for an individual claimant
13 who is made to wait an excessively long period of
14 time for his benefit determination.

15 Federal policy requires that eligibility be
16 determined within 14 days from the end of the week in
17 which a person makes his first claim for benefits.
18 The federal desired level of achievement for meeting
19 this standard is for 75% of all determinations to be
20 timely. Maine's performance as determined in the
21 1982 Quality Performance Appraisal was substantially
22 less than this, or 60%.

23 Delays in receiving benefits create substantial
24 hardship for unemployed workers and their families,
25 many of whom rely on unemployment benefits as their
26 only source of support. This bill provides benefits
27 immediately to unemployed workers who have waited 30
28 days, more than twice the time established by federal
29 standards, for a benefit determination.

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