

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 72

6
7 S.P. 53

In Senate, January 16, 1985

8 Submitted by the Human Rights Commission pursuant to Joint Rule 24.
9 Referred to the Committee on Judiciary. Ordered printed and sent down
for concurrence.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Chalmers of Knox.

11 Cosponsored by Representative Richard of Madison, Representative
Joseph of Waterville and Representative Reeves of Pittston.

12 STATE OF MAINE
13

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

17 AN ACT to Remove the Age Limitation for
18 Apprenticeship Programs in the Maine
19 Human Rights Act.
20

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

23 5 MRSA §4572, sub-§1, ¶C, as amended by PL 1977,
24 c. 565, is further amended to read:

25 C. For any labor organization to exclude from
26 apprenticeship or membership, or to deny full and
27 equal membership rights, to any applicant for
28 membership, because of race or color, sex, physi-
29 cal or mental handicap, religion, age, ancestry
30 or national origin, or because of any such reason
31 to deny a member full and equal membership
32 rights, expel from membership, penalize or other-
33 wise discriminate in any manner with respect to
34 hire, tenure, promotion, transfer, compensation,
35 terms, conditions or privileges of employment,
36 representation, grievances or any other matter

1 directly or indirectly related to membership or
2 employment, whether or not authorized or required
3 by the constitution or bylaws of such labor orga-
4 nization or by a collective labor agreement or
5 other contract, or to fail or refuse to classify
6 properly or refer for employment, or otherwise to
7 discriminate against any member because of race
8 or color, sex, physical or mental handicap, reli-
9 gion, age, ancestry or national origin or to
10 cause or attempt to cause an employer to discrim-
11 inate against an individual in violation of this
12 section, ~~except that it shall be lawful for labor~~
13 ~~organizations and employers to adopt a maximum~~
14 ~~age limitation in apprenticeship programs;~~

15 STATEMENT OF FACT

16 This bill removes the exception to the Maine Hu-
17 man Rights Act that makes it lawful to adopt maximum
18 age limitations in apprenticeship programs. The
19 United States District Court for the northern dis-
20 trict of New York recently ruled that it was illegal
21 under the Federal Age Discrimination Act to adopt a
22 maximum age limitation on apprenticeship programs.
23 Maine employers with 20 or more employees are already
24 subject to the Federal Age Discrimination Act.

25 The maximum age limitation discriminated not only
26 against older employees or applicants, but also has a
27 large impact on women who enter or reenter the
28 workforce or change career fields later in life.

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