MAINE STATE LEGISLATURE

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	1	FIRST RE	GULAR SE	SSION	
	ONE HUNI	DRED AND	TWELFTH	LEGISLA	TURE
Legislative	Document				No. 817
S.P. 328				In Senate	, February 28, 198:
Referre ordered prii		nmittee on	Labor. Sent	down for c	oncurrence and
			JOY J. O'I	BRIEN, Seco	retary of the Senate
	-			roscoggin ar	nd Representative
		STATE	OF MAIN	E	
			AR OF OU ED AND E		VE
AN	ACT Con		Notifica mpensati		er the
Be it en follows:		the Peo	ple of t	he State	of Maine as
Sec.	1. 39 1	MRSA §63	-A is en	acted to	read:
§63-A.	Failure	to provi	de notic	<u>e</u>	
The					ide notice as
	l by sect				bar to any
	or compends that				f the commis- of the no-
					hat the exis-
	the inju				
Fail	ure to n	rovide n	otice as	require	d by section
63 shal	l bar a	ny claim	if the	commissi	on finds that
the empl	oyee's f	ailure t	o give n	otice wa	s due to neg-
ligence	on the pa	art of t	he emplo	yee.	

An employer shall post in a prominent position in the workplace a notice setting out the requirements of section 63.

Sec. 2. 39 MRSA §187, as amended by PL 1977, c. 696, §412, is further amended to read:

§187. Notice of incapacity; filing of claim

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Sections 63, 63-A and 95 of the Workers' Compensation Act with reference to giving notice, making claims and filing petitions shall apply to cases under this law, except that in cases under this law the date of incapacity as defined in section 186 shall be equivalent to the date of injury in said taken as sections 63 and 95, and the notice under section shall include the employee's name and address, the nature of the occupational disease, the date of incapacity, the name of the employer in whose employment the employee was last injuriously exposed for a periof 60 days to the hazards of the disease and the od date when employment with such employer ceased. ter compensation payments for an occupational disease have been legally discontinued, claim for further compensation for such occupational disease not due to further exposure to an occupational hazard tending to cause such disease, shall be barred if not made within one year after the last previous payment.

STATEMENT OF FACT

The purpose of this bill is to provide that failure of an employee to give notice to his employer within 30 days of an injury will not bar the employee's claim if the commission finds that the employee was unaware of the notice requirement and the existence of the injury is indisputable.

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