

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 1163

6  
7 H.P. 822

House of Representatives, March 28, 1985

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

10 EDWIN H. PERT, Clerk

Presented by Representative Hepburn of Skowhegan.

Cosponsored by Senator Dutremble of York and Representative Tardy of  
11 Palmyra.

12 STATE OF MAINE  
13

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

17 AN ACT Concerning "Constructive Quit" under  
18 the Employment Security Law.  
19

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

22 26 MRSA §1193, sub-§1, ¶A, as amended by PL 1979,  
23 c. 651, §46, is further amended to read:

24 A. For the week in which he left his regular em-  
25 ployment voluntarily without good cause attribut-  
26 able to such employment, or to a claimant who has  
27 voluntarily removed himself from the labor market  
28 where presently employed to an area where employ-  
29 ment opportunity is less frequent, if so found by  
30 the deputy, and disqualification shall continue  
31 until claimant has earned 4 times his weekly ben-  
32 efit amount in employment by an employer; pro-  
33 vided no disqualification shall be imposed if the  
34 individual establishes that he left employment in  
35 good faith and accepted new employment on a per-  
36 manent full-time basis and he became separated

1 from the new employment for good cause attributa-  
2 ble to employment with the new employing unit.  
3 Leaving work shall not be considered voluntary  
4 without good cause when it is caused by the ill-  
5 ness or disability of the claimant or of his im-  
6 mediate family and the claimant took all reason-  
7 able precautions to protect his employment status  
8 by having promptly notified his employer as to  
9 the reasons for his absence and by promptly re-  
10 questing reemployment when he is again able to  
11 resume employment; nor shall leaving work be con-  
12 sidered voluntary without good cause if the leav-  
13 ing was necessary for the claimant to accompany,  
14 follow or join his spouse in a new place of resi-  
15 dence and he can clearly show within 7 days upon  
16 arrival at the new place of residence an attach-  
17 ment to the new labor market and is in all re-  
18 spects able, available and actively seeking suit-  
19 able work. Leaving work shall be considered vol-  
20 untary without good cause if the claimant, al-  
21 though discharged by an employer, voluntarily  
22 committed an act which made it impossible for the  
23 employer to utilize his services and the claimant  
24 knew or reasonably should have known the act  
25 would jeopardize his job and possibly result in  
26 the loss of his employment;

27

#### STATEMENT OF FACT

28 The purpose of this bill is to amend the defini-  
29 tion of voluntarily leaving work under the Employment  
30 Security Law to include the commission of any volun-  
31 tary act which makes it impossible for the employee  
32 to continue in his job and which he knew or should  
33 have known would jeopardize his job. This embodies  
34 in law the concept of "constructive quit."

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