

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 760

H.P. 562 House of Representatives, March 13, 1987  
Reference to the Committee on Labor suggested and ordered  
printed.

EDWIN H. PERT, Clerk

Presented by Representative VOSE of Eastport.

Cosponsored by Representatives TAMMARO of Baileyville and  
WILLEY of Hampden.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

**AN ACT to Increase Fairness to Potential  
Unemployment Compensation Recipients.**

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

**Sec. 1. 26 MRSa §1052 is enacted to read:**

§1052. Notice to employee

1. Written notice required. Any employer shall  
provide a written notice to any employee whose em-  
ployment is terminated or is to be terminated.

2. Delivery to employee. The notice must be de-  
livered by one of the following methods within 7 days  
after an employee's employment is terminated:

1        A. Given to the employee in person;

2        B. Given to the employee by the same means as  
3        and along with wages due the employee; or

4        C. By mailing the notice to the employee's last  
5        known address.

6        3. Content of notice. The notice must advise  
7        the employee or former employee that:

8        A. He should contact an employment security of-  
9        fice as soon as possible in order to protect his  
10       possible eligibility for unemployment benefits  
11       under this chapter; and

12       B. Failure to contact an employment security of-  
13       fice promptly after termination of employment may  
14       result in the individual's ineligibility for un-  
15       employment benefits.

16       **Sec. 2. 26 MRS §1193, sub-§1, ¶A, as amended by**  
17       **PL 1979, c. 651, §46, is further amended to read:**

18       A. For the week in which he left his regular em-  
19       ployment voluntarily without good cause attribut-  
20       able to such that employment, or to a claimant  
21       who has voluntarily removed himself from the la-  
22       bor market where presently employed to an area  
23       where employment opportunity is less frequent, if  
24       so found by the deputy, and disqualification  
25       shall continue until claimant has earned 4 times  
26       his weekly benefit amount in employment by an em-  
27       ployer; provided no disqualification shall ~~may~~ be  
28       imposed if the individual establishes that he  
29       left employment in good faith and accepted new  
30       employment on a permanent full-time basis and he  
31       became separated from the new employment for good  
32       cause attributable to employment with the new em-  
33       ploying unit. Leaving work shall not be consid-  
34       ered voluntary without good cause when it is  
35       caused by the illness or disability of the claim-  
36       ant or of his immediate family and the claimant  
37       took all reasonable precautions to protect his  
38       employment status by having promptly notified his  
39       employer as to the reasons for his absence and by  
40       promptly requesting reemployment when he is again

1 able to resume employment; nor shall may leaving  
2 work be considered voluntary without good cause  
3 if the leaving was necessary for the claimant to  
4 accompany, follow or join his spouse in a new  
5 place of residence and he can clearly show within  
6 7, 14 days upon arrival at the new place of resi-  
7 dence either an attachment to the new labor mar-  
8 ket or good cause for failing to make an attach-  
9 ment to the new labor market, and the claimant is  
10 in all respects able, available and actively  
11 seeking suitable work;

12

#### STATEMENT OF FACT

13 This bill increases the fairness offered to em-  
14 ployees who must leave their jobs and who attempt to  
15 collect unemployment benefits.

16 First, the bill requires every employer to notify  
17 an employee upon termination of his employment that  
18 the employee should contact an employment security  
19 office as soon as possible in order to protect his  
20 potential eligibility for unemployment benefits. The  
21 notice must be in writing and must be mailed or de-  
22 livered personally to the former employee within 7  
23 days of his termination. This requirement will ad-  
24 vise all terminated workers that their eligibility to  
25 receive unemployment benefits may be jeopardized if  
26 they do not act promptly.

27 Second, the bill extends the time period in which  
28 a person who left his previous job in order to accom-  
29 pany his spouse to a new place of residence must be-  
30 gin actively seeking new work in order to qualify for  
31 unemployment benefits. The current time limit is 7  
32 days. This bill extends that time period to 14  
33 days. The current time period does not allow persons  
34 an adequate opportunity to settle into their new  
35 place of residence before searching for new work.  
36 Extending the time period to 14 days will provide  
37 these persons with a more reasonable period of time  
38 in which to settle their affairs before they are re-  
39 quired to actively search for new work. At the same  
40 time, the 14-day period is still restrictive enough  
41 to avoid abuse. The bill also provides a "good

1 cause" exception to the 14-day time limit so that a  
2 person who inadvertantly misses the deadline through  
3 no fault of his own will still be eligible to receive  
4 unemployment benefits.

5

1918021187