

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)

SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2484

S.P. 940

In Senate, March 9, 1988

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator COLLINS of Aroostook.

Cosponsored by Representative RUHLIN of Brewer,
Representative BEGLEY of Waldoboro, Representative ZIRNKILTON
of Mount Desert.

STATE OF MAINE

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

1 **AN ACT to Provide Reimbursement to Certain**
2 **Employees of the Department of Corrections for**
3 **Meal Expenses.**
4

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

7 P&SL 1987, c. 21, Pt. A, §11, is amended by
8 adding at the end a new paragraph to read:

1 Any employee of the Department of Corrections who
2 would normally be provided, without cost, a meal in an
3 institution in accordance with the Maine Revised
4 Statutes, Title 5, section 8-C, when given an
5 assignment that necessitates that employee being away
6 from that institution at the time of that meal shall
7 be reimbursed, within allowable limits, for a meal
8 purchased.

9

STATEMENT OF FACT

10 The Maine Revised Statutes, Title 5, section 8-C,
11 provides that the employees of the Department of
12 Corrections shall not be charged for the meals they
13 are provided within the correctional facility while
14 they are carrying out their duties. Historically and
15 by established practice as viewed by the union, these
16 same employees when given an assignment which required
17 them to be away from the institution, were given
18 reimbursement for the meal cost. When the department
19 was advised that statutorily the department could no
20 longer provide reimbursement and therefore stopped the
21 practice, the union filed grievances against the
22 department for failure to continue an established
23 practice as required by contract. The Bureau of
24 Employee Relations has advised the department that
25 because of a change in the statutes which supersedes
26 any contractual requirement for continuing a past or
27 existing practice, the department is not in violation
28 of the contract. Since the assignments given to these
29 employees which take them away from the institution at
30 mealtime are rarely subject to advance scheduling, the
31 employee has no opportunity to bring a lunch to work
32 with him that day. The employee may also find he does
33 not have sufficient funds with him to pay for the meal.

34 This bill allows the department to reinstate the
35 past practice of providing reimbursement for the
36 substitute purchased meal, at a very nominal cost and
37 within existing resources.

38

4947030388