

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 363

H.P. 251

House of Representatives, February 23, 1989

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative McHENRY of Madawaska.

Cosponsored by Senator ESTY of Cumberland, Representative PINEAU of Jay and Representative McKEEN of Windham.

STATE OF MAINE

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

An Act to Restrict Excessive Work Hours.



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

3 26 MRSA §601-A is enacted to read:

5 §601-A. Excessive work hours

7 1. Employee defined. As used in this section, "employee"
8 means any individual employed or permitted to work by an
9 employer, but does not include public employees as defined in
10 section 663, subsection 10.

11 2. Excessive work hours prohibited. No employee may be
12 required or permitted to work for more than 24 consecutive hours
13 unless the employee leaves the employer's premises for at least 8
14 consecutive hours before returning to work.

15 3. Exception. This section does not apply to any employee
16 who is employed in an industry where the normal practice is for
17 employees to remain on the employer's premises for more than 24
18 consecutive hours.

19 4. Enforcement. In addition to any remedies available
20 under section 602, any employee of an employer who violates this
21 section may seek an injunction as provided in section 602,
22 subsection 3.

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27 **STATEMENT OF FACT**

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29 This bill ensures that employees will be able to spend time
30 with their families or simply have time for rest or recreation by
31 preventing an employer from requiring or permitting an employee
32 to remain at work for more than 24 consecutive hours. To ensure
33 at least a minimal period of time for private activities and
34 necessary rest, all employees will be able to leave the
35 employer's premises for at least 8 consecutive hours before
36 returning to work. Public employees are exempted since some
37 emergency personnel may be required to be on duty or on call for
38 periods longer than 24 hours. A further exception is made for
39 those cases in which it is the normal industry practice for the
40 employee to remain on the employer's premises, such as a railroad
41 employee who is on a train for more than 24 hours or a farm
42 worker who remains at his employer's farm during harvest time.
43 The nature of the work in these industries requires the extended
44 presence of workers, but the workers in these industries
45 generally receive a commensurately long period of time off work
46 when their work period ends. The bill also allows any employee
47 of an employer who violates these requirements to seek an
48 injunction preventing further violations by that employer.
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