

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 663

H.P. 483

House of Representatives, March 7, 1989

Reference to the Committee on Labor suggested and ordered printed.

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative MITCHELL of Freeport.

STATE OF MAINE

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

**An Act to Provide Unemployment Compensation for Teachers Aides
and Certain Noninstructional Employees of Educational Institutions.**



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

3 **Sec. 1. 26 MRSA §1192, sub-§7, ¶B,** as amended by PL 1983, c.
13, §7, is repealed.

5 **Sec. 2. 26 MRSA §1192, sub-§7, ¶C,** as amended by PL 1977, c.
7 585, §2, is further amended to read:

9 C. With respect to weeks of unemployment beginning after
11 December 31, 1977, benefits shall be denied to any
13 individual for any week which commences during an
15 established and customary vacation period or holiday recess
17 if such that individual performs any services described in
19 paragraphs ~~A or B~~ for an educational institution in the
period immediately before such that vacation period or
holiday recess, and there is annual written reasonable
assurance that such the individual will perform any ~~such~~
those services in the period immediately following such the
vacation period or holiday recess; and

21 **Sec. 3. 26 MRSA §1192, sub-§7, ¶D,** as enacted by PL 1979, c.
23 515, §14, is amended to read:

25 D. With respect to weeks of unemployment beginning after
27 June 30, 1979, benefits shall be denied to an individual who
29 performed services ~~in an educational institution~~ while in
31 the employ of an educational service agency for any week
33 which commences during a period ~~described in paragraphs A, B~~
35 and paragraph C if that individual performs any services
37 described in paragraphs ~~A or B~~ in an educational institution
in the first of these periods, as specified in the
applicable paragraph, and there is a contract or a
reasonable assurance ~~as applicable in the appropriate~~
39 paragraph, that the individual will perform these services
41 in the 2nd of these periods, as applicable in the
appropriate paragraph. For purposes of this paragraph, the
term "educational service agency" means a governmental
agency or governmental entity which is established and
operated exclusively for the purposes of providing these
services to one or more educational institutions.

43 **STATEMENT OF FACT**

45 This bill allows employees of public educational
47 institutions such as teachers aides, school nurses, cafeteria
49 workers, bus drivers and custodians to become eligible for
51 unemployment compensation during a period between 2 successive
academic years or terms. At present they are ineligible during
those times. They would continue to be ineligible during any
customary vacation period or holiday recess. Likewise, employees
of educational service agencies are included. Employees in

1 an instructional, research or principal administrative capacity for a public educational institution are still excluded.