

MAINE STATE LEGISLATURE

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L.D. 900
(Filing No. S- 193)

STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 339, L.D. 900, Bill, "An Act Relating to the Reemployment of Injured Workers Under the Workers' Compensation Act"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'39 MRSA §66-A, sub-§3, as enacted by PL 1987, c. 559, Pt. B, §35, is amended to read:

3. Time period; discrimination prohibited. The employer's obligation to reinstate the employee continues until one year, or 2 years if the employer has over 250 employees, after the employee has reached the stage of maximum medical improvement in the judgment of the commission. An employer who reinstates an employee under this section may not subsequently discriminate against that employee in any employment decision, including decisions related to tenure, promotion, transfer or reemployment following a layoff, because of the employee's assertion of a claim or right under this Act. Nothing in this subsection may be construed to limit any protection offered to an employee by section 111.

FISCAL NOTE

This bill will increase costs to the State as an employer by a minor amount. These costs can be absorbed within existing budgeted resources.'

STATEMENT OF FACT

This amendment completely replaces the original bill and extends an employer's obligation to reinstate an injured employee to suitable work from one year to 2 years if the employer has

COMMITTEE AMENDMENT "A" to S.P. 339, L.D. 900

1 over 250 full-time and part-time employees. This amendment
strengthens certain injured employees' right to return to work
3 with their former employers but prevents the addition of any
unreasonable burden upon small employers.

Reported by the Majority for the Committee on Labor.
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(5/31/89) (Filing No. S-193)