



114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

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No. 900

S.P. 339 In Senate, March 22, 1989

Reference to the Committee on Labor suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator HOBBINS of York. Cosponsored by Representative JOSEPH of Waterville and Representative CONLEY of Portland.

STATE OF MAINE

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

An Act Relating to the Reemployment of Injured Workers Under the Workers' Compensation Act.

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

Sec. 1. 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 ene-year 3 years 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.

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Sec. 2. 39 MRSA §86-A, sub-§2, as enacted by PL 1987, c. 559, 19 Pt. B, §38, is amended to read:

2. Time for filing. Any petition under this section must be filed within-14 between 12 and 48 months after the date of maximum medical improvement.

STATEMENT OF FACT

29 This bill extends the period of an employer's obligation to reinstate an employee from one to 3 years under the Workers' 31 Compensation Act.

In addition, this bill extends the period during which an employee may request retraining from an employer who has failed to reemploy the employee within one year from the date of maximum medical improvement. The period is extended from 14 months from the date of maximum medical improvement to the period between 12 and 48 months from the date of maximum medical improvement.

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