

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1229

H.P. 885

House of Representatives, April 19, 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 PARADIS of Frenchville.

Cosponsored by Representative LUTHER of Mexico, Senator ESTY of Cumberland and Representative RAND of Portland.

STATE OF MAINE

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

**An Act to Require the Maine Labor Relations Board to Render a
Decision on Prohibited Practice Complaints within 30 Days after
Hearing.**



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

3 **26 MRSA §968, sub-§5, ¶C, as enacted PL 1971, c. 609, §9, is**
5 **amended to read:**

7 C. ~~After~~ Within 30 days after hearing and argument if, upon
9 a preponderance of the evidence received, the board shall be
11 of the opinion that any party named in the complaint has
13 engaged in or is engaging in any such prohibited practice,
15 then the board shall in writing state its findings of fact
17 and the reasons for its conclusions and shall issue and
19 cause to be served upon such party an order requiring such
21 party to cease and desist from such prohibited practice and
23 to take such affirmative action, including reinstatement of
25 employees with or without back pay, as will effectuate the
27 policies of this chapter. No order of the board shall
29 require the reinstatement of any individual as an employee
31 who has been suspended or discharged, or the payment ~~to him~~
33 of any back pay, if such individual was suspended or
35 discharged for cause.

37 ~~After~~ Within 30 days after hearing and argument if, upon a
preponderance of the evidence received, the board shall not
be of the opinion that the party named in the complaint has
engaged in or is engaging in any such prohibited practice,
then the board shall in writing state its findings of fact
and the reasons for its conclusions and shall issue an order
dismissing said the complaint.

STATEMENT OF FACT

The purpose of this bill is to set a time limit for the
Maine Labor Relations Board to issue findings on prohibited
practice complaints. The present law does not provide any time
limit for rendering a decision.