

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 75, L.D. 103, Bill, "An Act to Amend the Law Concerning Family Medical Leave"

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

Sec. 1. ~~26 MRSA~~ §844, as amended by PL 1987, c. 861, §§19 and 20, is further amended to read:

§844. Family medical leave requirement

1. Family medical leave entitlement. Every employee who has been employed by the same employer for 12 consecutive months is entitled to up to 8 10 consecutive work weeks of family medical leave in any 2 years unless employed at a permanent work site with fewer than 25 employees. The following conditions apply to family medical leave granted under this subchapter:

A. The employee must give at least 30 days' notice of the intended date upon which family medical leave will commence and terminate, unless prevented by medical emergency from giving that notice;

B. The employer may require certification from a physician to verify the amount of leave requested by the employee, except that an employee who in good faith relies on treatment by prayer or spiritual means, in accordance with the tenets and practice of a recognized church or religious denomination, may submit certification from an accredited practitioner of those healing methods; and

C. The employer and employee may negotiate for more or less leave, but both parties must agree.

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STATEMENT OF FACT

This amendment replaces the original bill and increases the 8 weeks of family medical leave allowed in each 2-year period to 10 weeks. The amendment clarifies that an employer and an employee may negotiate for the maintenance of benefits for the employee at the employer's expense during the leave. The amendment allows employees who rely on treatment by prayer or spiritual means to submit a certificate from an accredited practitioner to verify the amount of leave requested. The amendment also adds a fiscal note to the bill.

Reported by the Committee on Labor
Reproduced and distributed under the direction of the Clerk of the House
(5/7/91) (Filing No. H-254)