

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 676

H.P. 482

House of Representatives, February 20, 1991

Submitted by the Department of Labor pursuant to Joint Rule 24.  
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 PINEAU of Jay.

Cosponsored by Representative HASTINGS of Fryeburg, Senator ESTY of Cumberland and Representative CATHCART of Orono.

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STATE OF MAINE

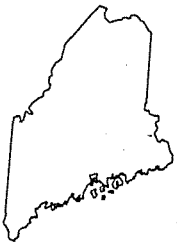
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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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**An Act to Allow Unemployment Compensation Benefits to be Payable to  
Individuals Who are Forced to Leave Employment to Protect Their  
Health and Safety.**

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

26 MRSA §1193, sub-§1, ¶A, as amended by PL 1987, c. 365, §1, is repealed and the following enacted in its place:

A. For the week in which the claimant left regular employment voluntarily without good cause attributable to that employment. The disqualification continues until the claimant has earned 4 times the claimant's weekly benefit amount in employment by an employer. A claimant may not be disqualified under this paragraph if:

(1) The leaving was caused by the illness or disability of the claimant or an immediate family member and the claimant took all reasonable precautions to protect the claimant's employment status by promptly notifying the employer of the reasons for the absence and by promptly requesting reemployment when again able to resume employment;

(2) The leaving was necessary to accompany, follow or join the claimant's spouse in a new place of residence and the claimant can clearly show within 14 days of arrival at the new place of residence an attachment to the new labor market, and the claimant is in all respects able, available and actively seeking suitable work;

(3) The leaving was in good faith in order to accept new employment on a permanent full-time basis and the new employment did not materialize for reasons attributable to the new employing unit; or

(4) The leaving was necessary to protect the claimant's health and safety and the claimant made all reasonable efforts to preserve the employment.

#### STATEMENT OF FACT

This bill modifies the voluntary leaving section of the Employment Security Law and would allow the payment of benefits to individuals who are forced to leave employment when their health or safety is threatened outside of the workplace. The most frequent application is expected to be the allowance of benefits to an individual who is forced to leave work, perhaps to move, in order to escape domestic violence. This bill also restructures the Maine Revised Statutes, Title 26, section 1193, subsection 1, to make it easier to read and rewords the "leaving in good faith" exception to state its meaning more clearly .