

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1723

H.P. 1180

House of Representatives, April 29, 1991

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 TREAT of Gardiner, Senator CONLEY of Cumberland and Representative McKEEN of Windham.

STATE OF MAINE

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

An Act to Protect the Health and Safety of Public Employees.



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

4 Sec. 1. 26 MRSA c. 5, sub-c. VII is enacted to read:

6 SUBCHAPTER VII

8 WORKING CONDITIONS

10 §556. Definitions

12 As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

14 1. Employee. "Employee" means a person who engages to furnish services subject to the direction and control of an employer.

18 2. Employer. "Employer" means the State, any political subdivision of the State, a public authority or any other governmental agency or instrumentality thereof, or anyone contracting to perform services for the State or any political subdivision or instrumentality thereof.

24 §557. Unsafe conditions

26 Effective July 1, 1992, an employer may not require an employee to perform work if the employee has reasonable grounds to believe that an unsafe condition poses an imminent threat to the health safety of the employee.

30 Sec. 2. Rulemaking. The Board of Occupational Safety and Health, established in the Maine Revised Statutes, Title 5, section 12004, sub-§8, shall adopt rules implementing this section by July 1, 1992, including, but not limited to, rules governing the definition of "reasonable grounds," "unsafe conditions," "imminent threat" and rules governing procedures for resolving claims of unsafe conditions.

40 STATEMENT OF FACT

42 This bill provides that an employer may not require a public employee to work if that employee has reasonable grounds to believe that an unsafe condition poses an imminent threat to the health and safety of the employee. The bill requires the Board of Occupational Safety and Health to adopt rules implementing this requirement.