

# MAINE STATE LEGISLATURE

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

COMMITTEE AMENDMENT "A" to H.P. 1701, L.D. 2381, Bill, "An Act to Establish the Nontraditional Occupation Act for Women"

Amend the bill by striking out the title and substituting the following:

'An Act to Establish the Nontraditional Occupation Act'

Further amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

'Sec. 1. 5 MRSA §784, sub-§2, ¶E is enacted to read:

E. Contractors and subcontractors with contracts in excess of \$50,000 will also pursue in good faith affirmative action programs.

Sec. 2. 26 MRSA c. 25, sub-c. III is enacted to read:

SUBCHAPTER III

NONTRADITIONAL OCCUPATION ACT

§2021. Short title

This subchapter may be known and cited as the "Nontraditional Occupation Act."

§2022. Definitions

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

1. Department. "Department" means the Department of Labor.

2. Nontraditional occupation. "Nontraditional occupation" means:

**COMMITTEE AMENDMENT**

2 A. For a female participant, an occupation in which 25% or  
4 less of the people in that occupation are females according  
6 to the United States Department of Labor; and

8 B. For a male participant, an occupation in which 25% or  
10 less of the people in that occupation are males according to  
12 the United States Department of Labor.

14 **§2023. Department duties**

16 Notwithstanding subchapters I and II, the department shall  
18 encourage pursuit of nontraditional occupations by:

20 1. Support services. Providing necessary support services  
22 to participants, including but not limited to:

24 A. Payment for dependant care costs, as long as those costs  
26 do not exceed the prevailing regional rate for that care;

28 B. Training materials such as books, tools and uniforms; and

30 C. Travel payments according to the policies established by  
32 the United States Job Training Partnership Act service  
34 providers;

36 2. Orientation program. Ensuring that the applicable  
38 orientation program includes nontraditional occupations and a  
40 means of assessing interest in nontraditional occupations;

42 3. Ongoing support systems. Working with community  
44 organizations to develop ongoing support systems for participants  
46 who receive training in nontraditional occupations;

48 4. Staff training. Training staff on nontraditional  
50 occupations issues including differences in the economic status  
of men and women; the social, personal and economic barriers  
encountered in training and job placement and on the job by  
individuals pursuing nontraditional occupations; methods for  
recruiting individuals for nontraditional occupations; and the  
need for continuing support for individuals in nontraditional  
occupations; and

5. Rulemaking. Making rules in accordance with the Maine  
Administrative Procedure Act as necessary to establish procedures  
implementing this subchapter.

**§2024. Department goals**

The Commissioner of Labor shall annually forward to the  
joint standing committee of the Legislature having jurisdiction

2 over labor matters measurable goals showing continued reasonable  
3 progress that address enhancement of nontraditional training  
4 opportunities for citizens of the State.

6 **§2025. Report**

8 The Department of Labor must provide monthly written reports  
9 to the joint standing committee of the Legislature having  
10 jurisdiction over labor matters, commencing August 1, 1992. The  
11 reports must include statistics on overall participation in  
12 training programs, reported by gender; participation in  
13 nontraditional occupation training, reported by gender; and  
14 expenditures for each support service specified in section 2023,  
15 subsection 1 reported by gender for nontraditional occupation  
16 training participants; and expenditures for each activity  
17 specified in section 2023, subsections 2 to 4. The Department of  
18 Labor shall report annually in person to the joint standing  
19 committee of the Legislature having jurisdiction over labor  
20 matters, beginning February, 1993. The annual report on  
21 activities provided under this subchapter must include statistics  
22 by site or contract on participation; success rate in training  
23 and placement in further training and employment, including, but  
24 not limited to, data on the age and sex of participants and their  
25 job title and description; wage at the time of placement; and  
26 examples of assessment tools developed.

28 **FISCAL NOTE**

30 The additional costs associated with adopting rules and  
31 gathering data and reporting on progress towards enhancing  
32 training and job placement opportunities in nontraditional  
33 occupations can be absorbed by the Department of Labor utilizing  
34 existing budgeted resources.'

36 **STATEMENT OF FACT**

38 This amendment replaces the original bill with provisions  
39 that are intended to provide greater opportunities for both men  
40 and women to pursue nontraditional occupations under the Maine  
41 Job Training System. All of the provisions of the bill that  
42 mandate spending levels are removed by this amendment, including  
43 the provision earmarking part of some bond sale proceeds. The  
44 amendment also adds an affirmative action requirement for  
45 contractors and subcontractors on state contracts in excess of  
46 \$50,000. It is the intent of this amendment to parallel the  
47 affirmative action requirements for contractors and  
48 subcontractors on federally funded construction projects.  
50

2 The amendment adds a requirement that the Commissioner of  
Labor annually report to the Joint Standing Committee on Labor  
measurable goals and the department's progress in enhancing  
4 training and job placement opportunities in nontraditional  
occupations. It is the intent of this provision that continued  
6 reasonable progress between the effective date of this Act and  
the forwarding of the measurable goals in the next legislative  
8 session must be a minimum of 15% participation in nontraditional  
occupation training. The amendment also adds a fiscal note.

10

Reported by the Committee on Labor  
Reproduced and distributed under the direction of the Clerk of the  
House  
3/23/92 (Filing No. H-1178)