

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

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Legislative Document

No. 406

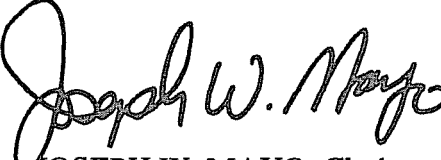
H.P. 318

House of Representatives, February 9, 1993

**An Act Regarding Family Leave.**

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Reference to the Committee on Labor suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative OLIVER of Portland.

Cosponsored by Representatives: FARNSWORTH of Hallowell, GEAN of Alfred, PFEIFFER of Brunswick, TREAT of Gardiner, Senators: HANDY of Androscoggin, O'DEA of Penobscot.

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

2  
3 Sec. 1. 26 MRSA §844, sub-§1, as amended by PL 1991, c. 277,  
4 §1, is further amended to read:

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

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

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

25 C. The employer and employee may negotiate for more or less  
26 leave, but both parties must agree.  
27

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31  
32 **STATEMENT OF FACT**

34 This bill amends the family medical leave requirements in  
35 the Maine Revised Statutes, Title 26, section 844, subsection 1  
36 to delete the "at a permanent work site" language limiting  
37 coverage to employers of more than 25 employees. The on-site  
38 provision excludes many employees of large companies who work at  
39 branch operations and employees of large national companies with  
40 scattered locations in the State.