

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1805

S.P. 638

In Senate, March 10, 1999

An Act to Ensure Prompt Payment of Unemployment Compensation Benefits to Displaced Workers.

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator TREAT of Kennebec.
Cosponsored by Representative COLWELL of Gardiner and
Senators: CATHCART of Penobscot, MICHAUD of Penobscot, Representatives: BRYANT
of Dixfield, CLARK of Millinocket, COWGER of Hallowell, DUPLESSIE of Westbrook,
GREEN of Monmouth.

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

Sec. 1. 26 MRSA §1194, sub-§1-A is enacted to read:

1-A. Claims for benefits for partial unemployment. Each employing unit, no later than the day following the day on which the payroll is processed for a week during which an individual who is customarily employed by that employing unit on a full-time basis worked less than full-time hours and did not earn \$5 or more in excess of the individual's weekly benefit amount due to lack of work or, while not having been affirmatively terminated, performed no services and earned no wages for a period of one calendar week due to lack of work, shall give that individual a claim form properly filled out. If employment is unavailable after issuance of the claim form, the employing unit shall issue instructions to the worker for making application for total benefits. If the employing unit does not know an employee's weekly benefit amount, a claim form must be issued for the first week of less than full-time work in the employee's benefit year in order that a determination of the employee's rights may be made and the employing unit and the employee duly notified. Pending receipt of notice of the employee's benefit rights, the employing unit shall issue a claim form for each week of less than full-time work.

A. Issuance of the claim form to individuals for limited periods of 2 or more consecutive calendar weeks of performing no services and earning no wages while not having been affirmatively terminated may be authorized by the commission upon specific request from the employing unit due to temporary shutdown of operations at the employing establishment.

B. A claim issued by an employing unit in accordance with this subsection, when filed with the bureau, constitutes an individual's notice of partial unemployment and registration for work and the individual's claim for benefits or for any past compensable weeks of partial unemployment covered by the claim, if that claim is filed in accordance with regulations adopted by the commission.

C. Any employing unit that fails to provide an individual with a claim form in accordance with this subsection is subject to a fine of \$25 per day for each day the violation continues.

SUMMARY

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4 This bill requires the employing unit of a full-time
6 employee who works less than full-time hours due to lack of work
 to give that employee a properly filled out unemployment
 compensation claim form.