

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 198

H.P. 187

House of Representatives, January 18, 2001

An Act to Provide Notice of Termination Status.

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative BRYANT of Dixfield.
Cosponsored by Senator GAGNON of Kennebec and
Representatives: DAVIS of Falmouth, DUNLAP of Old Town, DUPLESSIE of Westbrook,
HATCH of Skowhegan, PATRICK of Rumford.

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

4 **Sec. 1. 26 MRSA c. 7, sub-c. X is enacted to read:**

6 **SUBCHAPTER X**

8 **EMPLOYMENT TERMINATION**

10 **§873. Notice of termination status; posting**

12 **1. Definition.** As used in this subchapter, "employer"
14 means a person, excluding the State and any political
16 subdivision, agency or instrumentality of the State, who employs
18 5 or more employees.

20 **2. Conspicuously post.** An employer shall post in a
22 conspicuous place in the work area the following:

24 "Under Maine law, if you are an at-will employee, you may be
26 terminated for any reason not specifically prohibited by
law, unless you are covered by a collective bargaining
agreement or other contract or your employee handbook calls
for termination only for cause. In your case, you may be
terminated. If you have questions about at-will employment,
contact your human resources department or the Maine
Department of Labor."

28 **3. Posting and notice requirements.** An employer shall post
30 a copy of the notice in subsection 2 as printed on the next
32 reprint of the regulation of employment poster in a conspicuous
34 place in the work area. If an employer issues an employee
handbook, the employer shall provide a copy to each employee and
shall promptly provide notice to each employee of any changes in
the handbook.

36 **4. Retaliation prohibited.** An employer may not terminate
38 or otherwise discriminate against an employee because the
employee signed or filed any affidavit, petition or complaint or
gave any information or testimony pursuant to this subchapter.

40 **Sec. 2. Regulation of employment poster.** The Department of
42 Labor shall include notice of the requirements of this Act in its
44 next reprinting of the regulation of employment poster.

46 **SUMMARY**

48 This bill requires an employer to post in a conspicuous
50 place the terms under which an employee may be terminated. The
bill prohibits an employer from retaliating against an employee

2 if the employee signs or files an affidavit, petition or
complaint or gives information or testimony against the
4 employer. The bill also requires the Department of Labor to
include the at-will employee notice in the next reprinting of the
6 regulation of employment poster.