

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1224

H.P. 910

House of Representatives, February 28, 2001

An Act to Provide Public Employees Equal Access to Personnel Files.

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative HUTTON of Bowdoinham.
Cosponsored by Senator EDMONDS of Cumberland and
Representatives: BOUFFARD of Lewiston, BRYANT of Dixfield, BUNKER of Kossuth
Township, DUPLESSIE of Westbrook, HATCH of Skowhegan, PATRICK of Rumford,
PINEAU of Jay, USHER of Westbrook.

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

4 **Sec. 1. 26 MRSA §630**, as amended by PL 1997, c. 356, §1, is
further amended to read:

6 **§630. Written statement of reason for termination
of employment**

8
10 An employer shall, upon written request of the affected
12 employee, give that employee the written reasons for the
14 termination of that person's employment. An employer who fails
16 to satisfy this request within 15 days of receiving it may be
18 subject to a forfeiture of not less than \$50 nor more than \$500.
20 An employee may bring an action in the District Court or the
22 Superior Court for such equitable relief, including an
injunction, as the court may consider to be necessary and
proper. The employer may also be required to reimburse the
employee for the costs of suit, including a reasonable attorney's
fee if the employee receives a judgment in the employee's favor.
~~This section does not apply to~~ applies to all employers and
employees, public employees-in-proceedings-governed-by-Title-1,
section-405 and private.

24 **Sec. 2. 26 MRSA §631**, as amended by PL 1999, c. 235, §1, is
further amended by adding at the end a new paragraph to read:

26
28 This section applies to all employers and employees, public
and private.

30
32 **SUMMARY**

34 This bill provides that a public sector employee, as well as
36 a private sector employee, may request written reasons from an
employer for that employee's termination and may review and copy
that employee's personnel file.