MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document **No. 1912**

S.P. 710 In Senate, December 17, 2001

An Act to Ensure that Recipients of Trade Adjustment Assistance Retain
Eligibility for Unemployment Compensation.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 17, 2001. Referred to the Committee on Labor and ordered printed pursuant to Joint Rule 308.2

PAMELA L. CAHILL
Secretary of the Senate

Presented by President Pro Tem MICHAUD of Penobscot.
Cosponsored by Speaker SAXL of Portland and
Senators: CATHCART of Penobscot, EDMONDS of Cumberland, ROTUNDO of
Androscoggin, TREAT of Kennebec, Representatives: BERRY of Livermore, CARR of
Lincoln.

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

Sec. 1. 26 MRSA §1193, sub-§1, as amended by PL 1991, c. 506, §2, is further amended to read:

1. Voluntarily leaves work. Except as provided in section 1193-A,

A. For the week in which the claimant left regular employment voluntarily without good cause attributable to that employment. The disqualification continues until the claimant has earned 4 times the claimant's weekly benefit amount in employment by an employer. A claimant may not be disqualified under this paragraph if:

(1) The leaving was caused by the illness or disability of the claimant or an immediate family member and the claimant took all reasonable precautions to protect the claimant's employment status by promptly notifying the employer of the reasons for the absence and by promptly requesting reemployment when again able to resume employment;

(2) The leaving was necessary to accompany, follow or join the claimant's spouse in a new place of residence and the claimant can clearly show within 14 days of arrival at the new place of residence an attachment to the new labor market, and the claimant is in all respects able, available and actively seeking suitable work;

(3) The leaving was in good faith in order to accept new employment on a permanent full-time basis and the new employment did not materialize for reasons attributable to the new employing unit; or

(4) The leaving was necessary to protect the claimant from domestic abuse and the claimant made all reasonable efforts to preserve the employment.

B. For the duration of ~~his~~ the claimant's unemployment period subsequent to ~~his~~ the claimant's having retired; or having been retired from ~~his~~ the claimant's regular employment as a result of a recognized employer policy or program, under which ~~he~~ the claimant is entitled to receive pension payments, if so found by the deputy, and disqualification ~~shall-continue~~ continues until the claimant has earned 6 times ~~his~~ the claimant's weekly benefit amount in employment by an employer;

C. For the duration of an unpaid voluntary leave of absence or sabbatical leave that has been mutually agreed to by the employee and the employer.

Sec. 2. 26 MRSA §1193-A is enacted to read:

§1193-A. Exception; trade adjustment assistance

Notwithstanding section 1193, subsection 1, an individual who is otherwise eligible under section 1192 is eligible to receive benefits if that individual:

1. Prevails upon appeal. Applies for trade adjustment assistance under section 2051, is initially denied such assistance, appeals that decision and prevails upon appeal; and

2. Leaves unsuitable work. Voluntarily leaves work that pays less than 80% of the average weekly wage that was received by that individual in the job that was adversely affected by international trade.

SUMMARY

This bill specifies that an applicant for trade adjustment assistance who is initially denied but ultimately is granted such assistance does not become ineligible for unemployment compensation upon voluntarily leaving a job that pays less than 80% of the average weekly wage received in the individual's previous position.