

MAINE STATE LEGISLATURE

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L.D. 2098

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1595, L.D. 2098, Bill, "An Act to Protect the Rights of Maine Citizens Under Collective Bargaining Agreements"

Amend the bill by striking out the title and substituting the following:

'An Act to Protect Workers from Unilateral Imposition of Random or Arbitrary Drug Testing'

Further amend the bill by striking out all of the 3rd paragraph after the title (page 1, lines 7 and 8 in L.D.) and inserting in its place the following:

'Whereas, this Act is intended to clarify that random or arbitrary drug testing may not be imposed unilaterally by an employer; and'

Further amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 26 MRSA §684, sub-§3, ¶A, as enacted by PL 1989, c. 536, §§1 and 2 and affected by c. 604, §§2 and 3, is amended to read:

A. The employer and the employee have bargained for provisions in a collective bargaining agreement, either before or after the effective date of this subchapter, that provide for random or arbitrary testing of employees. A

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2 random or arbitrary testing program that would result from
3 implementation of an employer's last best offer is not
4 considered a provision bargained for in a collective
5 bargaining agreement for purposes of this section; or'

6

8 SUMMARY

9 This amendment allows for random or arbitrary drug testing
10 to be imposed through the collective bargaining process.
11 However, it clarifies that such a program can not be imposed by
12 unilateral imposition of the employer's last best offer, for
example, when bargaining reaches an impasse.

COMMITTEE AMENDMENT