

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 523

H.P. 408

House of Representatives, February 6, 2003

An Act To Hold Supervisors Personally Liable for Discrimination in the Workplace

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SIMPSON of Auburn.
Cosponsored by Senator CATHCART of Penobscot and
Representatives: DUPLESSIE of Westbrook, RICHARDSON of Brunswick, SMITH of Van
Buren.

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

4 **Sec. 1. 5 MRSA §4577** is enacted to read:

6 **§4577. Individual liability**

8 **1. Liability.** An individual is subject in that person's
10 individual capacity to the penalties and remedies set forth in
12 subsection 2 if that person, acting as agent of or in the
14 interest of an employer, engages in actions constituting unlawful
employment discrimination under this subchapter. An action
against the individual may be brought in addition to, not in lieu
of, an action against the employer.

16 **2. Penalties and remedies.** An individual liable for
employment discrimination pursuant to this section is subject to:

18 A. The civil penalties provided for in section 4613,
20 subsection 2, paragraph B, subparagraph (7);

22 B. A cease and desist order provided for in section 4613,
subsection 2, paragraph B, subparagraph (1); and

24 C. An order to pay costs and attorney's fees under section
26 4614.

28 **SUMMARY**

30 This bill provides that an individual acting as agent of, or
32 in the interest of, an employer is liable in his or her
individual capacity for actions that constitute unlawful
employment discrimination.