

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1346

H.P. 929

House of Representatives, March 17, 2005

An Act To Require Employers and Employees To Provide a 2-Week Notice before Terminating Employment

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative TWOMEY of Biddeford.
Cosponsored by Senator BRYANT of Oxford and
Representatives: BLANCHETTE of Bangor, COLLINS of Wells, EDER of Portland,
GOLDMAN of Cape Elizabeth, HUTTON of Bowdoinham, LUNDEEN of Mars Hill,
PINEAU of Jay, SMITH of Van Buren.

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

4 **Sec. 1. 26 MRSA §625**, as amended by PL 1975, c. 512, §§1 and
5 2, is repealed and the following enacted in its place:

6 **§625. Notice of intention to quit or terminate employment**

7
8 **1. Notice of intention to quit employment.** An employee
9 shall provide an employer with at least a 2-week notice of the
10 employee's intention to quit employment with that employer.
11 Failure to comply with this subsection is punishable by a
12 forfeiture by the employee of one week's wages. This forfeiture
13 may not be enforced if the leaving is for reasonable cause.

14
15 **2. Notice of intention to terminate employment.** An
16 employer shall provide an employee with at least a 2-week notice
17 of intention to terminate the employment of the employee.
18 Failure to comply with this subsection is punishable by a
19 forfeiture by the employer of 2 weeks' wages to the employee.
20 This forfeiture may not be enforced if the discharge of the
21 employee is for reasonable cause.

22
23 **3. Effect of contract; damages.** Notwithstanding
24 subsections 1 and 2, if employment is subject to a contract or
25 written agreement that requires a longer notice period, the
26 provisions of the contract govern. This section does not prevent
27 either party from recovering damages for a breach of contract to
28 hire.

29
30 **For purposes of this section, "employer" includes the State**
31 **and the Legislature.**

32
33 **SUMMARY**

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35
36 Current law allows an employer and employee in a
37 manufacturing or mechanical business to contract to give each
38 other one week's notice of intention to quit or terminate
39 employment.

40
41 This bill requires all employees to give 2 weeks' notice
42 prior to quitting and employers, including the State and the
43 Legislature, to give 2 weeks' notice prior to terminating an
44 employee. An employee who quits in violation of this requirement
45 without reasonable cause is subject to a forfeiture of one week's
46 pay. An employer who fails to provide 2 weeks' notice without
47 reasonable cause is required to provide the employee with 2
48 weeks' pay.