

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)



123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1545

H.P. 1070

House of Representatives, March 20, 2007

An Act To Protect Workers from Political or Religious Intimidation

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative FAIRCLOTH of Bangor.
Cosponsored by Senator STRIMLING of Cumberland and
Representatives: PATRICK of Rumford, TUTTLE of Sanford, WATSON of Bath, WEBSTER
of Freeport.

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

2 **Sec. 1. 26 MRSA c. 7, sub-c. 11** is enacted to read:

3 **SUBCHAPTER 11**

4 **EMPLOYMENT ACTION BASED ON**
5 **POLITICAL OR RELIGIOUS VIEWS**

6 **§878. Employment action based on political or religious views**

7 **1. Definitions.** As used in this subchapter, unless the context otherwise indicates,
8 the following terms have the following meanings.

9 A. "Employer" means any public or private employer.

10 B. "Political matter" means:

11 (1) Party affiliation;

12 (2) Support for or opposition to a candidate for, or a holder of, public office;

13 (3) A partisan or nonpartisan public policy issue presented for the vote of the
14 electors in the form of a constitutional amendment, a new or amended law or the
15 repeal of a law; or

16 (4) Support for or opposition to joining any lawful political, social, community
17 or labor organization.

18 **2. Employment action based on political or religious views prohibited.** An
19 employer may not directly or indirectly appoint, demote, suspend, lay off, discharge or in
20 any manner change the official rank or compensation of an employee or promise or
21 threaten to take any such action or harass, discipline or coerce an employee because the
22 employee:

23 A. Attends or refuses to attend an employer-sponsored meeting, the primary purpose
24 of which is to communicate the employer's opinion about a religious or political
25 matter; or

26 B. Participates in or refuses to participate in any communication, the primary
27 purpose of which is to communicate the employer's opinion about a religious or
28 political matter.

29 **3. Retaliation for reporting violations prohibited.** An employer may not demote,
30 suspend, lay off, discharge or otherwise penalize or threaten to penalize an employee
31 because the employee, or a person acting on behalf of the employee, makes a good faith
32 report, orally or in writing, of a violation or a suspected violation of this section.

33 **4. Exceptions.** This section does not prohibit an employer from taking employment
34 action when religious or political beliefs or communications are a bona fide part of the
35 employee's job responsibilities.

